

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



**Belfast
City Council**

13th August, 2020

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet, via Microsoft Teams, on Tuesday, 18th August, 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 - 34)
- (c) Declarations of Interest

2. Motion - Restoration and Listing of Historic Street Signs (Pages 35 - 38)

3. Committee Site Visits

- (a) Note of Site Visits (Pages 39 - 40)
- (b) Proposed Pre-Emptive Site Visit

LA04/2020/0067/F: Demolition of existing buildings and erection of 270 no. apartment building comprising 8, 5 and 3 storey elements, provision of hard and soft landscaping including communal courtyard gardens, public realm, provision of 40 no. car parking spaces, cycle parking, substation and associated works. (Further information and amended plans received) at Havelock House, Ormeau Road, Belfast.

4. **Planning Decisions Issued** (Pages 41 - 62)
5. **Planning Appeals Notified** (Pages 63 - 64)
6. **Dfl Notification - Provision of Accessible/Disabled Parking Bay** (Pages 65 - 66)
7. **Planning Applications**
 - (a) (Reconsidered) LA04/2019/1598/F - Apart-Hotel (87no. bedrooms & 26no. serviced apartments), 14no. Business Studios and 10no. live/work studios with associated car parking and landscaping at Adelaide Business Centre, Apollo Road (Pages 67 - 92)
 - (b) (Reconsidered) LA04/2018/2876/F - Residential development comprising 16 units on lands opposite 13 15 17 and 32 Somerdale Park (Pages 93 - 108)
 - (c) (Reconsidered) LA04/2020/0454/F - House of Multiple Occupancy at 19 Balfour Avenue (Pages 109 - 118)
 - (d) (Reconsidered) LA04/2020/0662/A - Mesh banner signage at Former Belfast Telegraph Printworks (Pages 119 - 126)
 - (e) LA04/2020/0757/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at West Pitch, Downey House, Pirrie Park Gardens. (Pages 127 - 152)
 - (f) LA04/2018/1411/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at East Pitch, Downey House, Pirrie Park Gardens. (Pages 153 - 180)
 - (g) LA04/2019/1540/F - Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. Weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear earth bunding, 3no. Accesses to existing Giant's Park Service road infrastructure and ancillary plant/site on lands to the northwest of existing Belfast City Council Waste Transfer Station, 2a Dargan Road (Pages 181 - 216)

- (h) LA04/2020/0010/F - Aquarium, car parking and associated infrastructure on lands to the South East of Titanic Hotel , North East of Bell's Theorem Crescent and South West of Hamilton Road. (Pages 217 - 246)
- (i) LA04/2020/1063/F - Re-siting of James Connolly statue from 275-277 Falls Road to 374-376 Falls Road (Pages 247 - 252)
- (j) LA04/2019/2217/F - Public realm improvements and removal of existing toilets on lands south of Albert Bridge and directly north of 5 Ravenhill Road (Pages 253 - 266)

8. **Miscellaneous Items**

- (a) Graffiti/defacing of street furniture (Pages 267 - 270)

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Planning Committee

Tuesday, 21st July, 2020

SPECIAL MEETING OF PLANNING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey,
Maskey, McCullough, 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

An apology for inability to attend was reported from Councillor Hutchinson.

Declarations of Interest

In relation to Item 4c, LA04/2020/0474/F - Construction of film studios complex, Councillor O'Hara advised that he was on the Board of the Belfast Harbour Commissioners but explained that, as it was a Council appointment, that it did not constitute a conflict of interest and that he could fully participate in the discussion on the item.

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 8th June and 10th July.

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.

Miscellaneous Items

Departmental Performance Update (to 31 March 2020)

The Committee considered the undernoted report and the associated appendix:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 To provide the Planning Committee with an overview of the performance of the Council’s Planning Service during 2019/20 in line with statutory and local performance indicators, as well as practical outcomes. A Performance Report for 2019/20 is provided on mod.gov.

2.0 Recommendation

- 2.1 Members are asked to note the Performance Report for 2019/20 available on mod.gov.

3.0 Main report

3.2 Background

Officers regularly reports performance to the Planning Committee as it’s a valuable indicator of the overall operation and effectiveness of the Council’s Planning Service. This captures key performance information according to both regional and local indicators in relation to planning applications, enforcement and appeals. It also includes key outcomes of the development management process and provides a narrative around performance in the context of overall improvement of the Council’s Planning Service. Members are asked to note the report and ask any questions that may arise.

- 3.2 In addition, on 02 July 2020 the Department for Infrastructure published its annual Northern Ireland Planning ‘Statistical Bulletin’. This provides finalised activity and performance figures for the planning system in Northern Ireland for 2019/20. It includes a statistical breakdown of the performance of each of the 11 councils and the Department itself as Planning Authorities. A copy of the Statistical Bulletin can be found at the link below:

<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-2019-march-2020>

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4.0 Financial & Resource Implications

- 4.1 Performance is an indicator of an efficient and effective planning service, which supports value for money and effective use of resources.**

5.0 Equality or Good Relations Implications / Rural Needs Assessment

5.1 No adverse impacts identified.”

During discussion, a number of Members thanked the Planning team for its continued hard work in reaching its targets.

A number of Members requested that information on the following issues be included in future performance reports:

- a breakdown of housing applications, in terms of whether they are social, affordable or private housing, and also the geographical locations of the applications in terms of whether they are located in the city centre or outside of the city centre;
- how many times has the Planning Committee granted an application despite statutory objections;
- how often the Committee disagrees with officers' recommendations, and by illustrating whether they were major or local applications;
- information regarding the average time for enforcement cases; and
- annual figures relating to how many decisions the Planning Appeals Commission overturned, particularly appeals made from Committee decisions and those made from officers' decisions.

The Committee noted the update that had been provided and agreed that the information which had been requested should be included in future updates.

Award of Contract to Replace the Planning Portal

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 To advise the Planning Committee that a contract has been awarded to replace the Northern Ireland Planning Portal with a new IT system, expected to be implemented late 2021/early 2022. The replacement Planning Portal will allow applicants to submit online applications for the first time and is expected to greatly improve the efficiency of the Council's Planning Service. It will also support increased flexibility for remote working.**

2.0 Recommendation

2.1 Members are asked to note the report.

3.0 Main report

Background

- 3.1 The Northern Ireland Planning Portal (NIPP) provides the public website interface which citizens use to find information and comment on planning applications. It also provides back-office software that the Council's Planning Service uses to process planning applications and enforcement cases, as well as supporting the administration of regional property certificates.**
- 3.2 The NIPP was implemented by the former Department of Environment in 2010 as a regional IT solution and was inherited by the 11 councils as a shared system in 2015 on the transfer of planning powers to local government. The NIPP is provided by a third-party supplier, DXC. The contract for the Planning Portal is managed by the Department for Infrastructure (DFI) and will expire at the end of December 2021.**
- 3.3 Since 2016, DFI and the 11 councils have been part of a regional project to explore options for replacing the NIPP. In January 2019, DFI published an Outline Business Case (OBC) which recommended that the NIPP is replaced by another shared regional IT system, based on a 'Commercial Off The Shelf' product with some local configuration for each Planning Authority. All 12 Planning Authorities signed up to the next phase of the project which was to undertake a procurement process. This was completed in March 2020. DFI subsequently published a Full Business Case (FBC) proposing to award the contract to TerraQuest Solutions, the preferred supplier.**

Award of Contract

- 3.4 In April 2020, the Strategic Policy and Resources Committee agreed the award of contract subject to the following:**
- the Department and a minimum of 10 councils agree the award of the contract by the end of June 2020;**
 - the capital cost to Local Government will be split evenly between councils and operating costs will be split according to fee income (as set out in the Funding Proposal accompanying the Full Business Case), but fixed for at least three years to aid financial planning;**

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- implementation of the six recommendations of the Gateway Review 3 report (independent assurance report); and
- BCC is part of the first wave of councils to implement the new IT system (as previously requested).

3.5 DFI and 10 councils (including BCC) have agreed the FBC and the contract has been awarded accordingly, with the new IT system to be shared by these 11 Planning Authorities. Only Mid Ulster Council has withdrawn from the process and it will procure its own standalone system. The new regional IT system is expected to be implemented late 2021/early 2022 and BCC will be part of the first wave. The award of contract is for an initial 10 years with 5 + 5 year options according to the performance of the new system.

New supplier – TerraQuest Solutions

3.6 The contract has been awarded to TerraQuest Solutions. The company was one of five suppliers to submit Selection Questionnaires and these were shortlisted to two suppliers for the final tender stage. The procurement was based on Competitive Procedure with Negotiation overseen by the Central Procurement Directorate (Department of Finance). The tenders were assessed on the basis of 60% quality and 40% cost. TerraQuest Solutions' bid won in both categories.

3.7 TerraQuest Solution's winning bid is made on behalf of a consortium which includes PortalPlanQuest (PPQ) and DEF Software (DEF). PPQ operates the Planning Portal in England (a national website that hosts around 90% of online planning application submissions in England). It is also contracted to deliver this service in Wales. DEF Software provides digital and cloud-deployed back-office systems to local councils for Planning, Building Control and related services. DEF currently has 35 live UK sites including council planning services in both England and Wales.

Benefits of the new IT system

3.8 The benefits are summarised in the table below.

Public Access website	Back-office IT system
Ability to submit online planning applications including online payments	Automated uploading of applications, drawings and documentation (i.e. no need for manual data entry or scanning online applications)

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Public Access website	Back-office IT system
Ability to submit online enforcement complaints	Improved workflow for staff with assignment of configurable task notifications prioritised according to a Red/Amber/Green traffic light system
Ability to submit online requests for Property Certificates (part of the property conveyance process)	Ability to assign, allocate, reallocate work electronically within the system, as well as checking reports and signing off decisions (to support a paperless office approach)
Shared regional approach to online submissions providing consistency across the vast majority of NI	Automated notification reminders to staff, customers and consultees to complete tasks / submit information / provide a consultation response
The online process will drive quality applications at submission through identification of validation and configurable local information requirements	Ability for each council to configure their own templates e.g. standard customer letters, delegated and committee reports, and model planning conditions
Improved access to information for customers including availability of planning constraint layers (both textually and GIS)	Enhanced reporting and monitoring of performance and outcomes (by teams, individuals and wider service)
	Fully integrated Electronic Documentation Management System to support a paperless office approach
	Communications Portal to support communication within the system between BCC staff and customers, and BCC staff and consultees
	Module for monitoring S76 agreements; enhanced monitoring of planning conditions
	Better support for remote working including field work using mobile devices
	Potential efficiencies in the Property Certificate process as a result of increased automation

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Public Access website	Back-office IT system
	Better integration with other service area's IT systems through APIs

Implementation

- 3.9** The Council has played a lead role in the project to date, being one of three councils to agree the specification for the new IT system on behalf of local government, representation on the tender panel and providing staff to the core project team. It is vital that the Council continues to have a lead role during the design and implementation stage to ensure that its requirements are met. A BCC Senior Planning Officer has been seconded to the core project through Interchange as the Business Lead, an influential role, and will represent BCC's interests well. BCC will continue to be represented on the Planning Portal Governance Board which has strategic oversight of the project.
- 3.10** Officers have established an internal implementation team projected managed by a Business Support Officer within the Planning Service. This reports to an internal project board, chaired by the Director of Planning and Building Control, with representatives from the Planning Service, Digital Services and Audit, Governance and Risk Service and other services contributing as required. Planning and Digital Services staff will be drawn into the internal project team as and when required during the implementation phase.

Governance

- 3.11** The Planning Portal Governance Board will retain overall strategic control of the project. The Governance Board is chaired by DFI and includes the 10 councils. The new supplier is also represented. BCC is represented by the Planning Manager (Development Management) and Head of Digital Services.

Contingency

- 3.12** The current NIPP is supported until the end of December 2021. There is currently no contingency for technical support for the Planning Portal beyond that date. The new IT system is not scheduled to go live in full until February 2022, although BCC will be part of the first wave implementation planned for late 2021. Notwithstanding, the timetable may slip due to various risks including the Coronavirus pandemic. DFI is assessing contingency options for providing continued technical support

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for the current NIPP post December 2021 to ensure business continuity, and regularly reports to the Planning Portal Governance Board on this issue. The need to replace the current NIPP is a service risk, which is being continuously monitored.

4.0 Financial & Resource Implications

- 4.1 The cost of the new IT system will be shared between DFI and the 10 councils. The Department will fund 55% of the overall costs. In terms of local government costs, capital costs will be split evenly between the 10 councils with operating costs split according to fee income. The overall cost to BCC will be £2,062,000 over 21 years (£98k pa).

5.0 Equality or Good Relations Implications / Rural Needs Assessment

5.1 No adverse impacts identified.”

A Member requested that the Trade Unions be consulted in respect of any staffing implications.

In response to a further Member’s question, the Planning Manager confirmed to the Committee mitigation measures which would be put in place to ensure a smooth transition between the old and the new systems.

The Committee noted the update which had been provided.

Restricted Item

The information contained in the report associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of this item as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

LDP Timetable and Update

(Councillor Nicholl left the meeting at this point in proceedings)

The Development Planning and Policy Manager and the Principal Planning Officer provided the Committee with an update on the progress of the draft Plan Strategy (dPS) for the Belfast Local Development Plan (LDP) including the revision of the Timetable, recent correspondence from the Planning Appeals Commission (PAC in relation to the

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potential Independent Examination, the updated response to recent consultation on the Affordable Housing definition and work on the development of Supplementary Planning Guidance (SPG) which would support the final plan.

The Members were reminded that a number of workshops on SPG, which were due to be held in March and April, had been postponed due to Covid-19. It was proposed that these could be rearranged and held remotely in due course.

The Committee:

- noted the updates on the proposed revision of the Timetable;
- noted the correspondence from the PAC and proposed approach to a Council response;
- noted the updated response in relation to the Department for Communities (DfC) re-consultation on the Affordable Housing definition; and
- agreed that the workshops in relation to the Supplementary Planning Guidance be rearranged and held remotely in due course.

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)**

**LA04/2018/2876/F - Residential development comprising 16 units
(10 semi-detached and 6 detached) on Lands opposite 13, 15, 17
and 32 Somerdale Park**

(Councillor Nicholl re-joined the meeting at this point in proceedings)

Before presentation of the application commenced, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to acquaint itself with the location and the proposal at first hand.

The Committee also noted, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

**LA04/2020/0639/F - Alteration and extension to Church Hall
Braniel Methodist & Presbyterian Church, Lower Braniel Road**

The Principal Planning officer provided the Committee with the key aspects of the application, for which Belfast City Council was the applicant.

She outlined the main issues which had been considered in the assessment of the application, including the design, scale and massing, the impact of the proposal on the character and appearance of the area, the impact on the living conditions of the neighbouring properties and road safety.

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She explained to the Committee that the design and external appearance of the extension was considered acceptable and would bring community benefits through the provision of additional community facilities. She added that there would be no detrimental impact on the character or appearance of the area.

The Members were advised that DFI Roads had offered no objection to the proposal.

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.

LA04/2020/0474/F - Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works on lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park)

The Principal Planning officer outlined the details of the major application, which would form Phase II of the current complex which was approved under LA04/2015/1605/F. He explained that the site was un-zoned "white land" within the Belfast Urban Area Plan (BUAP) and that it was located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP).

The Committee was advised of the main issues which had been considered during the assessment, including the principle of the proposed use at the location, scale, massing and design, traffic and parking, landscape, habitat regulations assessment, drainage and flooding, contaminated land, the pre-application community consultation report and developer contributions.

The Principal Planning officer explained that DfI Roads, Environmental Health, NIEA, Shared Environmental Services, Rivers Agency, NI Water and Belfast City Airport had all been consulted in addition to the Council's Economic Development Team, the Tree Officer and the Landscape Team, and that no objections from consultees had been made.

The Members were advised that one representation had been received, which cited an error in the description of the site address and relating to letters not having been made available to view on the portal. He pointed out that these issues had both since been rectified. The representation had also raised concerns relating to the rationale behind the Council's decision that an Environmental Statement was not required for the application and he pointed out that this had been addressed within the report.

The Principal Planning officer outlined that the application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Services on behalf of the Council, which was the competent authority

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responsible for authorising the project and any assessment of it required by the regulations.

He explained that the proposed development was estimated to represent an investment of £45million, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs.

The Members' attention was drawn to the Late Items pack, where an additional condition was deemed necessary, to ensure that the office component of the studios was not used for any purposes other than ancillary to the main use, as use of non-ancillary offices at the location would be contrary to the draft development plan zoning.

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, and to deal with any new issues raised by third parties.

LA04/2020/0446/F - Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 26-44 Little Patrick Street (Temporary)

The Principal Planning officer provided the Committee with the key aspects of the application which sought temporary permission for the part change of use from purpose built managed student accommodation (PBMSA) to aparthotel development covering floors 5-11.

He outlined the key issues in the assessment of the proposal, including access, movement, parking and transportation, road safety, waste management and other environmental factors. He advised the Members that it had been assessed against and was considered to comply with the SPPS, BUAP, dBMAP, PPS3, PPS13 and PPS16.

The Committee was advised that there were no objections raised by consultees, but that a response from DFI Roads was outstanding. The planning officer added that no written representations had been received.

In response to a Member's question as to whether this would set a precedent, he explained that each application was always considered on its own merits.

In response to a question from a further Member regarding the time period of two years, the agent confirmed to the Committee that the use could revert back to PBMSA prior to September 2023.

The Committee granted approval to the application, with delegated power to the Director of Planning and Building Control for the final wording of the conditions and updated Section 76 legal agreement, and to deal with any new issues that may be raised.

Chairperson

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Planning Committee

Tuesday, 28th July, 2020

PRE DETERMINATION HEARING
HELD REMOTELY VIA MICROSOFT TEAMS AT 3.00PM

Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey, Hutchinson,
Maskey, McCullough, 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 received.

Declarations of Interest

No declarations of interest were reported.

**Pre Determination Hearing re: LA04/2017/2341/O –
Demolition, redevelopment and part change of use to create
a mixed use development comprising retail, offices,
cafe/restaurant, residential, hotel, cultural/community
space, parking, servicing, access and circulation arrangements,
the creation of new streets, the configuration of Writers Square,
public realm works, landscaping and associated site and road
works including works to alter listed buildings, restoration of
retained listed buildings and facades, and partial demolition of
North Street Arcade, retaining its facades on land bounded by
Royal Avenue, York Street and Church Street to the North; North
Street to the west; Rosemary Street to the south and High Street
to the south; and Donegall Street to the east. The site is located
approximately 300m west of Laganside Bus Station, 300m
northeast of City Hall and 900m northwest of Central Train Station.**

The Chairperson welcomed the Members to the Pre-Determination Hearing for the outline application. The Committee was reminded that a Pre-Determination Hearing was to hear the views of interested parties and statutory consultees, and for Members of the Committee to seek clarification from these parties on the facts surrounding the development. The Committee was reminded that no decision may be reached at the

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Hearing, as Committee Members and planners might wish to consider the views made prior to making a determination at the scheduled Committee meeting which would held later that evening.

The Senior Planning officer explained that the application had been considered by the Planning Committee at its meeting on 21st January, 2020, following a Pre Determination Hearing on 16th December, 2019. At that meeting, the Committee had resolved to approve the application, with conditions and a Section 76 Planning Agreement, and had delegated power to the Director of Planning and Building Control to finalise the wording. She explained that, under the Planning (Notification of Applications) Direction 2017, it had been necessary to notify the Department for Infrastructure (DFI) of the decision, as the resolution to approve was contrary to the views of a statutory consultee, namely, the Historic Environment Division (HED).

The Committee was advised that, on 6th May, the DFI had advised the Council that it did not consider it necessary for the application to be referred to it for determination. It also confirmed that the associated applications for Listed Building Consent and Conservation Area Consent did not need to be referred. The DFI had advised that it was important that the Council satisfied itself that, before determining the application, it had fully assessed all required details pertaining to the listed buildings and that all necessary expert advice in relation to built heritage matters had been duly considered.

The Senior Planning officer explained that the DFI had also advised that the Council should ensure that, in the event the application was to be approved, all conditions proposed, particularly in relation to the listed buildings proposals, were necessary and reasonable, as well as enforceable, precise and relevant to planning and to the development as advised in the Development Management Practice Note 20. The response also highlighted the Minister's view on the importance of maximising the delivery of social and affordable housing particularly for projects of this nature where a housing need existed.

She advised that the application had therefore been returned to the Planning Committee for a decision, and that Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 required it to hold a Pre-Determination Hearing to give the applicant and interested parties the opportunity to be heard. She added that further representations had been received in the intervening period, and that she would also deal with various points of clarification further to the Planning Committee meeting of 21st January, 2020.

She provided the Committee with a detailed presentation of the outline application for a mixed-use scheme comprising offices, 367 residential units, restaurants/cafes, a hotel, retail units on the ground floor and cultural and community space. She explained that the proposal also sought to reconfigure Writer's Square, to pedestrianise North Street, the creation of new public squares ("Central Square" and "Assembly Square" at the junction of North Street and Rosemary Street) and the creation of new pedestrian links between North Street and Donegall Street.

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The Committee was advised that the currently approved scheme for the site, which had been granted permission in 2012, hereafter known as the extant scheme, was for a larger site than the current proposals. She explained that the extant scheme was an important material consideration in the determination of the current application and was given significant weight as it was capable of being implemented. The Senior Planning officer explained that Phase 1 of the extant scheme had already commenced and was therefore live in perpetuity.

At the Planning Committee of 21st January, an objector had requested that the Committee imposed a planning condition to remove Block 1 from any permission due to concerns regarding the perceived impact of the proposed block on New Cathedral Buildings. The Planning officer explained that officers had discussed this with the applicant, who was not willing to remove Block 1 from their application. Legal Services had advised that it would not be lawful to impose such a condition, as to do so would take away what the applicant had applied for. The relationship between Block 1 and New Cathedral Buildings had been assessed and was considered to be acceptable.

In relation to the number of proposed residential units, the Members of the Committee were advised that the maximum number of residential units could vary marginally depending on the detailed design proposals which would be submitted at reserved matters stage. The Senior Planning officer confirmed that it would not exceed 36,000sqm and that a potential increase in the number of residential units above 367 units would also result in an increase in the total number of social (10%) and intermediate housing units (10%).

She advised the Committee that officers had reconsidered the Active Ground Floor Uses within zones A, B and C, and had considered that the inclusion of “retail use” within these zones was unlikely to support an active night time economy given that city centre shops typically opened only one night per week until 9pm. Officers had therefore recommended that ‘retail’ was removed from the list of uses within Zones A-C and that an active night time economy would be achieved primarily through café and restaurant uses.

The Members were advised that, since the Planning Committee meeting of 21st January, 109 additional objections and one letter of support had been received. The Senior Planning officer provided the Committee with the detail of issues which had not previously been raised. With respect to the installation of artwork within the development, including into the reconfigured Writer’s Square, she confirmed to the Committee that the developer had agreed to provide an in-kind contribution to a maximum value of £350,000 towards the provision of public art within the development.

With regards to the potential for “piecemeal” development and demolition, she pointed out that the demolition and development of the site would be required to be carried out in accordance with the Indicative Phasing Plan submitted to ensure that the impact on the Conservation Areas was minimised.

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The Committee was reminded that, unlike the extant scheme, underground parking was no longer proposed and that there would be no impact on the Streets Ahead project in that regard.

In relation to the parking levels, which were significantly reduced compared to the extant scheme, she explained that they were supported by a range of sustainable transport measures including travel plans, travel cards and the introduction of a car club. She added that DFI Roads had raised no objections to the proposed development and that the proposed parking and existing infrastructure were considered satisfactory to serve the development.

The Senior Planning officer drew the Committee's attention to the Late Items pack which sought to clarify that the developer's contribution towards the Belfast Bikes scheme would amount to £45,000 and not £95,000 as stated in the case officer's report.

The Committee was advised that, since the Committee meeting of 21st January, officers had reviewed and refined the proposed conditions for the outline application in discussion with the applicant and were included within the case officer's report.

The Members were advised that Planning officers had been working alongside the Legal Services Team to develop the Section 76 Agreement to secure the following planning obligations:

- 10% Intermediate Housing within the application boundary (which the applicant has to enter into an agreement to transfer to a Registered Housing Association before 50% of the overall residential units have been occupied);
- 10% Social Housing at (a) Academy Street, (b) an alternative location within the city centre within 300m of the application site or (c) within the application site (which the applicant has to enter into an agreement to transfer to a Registered Housing Association prior to occupation of any residential unit);
- Relocation of the existing Choice facility (SHAC) (Nos. 32-40 Donegall St) to provide 50 fit for purpose replacement units at (a) Academy Street, (b) an alternative location within the city centre within 300m of the application site or (c) within the application site;
- Travel Plan to promote the sustainable transport measures;
- Travel Cards providing 100% subsidised public transport around the Greater Belfast area for each residential unit for 3 years;
- A financial contribution of £90k to provide a 25 dock Belfast Bikes Station;
- Provision of six car club spaces and discounted membership fees for residential units for three years;
- Public Realm works at Writers Square, Long Lane, North Street, Central Square, Assembly Square and Mews Lane (Braddells Entry);

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- Employment opportunities in both construction and operational phases which will be identified through the Employability and Skills Plans; and
- Delivery of Public Art.

The Senior Planning officer confirmed that the existing Choice Facility would not be demolished until such times as the relocation premises had been constructed and passed to Choice Housing Association. She explained that NIHE was considering the applicant's proposal to provide both the relocated Choice Facility (50 units) and the 10% social housing at Academy Street.

The Committee was advised that NIHE had raised concerns about density and management of this number of units in a single location and that discussions were ongoing between NIHE and the applicant which may lead to a resolution of those issues. She pointed out that if Academy Street was unsuitable, the developer had the option to provide it within 300m of the site in the City Centre, subject to approval of the site by the Council. An alternative fall-back would be the provision of the social housing within the application site itself. She confirmed to the Members that there was appropriate contingency built into the Section 76 Agreement to ensure that the social housing and relocation of the Choice facility was delivered within close proximity to the site, or within the site itself.

The Urban Design Officer presented a number of detailed slides which demonstrated the urban design aspects of the scheme. He outlined that the design approach, including the retention of a much higher number of facades in the proposals, would keep the historic plot widths of the area. He provided the Committee with example extracts of the Design Code for the scheme, including the materials used, and with details of the 11 parameter plans which had been submitted by the applicant. The Members were also provided with the details of the permeable routes through the site.

He highlighted a number of the changes between the extant scheme and the proposed outline application.

In relation to Open space provision, the Senior Planning officer advised the Members that Policy OS 1 of PPS 8 set out a presumption in favour of retaining existing open space and, at present, Writer's Square was the only area of public open space within the development, comprising 3,637 sqm. The Committee was advised that the current proposal included the creation of new pedestrianised areas at Assembly Square, Central Square, part of North Street, Long Lane and the Mews Lane adjacent to Braddells. The definition of open space as set out in PPS 8 included 'civic spaces, including civic and market squares and other hard surface areas designed for pedestrians' and that the new pedestrianised areas fell within the definition. As such the proposal would result in a net increase of 3,135 sqm (86%) of open space (total 6,772 sqm) across the site. The creation of additional open space also contributed to the requirement in Policy OS 2 to provide it as an integral part of the proposed residential development.

The Chairperson then welcomed Ms. N. Golden, Historic Environment Division, as a statutory consultee, to the meeting. She highlighted to the Committee that:

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- there were significant changes in terms of height, scale and massing between the extant scheme and the current proposal;
- the Conservation Area, named after the cathedral, was one of the oldest parts of the city and a key tourist attraction, despite neglect in some parts. The area had retained much of its character, distinguished by 3-5 storey buildings and narrow plot widths, where the Grade A listed Cathedral was clearly dominant and that HED considered that hierarchy should remain clear and unequivocal as a result of any new proposal;
- while the current proposal sought to reintroduce narrow passageways from east to west, the consequence of improved permeability was increased height at a number of locations, to the extent that the taller elements, in particular the residential tower, Block 3.7, and the office block at the junction of North, Rosemary & Waring Streets, Block 9, were visually dominant;
- the residential tower, at 15 stories high, was approximately three times as high as many of the existing buildings in the Conservation Area;
- while the proposed residential use was considered positive and essential to sustain life and vitality in the city centre, HED maintained its advice that no building should exceed the ridge height on the Cathedral;
- the daylight study did not take into account the Assembly Rooms;
- HED's advice remained that the proposal was contrary to PPS6 BH11 criterion (c) in terms of the impact of height, scale and massing of the development in the setting of listed buildings;
- at previous meetings the argument had been made that the scale of development proposed was required to make the scheme financially viable. Due to the significant adverse impact imposed on the listed buildings, HED's advice was that evidence should be sought to support that argument before making a final decision on this important historic part of the City Centre.

The Chairperson then welcomed Mr. A. Cahoon, Director of Killicrot Estates, to the meeting, who was objecting to the application and who was also speaking on behalf of Save CQ, the Cathedral Quarter Trust and the Belfast Cathedral.

He advised that he felt it would be prudent for the Committee to consider the decisions made in respect to the development in the context of Covid-19 pandemic, and the changing needs of commercial, leisure, tourism and public open spaces. He stated that:

- the organisations that he represented today had a shared interest in accessible public space, housing for balanced communities, successful retail, leisure, tourism, arts and creative economies and the heritage of the Cathedral Quarter and that they shared specific

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concerns about overshadowing, right to light and the redevelopment of open space;

- he was the owner of New Cathedral Buildings, a commercial building directly adjacent to Writers' Square, and that the application would have significant implications for its sole tenant, the Police Ombudsman for Northern Ireland.;
- he felt Strategic Planning Policy Statement for Northern Ireland (SPPS) paragraph 4.12 in respect of 'Safeguarding Residential and Work Environs' covered loss of light and overshadowing for commercial buildings and that the potential for loss of light and overshadowing on New Cathedral Buildings should have been included in any Daylight, Sunlight and Overshadowing study undertaken;
- a Daylight, Sunlight and Overshadowing study, added to the Council's Planning Portal after the Planning Committee of 21st January, clearly illustrated that the front elevation of New Cathedral Buildings would be negatively impacted by loss of light and overshadowing from Block 01 and Block 02 all year round;
- the proposal failed to satisfy the provisions of PPS 8 OS 1, in that the loss of Writers' Square as currently proposed would have significant detrimental effects on the amenity and character of the area and the substitute was smaller and less useful than Writers' Square;
- the proposed area of open space was dependent upon the pedestrianisation of North Street which was not included in any of the Department for Communities 'Belfast: Streets Ahead' schemes; and
- he welcomed the opportunity to work constructively with the Planning Service, the Planning Committee and Castlebrooke Investments to resolve their differences, whether to do with existing or proposed buildings or heritage or tourism assets.

The Chairperson welcomed Mr. S. Hamilton, Chief Executive of Belfast Chamber of Trade and Commerce, Mr. C. O'Brien, Planning Agent, Mr. D. Stelfox, Architect, to the meeting.

Mr. S. Hamilton stated that Belfast Chamber represented over 400 businesses in the city. He advised the Members that the current proposal addressed many of the previously raised concerns around public space and heritage. He welcomed the redevelopment of the North Street Arcade, additional public space, additional residential accommodation and the additional connectivity throughout the scheme. He stated that that part of the city centre had seen better days and, particularly as the City dealt with the impact of the coronavirus pandemic, the rejuvenation that the scheme would bring, and the jobs it would create both in construction and on completion, was exactly the sort of positive vision that the city and its people needed.

Mr C. O'Brien advised the Committee that, since the meeting of 21st January, where the Committee had approved the scheme, they had been working with the Planning

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officers to finalise the conditions and the Section 76 Agreement. The Section 76 agreement set out the legal obligations for the applicant to provide a range of benefits, including 10% intermediate housing on-site, an additional 10% social housing (at Academy Street, within 300m, or on-site) and the re-provision of the existing Choice social housing to a fit-for-purpose accommodation at Academy Street.

In addition to the Section 76 obligations which were outlined in the Case officer's report, he added that the heritage-led scheme would also create:

- 600 construction jobs and 1,600 full-time jobs once operational;
- a GVA of £213million per annum, and £23million in rates generation over 20 years;
- a significant increase in city centre living, with up to 400 units, including affordable housing, and thereby helping towards the aims of the Belfast Agenda;
- a range of sustainable and green travel measures to improve air quality and to reduce congestion and CO2 emissions; and
- £17.5m of investment in the public realm which would be in public use 24/7.

He advised the Members that they had offered to meet with Killicrot Estates but they had declined. He requested that the Committee would re-confirm its support for one of the biggest private sector investments ever to be made in Belfast, enabling the regeneration of a part of the city centre that had been allocated for development since the 1990s.

Mr D. Stelfox explained that he had spent the last 30 years restoring the built heritage of Belfast. He advised that he felt that the design was driven by the historic buildings within the conservation area, resulting in an eclectic variety of building plots and heights which reflected the existing character of the area. He highlighted to the Members that all of the buildings that made a positive contribution to the character of the area were being retained in part or in whole, restored and brought back into active use, and that HED had confirmed they were content with the proposals for both the listed Assembly Rooms and Braddells.

He added that:

- the reinstatement of the arcade was a highly positive aspect, which emerged as a direct response to consultations, and brought wider benefits of connectivity and opportunities for small traders;
- the improved pedestrian connectivity both existing north-south, and new east-west connections, would better tie together the Cathedral Quarter, the University and Royal Avenue;
- the reconfiguration of Writer's Square into a more inclusive, usable and active space would ensure that it continued to be a hub for gatherings. The scheme would almost double the quantum of usable public realm compared to the existing site, and provided much more than the extant scheme.

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During discussion, a number of Members asked questions regarding the social housing element of the scheme, particularly regarding the number of potential sites within the 300m boundary, and whether there would be any zoning issues associated with those sites; whether the applicant had spoken to NIHE regarding a firm proposal; the SHAC site; the size, mix and final location of the social/affordable units and the Choice Housing relocation.

Mr. C. O'Brien advised the Committee that there was a need to deal with the relocation of Choice, and that the Academy Street site fitted well with providing social housing, with the critical mass of private sector housing on site. He confirmed that Choice Housing had been engaged in that process for a long time and had indicated that it was happy with the arrangements. He emphasised that it was an important timing issue.

He advised the Members that he understood that NIHE was happy with that arrangement but they had recently voiced concerns about the management issue of having social housing and the number of units in one location. He explained that NIHE had stated they would consider this a few weeks ago but they had not replied as yet.

He explained that the Section 76 Agreement stated that, if NIHE couldn't agree with the Academy Street proposal, then it had to be within 300m within the boundary of the site, and, again, if a suitable site was not available within that boundary, then it had to be on site.

The Chairperson advised the Members that Ms. F. McGrath, NIHE, was in attendance. She explained that NIHE was broadly content with the three proposals but was not quite ready to sign off on Academy Street, as there were some issues still to be resolved in terms of the house types. She advised that the proposal would assist them in the provision of 10% social housing and explained that NIHE would respond to the applicant on the issue as soon as possible.

The officers advised that they would provide clarification on the key points at the Committee meeting.

A number of speakers referred to the ongoing Covid 19 pandemic and questions were raised regarding the future need for office and commercial space in the city centre. In response, Mr. C. O'Brien explained that the application would comprise Grade A office space to the most modern standards, including, for example, door sensors.

In relation to a Member's question regarding the pedestrianisation of North Street, the Chairperson advised the Committee that Mr. C. Dickinson, DFI Roads, was in attendance. Mr. Dickinson advised the Members that North Street would remain an adopted road and that it would be fully pedestrianised. However, he explained that the recent Primark fire had illustrated the need for an adaptable road network in the event of an emergency situation. The Director of Planning and Building Control advised that DFI and the applicant had been working together on this issue.

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In response to a further question regarding Policies OS 1 and 2, in relation to open space, Mr O'Brien advised that the application provided more open space than the policy requirement and that the policy stated that less than 15% was acceptable in city centre locations.

A Member highlighted that a children's play area was no longer included. Mr O'Brien confirmed that there was private open space within the scheme and expected that play facilities would be included as part of that. He also added that the scheme would predominantly be 1 or 2 bedroom flats.

A further Member stated that the Council had passed a motion in January 2019, calling on Castlebrook Investments not to use the name "Tribeca" for the scheme.

A further Member raised concerns regarding the balancing of the scheme with the economic viability; the height of the residential block and the block on the corner of Rosemary Street; the overshadowing of the Cathedral giving it the dominance that it deserved; overshadowing of North Street arcade; and the main residential courtyards of A3, A4 and A5 which breached the guidelines.

Mr O'Brien provided clarification on a number of the questions. He also advised the Committee that they did not believe the scheme was acceptable because it was the only way of making it economically viable, but rather that they had designed a scheme to enhance the conservation area, after months of discussion with consultees, and which included numerous benefits, including £17million of public realm investment.

Mr. Stelfox advised that he felt that the proposed scheme improved the current setting of the Cathedral and pointed out that Writer's Square, in its current form, had a less than ideal layout.

Further clarification was provided by the agent and architect in response to Members' questions on issues including the car club scheme, the significantly reduced amount of parking in the current scheme, public use of Writer's Square for rallies etc, the setting of Block 9 and the management of noise.

The Chairperson then invited Members to ask the officers any further questions.

A Member asked a number of questions regarding the open and amenity space figures, whether the figures in the report included areas in the curtilage of buildings, and further questions on the pedestrianisation of North Street and the possible pedestrianisation of other areas of the city centre.

The Director of Planning and Building Control advised that it might be useful if officers were to answer these questions at the subsequent Planning Committee meeting, which would allow them time to consider the points in the intervening period.

A further Member requested further information on what work had been undertaken by DFI Roads in respect of car clubs. Mr Dickinson, DFI, advised that research had been undertaken and that he was content that it was a viable approach and

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that it would be secured through the Section 76 Agreement. It was suggested that the issues of car clubs be included in a future Planning Workshop with DfI invited to attend.

A further Member requested further information from officers relating to the 300meter buffer zone in relation to the potential location of the social housing and whether development land existed in that area.

A further Member requested further information on the Gross Value Added (GVA) figure of £213million per annum. He stated that, as it was presented as fact in the Case officer's report, he would like to know when the estimate was taken, in that it was presumably before the Covid-19 pandemic, as well as who carried out the work and on what basis was it calculated. In response, Mr O'Brien advised the Committee that in terms of the Economic Impact Assessment, they applied the typical densities for new Grade A office accommodation and for residential units and shops in order to work out how many people would be employed, living and working in the space.

The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

(The Committee adjourned for a ten minute break at this point)

**Pre Determination Hearing re: LA04/2018/2097/F and
LA04/2018/2034/LBC - Change of use & refurbishment
of Wilton House to provide 8 apartments including alterations
to rear & side elevation of Wilton House and demolition of
existing rear return & erection of new build 5 storey residential
development to provide 23 dwellings (15 new build) including
entrance lobby, courtyard, bin storage and new ramped access
off College Square North**

The Planning Manager (Development Management) provided the principal aspects of the planning application and of the Listed Building Consent application to the Committee. He explained that they were previously considered by the Planning Committee at its meeting in December 2019, where the Committee resolved to grant consents to the application with conditions, contrary to the officers' recommendation.

At the December 2019 meeting, it was confirmed that, under the Planning (Notification of Applications) Direction 2017, it was necessary to notify the application for Listed Building Consent to the Department for Infrastructure (DFI) as the resolution to approve the application was contrary to the views of a statutory consultee, namely, HED.

The DFI had since advised the Council that it did not consider it necessary for either of the applications to be referred to it for determination. The DFI had advised that it was important that the Council satisfied itself that, before determining the application, it had fully assessed all required details pertaining to the listed buildings and that all necessary expert advice in relation to built heritage matters had been duly considered.

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The Chairperson advised the Committee that Ms. J. Stokes, HED, was in attendance and she was welcomed to the meeting. She outlined to the Members that:

- when a building is listed, it is listed in its entirety, internally and externally and, with care, most listed buildings could be extended and adapted to accommodate some degree of change, while ensuring that the essential character of the building was retained and its features of special interest intact;
- unlike a normal planning process, a plan and an external elevation was not enough to show how a new use would work internally. A new use would require new services including plumbing, fire proofing and safe escape, for example;
- HED welcomed a new use to the listed building which was on the Buildings at Risk register, but its reuse and any development must balance in the listed building's favour as it was protected by legislation;
- Wilton House formed part of a late Georgian terrace of note in Belfast;
- the development of the listed building was insufficiently detailed and therefore failed to address policy and that only two drawings had been submitted to address the building and these were schematic only without any relevant detail;
- the development to the rear failed to take account of the setting of the listed building;
- the bulk of the existing proposal was too great and represented overdevelopment of the setting – including issues with amenity/ancillary requirements; and some windows at 45degree oriels.

A Member sought clarification from Ms. Stokes regarding the development to the rear and how realistic it was to expect a developer to incorporate something akin to the former stables which would have been situated there. Ms. Stokes advised the Committee that HED would expect to see a structure which respected the dominance of the listed building and which stepped down towards the rear.

The Committee then welcomed Mr P. Stinson, agent, to the meeting. In addressing the refusal reasons as detailed within the Case officer's report, they advised the Committee that:

- weight should be afforded to the fact that the proposal would secure the future of a currently vacant Listed Building, which was on the At Risk register;
- significant amendments had been made to the proposal since submission – focusing on improving the relationship between the new build and the existing building;
- HED had accepted the principle of a separate new building on the site and considered that the separation distance went some way in

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achieving subservience and providing an acceptable relationship between old and new;

- in considering the acceptability of the design, the unsightly appearance of the existing rear return and the contribution it made to the character and appearance of the conservation area should weigh in the planning balance;
- balance was required in respect of the private amenity space, and that, due to its city centre location, the proposal was around 300 metres from the public grounds of the City Hall and that a park was close by on Durham Street;
- 80% of the units would face away from the Courtyard and that all units met the recommended internal space standards in Addendum PPS7, even though there was no such requirement for a city centre development; and
- The Travel plan included providing residents with membership of the Belfast Bikes scheme, taking advantage of the nearby hub.

A Member asked the agent and architect to explain why details relating to the current condition of the building and the historic fabric, as requested by HED, had not been submitted. Mr H. McConnell, architect, advised that they had provided drawings detailing which walls were to be demolished or retained, and which windows were being reinstated. He advised the Committee that a conditions survey only provided a picture of the building at a point in time and that there had been significant anti-social behaviour on the site, including fires. He explained that the application was coming forward on the basis of a refusal, and that it was being brought forward by a local, Belfast-based developer who had already incurred significant expense on the project to date.

The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

Chairperson

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Planning Committee

Tuesday, 28th July, 2020

SPECIAL MEETING OF PLANNING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS AT 7.30PM

- Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey, Hutchinson,
Maskey, McCullough, 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 received.

Declarations of Interest

No declarations of interest were reported.

Request for Pre-emptive Site Visits

The Committee agreed to undertake a pre-emptive site visit to the following sites:

- LA04/2020/0757/F Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at West Pitch, Downey House, Pirrie Park Gardens; and
- LA04/2018/1411/F Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at East Pitch, Downey House, Pirrie Park Gardens.

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Planning Applications

LA04/2017/2341/O - Demolition, redevelopment and part change of use to create a mixed use development comprising retail, offices, cafe/restaurant, residential, hotel, cultural/community space, parking, servicing, access and circulation arrangements, the creation of new streets, the configuration of Writers Square, public realm works, landscaping and associated site and road works including works to alter listed buildings, restoration of retained listed buildings and facades, and partial demolition of North Street Arcade, retaining its facades on land bounded by Royal Avenue, York Street and Church Street to the North; North Street to the west; Rosemary Street to the south and High Street to the south; and Donegall Street to the east. The site is located approximately 300m west of Laganside Bus Station, 300m northeast of City Hall and 900m north west of Central Train Station.

The Director of Planning and Building Control provided the Committee with the following points of clarification on the issues which had been raised by Members at the Pre Determination Hearing:

Social Housing

- the 20% social and affordable housing was a negotiated position in advance of the anticipated LDP policy with a requirement for 20% provision;
- the previous Committee resolution was for 10% social housing at Academy Street – i.e. a single option;
- the new recommendation allowed more flexibility – with strict limits on the provision of social/affordable before occupation of all of the development;
- that flexibility would give 3 options: either in Academy Street; off-site, but within 300m of it; or on-site. All options were equal in planning terms and that there was no preference from officers on the final location. This was to allow for commercial flexibility and to ensure that no one site was held to ransom for the developer;
- there were a number of sites within the 300m boundary which could accommodate such provision, without any zoning issues;
- NIHE supported these three options, and acknowledged that there was no policy requirement for this currently;
- the detail of the size, mix and final location of the social/affordable units was to be determined at Reserved Matters (RM) stage, which was standard practice in a 2 stage planning application process. It will also require Social Housing Provider and thus NIHE sign-off at an appropriate stage when the detail is known and to secure NIHE funding;

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- in regards to the Choice Housing relocation, this was a commercial arrangement between the developer and Choice. The planning process would be to secure adequate re-provision of this – which the Section 76 Agreement would do. Again, as it was standard practice to secure it at this stage, with full details by RM stage, or through the Section 76 process if off site.

North Street

- As previously confirmed, this was being designed as being fully pedestrianised, which includes DfI sign off;
- DfI had included emergency provision for access by emergency vehicles; and
- if wider plans for the city centre came to fruition, this would be in the context of North Street being fully pedestrianised, if approved. Consideration of the outline application should be limited to the detail of the application, and not the wider city position and that would address the context of any approvals that existed.

“Tribeca”

- For clarity, the Notice of Motion regarding the name of the development was noted by the Council in January 2019, but that it was not a material consideration relevant to the determination of the application.

Covid 19 Impact

- in terms of the level of commercial provision, and the impact of Covid19, the planning system worked within a 20-30 year policy formulation context, and allowed for various fluctuations in economic conditions;
- we had the context of a Belfast Agenda and an emerging LDP supporting ambitious growth of the city;
- it was important that the planning system achieved a longer term vision to ensure that the city was able to recover from economic downturns as necessary, and that included the current Covid 19 impact.

The Divisional Solicitor provided clarification to the Members on the Section 76 Agreement, which required that the social housing would be built in accordance with the NIHE standards. In relation to issues raised regarding the public realm she confirmed that there was an obligation to keep it open to the public, apart from in emergency circumstances, and that virtually all of the closure requests would require the agreement of the Council.

The Planning Manager then provided the Committee with additional detail on the car club provision and information on impacts on daylight and shadow analysis in relation to the Cathedral and New Cathedral Buildings. He also highlighted to the Committee that

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the extant permission did not provide any affordable housing and that the proposed outline application provided opportunity to do this.

The Senior Planning officer provided further information regarding the provision of restricted areas within the proposed open space and regarding children's play space.

A number of Members stated that they still required further clarification on the social housing element of the scheme. Further Members requested further information on the car clubs, new open space, Gross Value Added detail and the Section 76 Agreement.

The Director of Planning and Building Control suggested that, in order to provide the Committee with some assurance, if one of the affordable housing elements was to be off site, that the proposed location could be brought before the Committee for its approval and sign-off.

Proposal

Moved by Councillor Murphy,
Seconded by Councillor Groogan and

Resolved - That the Committee agrees to defer consideration of the outline application for further information on:

- the social housing element of the scheme, including the suitability of Academy Street;
- amenity/open space provision – with a focus on the creation of new open space;
- the economic impact and the Gross Value Added (GVA) detail;
- the car clubs; and
- the Section 76 negotiations.

It was further agreed that Choice Housing be invited to attend the meeting at which the application was being considered.

(Councillor Nicholl left the meeting at this point)

LA04/2018/2097/F & LA04/2018/2034/LBC - Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation of Wilton House and demolition of existing rear return & erection of new build 5 storey residential development to provide 23 dwellings (15 new build) including entrance lobby, courtyard, bin storage and new ramped access off College Square North

The Planning Manager provided an overview of the application to the Committee.

He explained that officers were recommending refusal of the applications for the following six reasons:

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1. The proposed new build at the rear, by reason of its design, form and scale, would be over-dominant in relation to Wilton House and the adjacent terrace and would be detrimental to the street-scene;
2. Insufficient evidence had been submitted detailing the current condition of the Listed building and survival of the historic fabric and how important features were to be conserved, reused and repaired. The proposal would therefore result in unacceptable harm to the Listed building's essential character through potential loss of historic fabric and elements of significance;
3. The proposed new build at the rear, by reason of its design, form and scale, would be over-dominant in relation to Wilton House and the adjacent terrace, to the detriment of the setting of surrounding Listed Buildings;

Furthermore, by reason of its design, form and scale of the new build, the proposal would be detrimental to the character and appearance of the Conservation Area.

4. The proposed development would be served by inadequate private and communal amenity space and would provide inadequate living conditions for future occupants;
5. The proposed development would provide a highly unsatisfactory living environment for future occupants by reason of poor levels of light to the windows and rooms in the rear north facing elevation of Wilton House and south facing elevation of the new build at the rear, and in the inner courtyard; and
6. The proposal provided inadequate covered bicycle parking spaces in a suitable location to off-set the absence of on-street vehicle parking provision, and, moreover, the application failed to demonstrate that adequate provision was made for disabled parking.

A Member explained that he had concerns regarding the refusal reasons for the application. He stated that, in relation to reasons 1 and 3, he felt that the new build element was not over dominant and was subservient; that, in relation to reason 2, this could be dealt with through conditions; that, in relation to reason 4, the vacant, city centre building should be brought back into use and that a balance had to be struck with nearby amenity spaces; that, in relation to reason 5, the applicant had changed the orientation of the windows to provide additional daylight; and that, in relation to reason 6, subscriptions would be provided to residents to the Belfast Bikes scheme and that private bikes could be stored within the apartments.

The Planning Manager advised the Committee that, in response to refusal reasons 1 and 3, the professional advisors, including Planning officers, Urban Design officer, the

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Conservation officer and HED, believed that the proposed new build at the rear would be over-dominant and unsympathetic in relation to Listed Wilton House and the adjacent terrace, to the detriment of the setting of surrounding Listed Buildings. He explained that the blue grey brick materials proposed would make the new build element conspicuous and the contrast in architectural styles was jarring.

He added that the applicant had consistently advised that a certain quantum of development had to be carried out to the building in order to ensure commercial viability but that no information had been submitted to support that.

In relation to refusal reason 2, he explained that, by granting permission, it would establish the principle and acceptability of the use of the building for residential purposes. He advised the Committee that, without this information on the building, they did not know if the interventions by the developer were in fact appropriate or suitable for the building and that was why it was fundamental to have that information upfront rather than by means of a condition.

A Member asked, in relation to reason 4, whether there was a policy requirement for communal space and if it could be balanced with the context of the building in its current condition, and the fact that the proposal would bring it back into use. The Planning Manager confirmed that Policy QD1 of PPS7 and Creating Places required suitable levels of amenity space for new residential development. He advised that the proposed amenity space was particularly poor in both quality and quantity and that it was the view of Planning officers that this was not outweighed by the benefits of restoring the building. In respect of reason 5, the Planning Manager advised that the amenity space would be particularly dark, damp and those apartments facing onto it would have a poor outlook.

Ms. N. Golden, Historic Environment Division, advised the Committee that, when a lot of detail was to be resolved at conditions stage, it was not only time consuming but it was also costly to the tax payer, as opposed to the developer. She reiterated that it was necessary for the information to be provided up front before a decision was made.

The Chairperson invited the agent to respond to the question which had been raised regarding refusal reason 6. Mr. Stinson advised the Committee that, through the Travel Plan, residents would be provided with travel cards and a Belfast Bikes subscription, and that they could also keep personal bicycles within their apartment, which he explained was seen as desirable for security reasons.

The Chairperson then asked the agent to advise why the Committee should not accept refusal reason 1. Mr Stinson advised that they had made amendments to the scale, form and design in order to make the additional building more subservient to the main building and believed that the current unsightly extension should be taken into consideration.

In response to questions from the Chairperson, the agent confirmed that he believed the issues relating to refusal reasons 2 could be conditioned, and, in relation to reason 3, that he felt that the new build element was not over dominant and was subservient.

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

In relation to the lack of amenity space provided within the development, the agent advised the Committee that they recognised that there was a constrained element but that a balance should be struck in light of the fact that they were seeking to bring a vacant listed building back into use and, due to its city centre location, the proposal was around 300 metres from the public grounds of the City Hall and that a park was close by on Durham Street.

A Member requested that, as the Committee had heard from the agent, that it would then hear from Ms. J. Stokes, HED, in response to the issues which had been raised.

Ms. Stokes explained that HED agreed that the current rear extension was unsightly but that it had been built in 1959 and that the policy that they were adhering to was adopted in 1999. She emphasised that policy had changed and that they were not working on the same baseline and that they were striving to get the best.

In relation to refusal reason 2, she explained that there was not adequate detail within the planning application as to how the new use would operate as a residential property or what interventions were required, and that HED could not support a consent on what had been provided.

A further Member stated that, while he welcomed historic listed buildings being brought back into use, putting another extension which was deemed inappropriate for the setting by both officers and HED, would not solve the problem. He also expressed concern regarding the proposal that residents would be expected to keep their bicycles in their apartment.

In response, Mr. McConnell explained that, as the applicant had invested significant amount of money in to the application, they would carry out work such, as damp surveys, after a consent was granted. In relation to the keeping of bicycles in apartments, he explained that many people who were cycling the city centre were purchasing bikes valued between £1,500 and £3,000+ and that, even when lockable bike boxes were provided, residents would still choose to store them within their apartment.

Proposal

Moved by Councillor Groogan,
Seconded by Councillor McKeown

That the Committee agrees to refuse the application for the reasons as detailed within the case officer's report.

On a vote by show of hands, six Members voted for the motion and seven against and it was accordingly declared lost.

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

Further Proposal

Moved by Councillor Brooks,
Seconded by Councillor Carson,

That the Committee approves the application, in accordance with the aforementioned rebuttal for each refusal reason, and delegates authority to the Director of Planning and Building Control for the final wording of conditions and any required Section 76 Planning Agreement.

On a vote by show of hands, seven Members voted for the motion and six against and it was accordingly declared carried.

Chairperson



Subject:	Motion – Restoration and Listing of Historic Street Signs
Date:	18th August, 2020
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officer:	Louise McLornan, Democratic Services Officer

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To bring to the Committee's attention the Motion in respect of which was referred to the Committee by the Council on 1st July.
2.0	Recommendation
2.1	The Committee is requested to <ul style="list-style-type: none"> Consider the motion and take such action thereon as may be determined.
3.0	Main Report
3.1	<p><u>Key Issues</u></p> <p>The Council, at its meeting on 1st July, considered the following Motion which had been moved by Councillor Hussey and seconded by Alderman Kingston:</p>

3.2	<p>"This Council:</p> <ol style="list-style-type: none"> notes the valuable contribution that Belfast's historic tiled street signs make to the character of the areas in which they are situated and laments the loss of so many of these signs over the years;
3.3	<ol style="list-style-type: none"> further notes that a number of freestanding tiled street signs in Belfast have been listed and thereby protected from destruction or removal, but that most such signs have no protection at all;
3.4	<ol style="list-style-type: none"> requests its officers :- <ol style="list-style-type: none"> to take all necessary steps to effect the repair and restoration of the freestanding tiled street signs identified below; to take steps to identify other such signs and to take all necessary steps to effect the repair and restoration of those signs; to request that the Department for Communities adds those signs which are of particular quality and merit to the list of buildings of special architectural or historic interest.
3.5	<ol style="list-style-type: none"> The street signs referred to above are situated at the junctions of :- <ol style="list-style-type: none"> Kensington Road/Knock Road. Cherryvalley Park/Kensington Road. Kingsden Park/Knock Road. Knockland Park/Barnett's Road. Summerhill Parade/Barnett's Road. Belmont Road/Massey Avenue [the unlisted sign]. Wandsworth Road/Belmont Road [2 signs]. Belmont Church Road/Sydenham Avenue. Belmont Church Road/Belmont Road [the unlisted sign]. Eastleigh Drive/Kincora Avenue. Clonlee Drive/Upper Newtownards Road. Beersbridge Road/Upper Newtownards Road."
3.6	<p>In accordance with Standing Order 13(f), the Motion was referred without discussion to the Planning Committee.</p>
3.7	<p><u>Financial and Resource Implications</u></p> <p>None.</p>

3.8	<u>Equality or Good Relations Implications</u> None.
4.0	Appendices - Documents Attached
	None

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Planning Committee

Wednesday, 12th August, 2020

PLANNING COMMITTEE SITE VISITS – NOTE OF MEETINGS

Due to the ongoing pandemic, the following site visits were carried out in accordance with Public Health Agency guidance.

LA04/2018/2876/F - Lands opposite 13, 15, 17 and 32 Somerdale Park

Members Present: Councillor Carson, Hanvey, Maskey,
McCullough, Murphy and O'Hara.

Officer in Attendance: Ms. K. Mills, Principal Planning Officer.

The Committee convened at the site at 2 p.m. for the purpose of undertaking a pre-emptive site visit in respect of the application.

The Members viewed the site with the proposed plans.

A number of neighbours vocalised concerns to the Members of the Committee in relation to the development of the site. The Members did not engage with the residents during the site visit.

The Principal Planning Officer provided the residents with information in respect of how to object to a planning application.

The site visit concluded at 2.25 p.m.

LA04/2020/0757/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at West Pitch, Downey House, Pirrie Park Gardens; and **LA04/2018/1411/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at East Pitch Downey House, Pirrie Park Gardens.**

Members Present: Councillor Hanvey, Maskey,
and McKeown.

Officers in Attendance: Ms. K. Mills, Principal Planning Officer; and
Ms. C. A. O'Kane, Senior Planning Officer.

The Committee convened at the site at 2.55 p.m.

The Members viewed the sites with the proposed plans.

The site visit concluded at 3.20 p.m.

Chairperson

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Planning decisions issued between 15 July and 7 August 2020 - No 153

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2018/1821/F	LOCDEV	St Matthews Presbytery Bryson Street Belfast BT5 4ES.	Demolition of existing outbuildings and partial demolition and restoration of existing building including retention of front and side facades and three storey part single storey rear extension to provide 8 apartments and ground floor office & associated site works.	PERMISSION GRANTED
LA04/2018/2222/LBC	LOCDEV	St Matthews Presbytery Bryson Street Belfast BT5 4ES.	Restoration of existing building, including retention of front and side facades together with 3 storey rear extension to provide 8No. 3P 2B apartments with office accommodation at ground floor level and associated site works.	PERMISSION GRANTED
LA04/2019/0185/F	LOCDEV	28 Cadogan Park Belfast BT9 6HH	Erection of single storey pavilion structure to rear and remodelling of existing enclosed rear yard to provide additional accommodation plus other internal works (amended description)	PERMISSION GRANTED
LA04/2019/0193/LBC	LOCDEV	28 Cadogan Park Belfast BT9 6HH.	Internal remodelling of existing enclosed rear yard and ancillary structures with the addition of a pavilion structure. Works to include the remodelling of the existing bathroom and master en-suite with the addition of en-suites to two further bedrooms	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0200/F	MAJDEV	Lands at the junction of North Street Carrick Hill and Peters Hill; 1-3 Carrick Hill; 20-152 Peters Hill; 61 Boundary Street; 6-18 Shankill Terrace; 4-160 Shankill Road; and from 32 Townsend Street to the junction with the Shankill Road Belfast.	Public realm improvements comprising resurfacing of existing footpaths with natural stone and granite kerbs; new/replacement tree planting, street lighting, and railings /walls; new street furniture; decorative hoarding panels; realignment of roadside kerbs; improvements to pedestrian crossings and on-street parking; and all associated site and access works.	PERMISSION GRANTED
LA04/2019/0607/F	LOCDEV	480 Crumlin Road Belfast BT14 7GH	Demolition of existing building and canopy and erection of 6 No two storey dwellings (semi detached) (amended description and plans)	PERMISSION GRANTED
LA04/2019/1481/LBC	LOCDEV	Cotton Court 30-42 Waring Street Belfast BT1 2ED.	(Amended Description) Change of use from existing commercial unit/art gallery for use as public bar/art gallery, to include proposals for external doors, and the creation of a new internal door to provide a link to and extension of the existing adjacent public bar	PERMISSION GRANTED
LA04/2019/1485/F	LOCDEV	30-42 Waring Street Belfast BT1 2ED.	Change of use from existing commercial unit/art gallery for use as public bar/art gallery, to include proposals for external doors, and the creation of a new internal door to provide a link to and extension of the existing adjacent public bar	PERMISSION GRANTED
LA04/2019/1495/LDE	LOCDEV	113 University Avenue Belfast BT7 1GX.	HMO (House in multiple occupancy).	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1631/F	LOCDEV	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Erection of permanent pool pavilion over existing swimming pool.	PERMISSION GRANTED
LA04/2019/1632/LBC	LOCDEV	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Erection of permanent pool pavilion over existing swimming pool.	PERMISSION GRANTED
LA04/2019/1786/F	LOCDEV	Lands at and surrounding St Gemas School 51-59 Ardilea Street Belfast BT14 7DG.	Change of house type (Previously approved plots 1-3 now changed to plots 1-2 complex needs units).	PERMISSION GRANTED
LA04/2019/1977/F	LOCDEV	332 - 338 Shankill Road Belfast BT13 3AA.	Change of use to 4no. residential apartments and roof terrace with subdivision of ground floor retail unit and alterations to external elevations (Part Retrospective) (Amended Proposal)	PERMISSION GRANTED
LA04/2019/2332/F	LOCDEV	48-54 Upper Charleville Street Town Parks Belfast BT13 1NQ	Proposed change of use from disused Public House to 3 no. 2 bedroom apartments and 1no. one bedroom apartment. External alterations include window reinstatement, new door and window openings on front and rear elevation	PERMISSION GRANTED
LA04/2019/2354/LBC	LOCDEV	2-6 Bradbury Place Belfast BT7 1RX.	The installation of extraction flue to the rear of the building, new ply board painted fascia design with new business signage, replacement of existing non-original automatic doors and other minor alterations (Amended Proposal Description and Drawings).	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2360/F	LOCDEV	2-6 Bradbury Place Belfast BT7 1RX	Ground floor change of Use from Financial Services (Class A2) to mixed-use convenience retail (Class A1) and the sale of food and drink for consumption on the premises or of hot food for consumption off the premises (Sui Generis), installation of extraction flue at the rear and new shop front including replacement of existing non-original doors (Retrospective application) (Amended Description and Drawings)	PERMISSION GRANTED
LA04/2019/2417/LDE	LOCDEV	34 Sandhurst Gardens Malone Lower Belfast BT9 5AW.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2441/F	LOCDEV	Lands close to junction with Westbank Link with Westbank Road (160m NE of No. 18 Westbank Road) Belfast BT3 9JL.	17.5 telecommunications column, with 6No. antenna & 2No. radio dishes. Proposal includes the provision of 4No. new equipment cabinets and associated ground works.	PERMISSION GRANTED
LA04/2019/2558/F	LOCDEV	11-13 Old Holywood Road Belfast BT4 2HJ	Demolition of detached dwelling and the construction of 4no semi-detached dwellings including new accesses for each unit along with associated development	PERMISSION GRANTED
LA04/2019/2671/F	LOCDEV	Site to rear of 598 Antrim Road Belfast BT15 5GN	Proposed change of house type with garage.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2687/F	LOCDEV	Lands to the East and adjacent to No.8 Upper Braniel Road Belfast BT5 7TS	2 storey dwelling with detached garage.	PERMISSION GRANTED
LA04/2019/2776/F	LOCDEV	Lands to the East and adjacent to No.8 Upper Braniel Road Belfast BT5 7TS	Two storey detached dwelling with detached garage.	PERMISSION GRANTED
LA04/2019/2790/LBC	LOCDEV	Strandtown Primary School North Road Belfast BT4 3DJ	Replacement of existing single glazed timber windows like for like.	PERMISSION GRANTED
LA04/2019/2835/LDE	LOCDEV	17 Lower Courtyard Belfast BT7 3LJ	House in Multiple Occupancy - (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2854/F	LOCDEV	10 Massey Park and lands adjacent and north west of 10 Massey Park Belfast BT4 2JX	Detached 2 storey dwelling + garage + associated site works. (Amended address and Proposal)	PERMISSION GRANTED
LA04/2019/2892/F	LOCDEV	15 Ashton Park Belfast BT10 0JQ.	Demolition of existing garage & construction of single storey extension to rear + additional 1.8m fencing on side elevation to enclose bin storage.	PERMISSION GRANTED
LA04/2019/2935/LDE	LOCDEV	48 Palestine Street Belfast BT7 1QJ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2953/F	LOCDEV	151-153 Antrim Road Belfast BT15 2GW	Alterations to external elevations of building to include new render finish, new and replacement windows, new hardwood painted panels and columns to ground floor frontage and new roller shutter.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0015/F	LOCDEV	39 Lucerne Parade Stranmillis Belfast BT9 5FT	New front boundary wall and gates and elevation changes to dwelling.	PERMISSION GRANTED
LA04/2020/0041/LDE	LOCDEV	404 Ormeau Road Belfast BT7 3HY	House in multiple occupancy - HMO	PERMITTED DEVELOPMENT
LA04/2020/0063/F	LOCDEV	57 Dargan Road Belfast BT3 9JU.	Proposed alteration & refurbishment of the existing offices/warehouse; demolition of portacabin for additional carparking & associated site works.	PERMISSION GRANTED
LA04/2020/0073/LBC	LOCDEV	Fortwilliam Fold 30 Fortwilliam Park Belfast BT15 4AN.	Demolition, reconstruction and repair works to existing front boundary wall (facing onto Fortwilliam Park) - Demolition and reconstruction of horizontal wall sections to match existing; Proprietary sandstone repairs to existing retained sandstone pillars and curved wall sections at vehicle entrance; provision of new metal railings to match existing.	PERMISSION GRANTED
LA04/2020/0104/F	LOCDEV	2 and 2a Hampton Park Belfast BT7 3JL.	Change of house type to LA04/2018/2288/F.	PERMISSION GRANTED
LA04/2020/0143/F	LOCDEV	76 Bloomfield Avenue Belfast BT5 5AE.	Retrospective use of dwelling as HMO.	PERMISSION REFUSED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0152/LDE	LOCDEV	54 & 54A Sunnyside Street Belfast.	Alteration works to 54 Sunnyside Street as per planning application Z/2001/1515/F.	PERMITTED DEVELOPMENT
LA04/2020/0161/DC	LOCDEV	Open space west of Stewartstown Road and south of Pantridge Road Belfast BT17 0FB	Discharge of condition 8 - LA04/2018/1890/F	CONDITION DISCHARGED
LA04/2020/0212/F	LOCDEV	61 Mount Merrion Park Belfast BT6 0GA.	Single storey rear and side extension.	PERMISSION GRANTED
LA04/2020/0217/F	LOCDEV	171 Tennent Street Belfast BT13 3GF.	Change of use from residential to short stay/holiday let accommodation (retrospective).	PERMISSION GRANTED
LA04/2020/0228/F	LOCDEV	86 Belmont Church Road Belfast BT4 2DA.	Single storey rear and side extension.	PERMISSION GRANTED
LA04/2020/0233/F	LOCDEV	22 Greystown Avenue Belfast BT9 6UJ	Roofspace conversion with dormer to rear.	PERMISSION GRANTED
LA04/2020/0289/DC	LOCDEV	Lands surrounding Ballymacarrett Road and Titanic Halt train station including Titanic Halt underpass extending to slip road leading to Bridge Street.	Discharge of condition no.5 of LA04/2017/2646/F (Landscaping and Planting Plan)	CONDITION DISCHARGED
LA04/2020/0299/F	LOCDEV	170 & 172 Woodstock Road Belfast BT6 8AF	Partial Change of use from retail to 4 no. apartments including the demolition and replacement of rear returns and alterations to the existing facade	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0319/F	LOCDEV	121 Sharman Road Belfast BT9 5HE	Single storey extension and associated site works	PERMISSION GRANTED
LA04/2020/0321/F	LOCDEV	84-92 Ravensdale Street Belfast BT5 5GA	Construction of a single building containing 6no. apartments.	PERMISSION GRANTED
LA04/2020/0356/A	LOCDEV	26 Duncairn Gardens Town Parks Belfast Antrim BT15 2GG	Shop sign	PERMISSION GRANTED
LA04/2020/0372/DC	LOCDEV	454-458 Donegall Road Belfast BT12 6HS	Discharge of condition no.8 of LA04/2017/2472/F (swift boxes)	CONDITION DISCHARGED
LA04/2020/0420/F	LOCDEV	45 Clonallon Park Belfast BT4 2BZ.	Single Storey Side Extension + Alterations to Rear Elevation.	PERMISSION GRANTED
LA04/2020/0459/F	LOCDEV	337 Finaghy Road North Belfast BT11 9EH.	Change of use from retail unit to pizza take away outlet.	PERMISSION GRANTED
LA04/2020/0468/F	LOCDEV	35 Clara Park Belfast BT5 6FE.	Two storey rear extension and single storey side extension.	PERMISSION GRANTED
LA04/2020/0469/LDE	LOCDEV	20 Magdala Street Flat 2 Belfast BT7 1PU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0470/F	LOCDEV	Unit 2 26 Stockmans Way Musgrave Park Ind Est Belfast BT9 7ET.	New showroom entrance screen and minor external modifications to the warehouse with associated offices and showroom	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0471/LDE	LOCDEV	Flat 3 20 Magdala Street Belfast BT7 1PU	3 bedroom HMO property	PERMITTED DEVELOPMENT
LA04/2020/0491/LDE	LOCDEV	79 Palestine Street Belfast	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0494/LDE	LOCDEV	Flat 2 51 Magdala Street Belfast	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0498/LDE	LOCDEV	5 Stranmillis Street Belfast BT9 5FE.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0508/F	LOCDEV	12 Rosetta Road Belfast BT6 0LT.	Attic conversion with dormer to rear. Change of roof type from hipped to pitched on existing dwelling and change of roof type to flat roof on two storey rear return. Escape window to front.	PERMISSION GRANTED
LA04/2020/0512/F	LOCDEV	11-16 Donegall Square East. Belfast BT1 5UB	Replacement rooftop generator	PERMISSION GRANTED
LA04/2020/0513/F	LOCDEV	101 Haypark Avenue Belfast BT7 3FF.	Demolition of existing garage and construction of single storey rear and side extension to dwelling. New boundary walls/ railings.	PERMISSION GRANTED
LA04/2020/0514/F	LOCDEV	19 Lancefield Road Belfast BT9 6LL.	Removal of existing 2 storey rear return for replacement of 2 storey rear extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0518/F	LOCDEV	42-44 Hollywood Road Belfast BT4 1NT.	Replacement of existing uPVC shopfront with satin anodised glazed shopfront.	PERMISSION GRANTED
LA04/2020/0531/F	LOCDEV	467 and 465 Ormeau Road Belfast BT7 3GR	Extension of existing restaurant into adjacent unit.	PERMISSION GRANTED
LA04/2020/0535/O	LOCDEV	2 Gortgrib Drive Gortgrib Belfast BT5 7QX.	Demolition of garage + erection of storey and half dwelling.	PERMISSION GRANTED
LA04/2020/0554/F	LOCDEV	15 Netherleigh Park Belfast BT4 3GR.	Single and two storey rear extension and elevation changes. New detached garage.	PERMISSION GRANTED
LA04/2020/0557/F	LOCDEV	69 Northwood Road Belfast BT15 3QS	Two storey rear and side extension providing kitchen and bedroom above.	PERMISSION GRANTED
LA04/2020/0566/DC	LOCDEV	Lands at 35-37 Diamond Gardens Belfast.	Discharge of condition no. 13 of LA04/2018/0009/F (boundary treatments details)	CONDITION DISCHARGED
LA04/2020/0570/F	LOCDEV	11 North Road Belfast BT5 5NE.	Single Storey Rear Extension and Replacement of Existing Garage Store to Side/Rear.	PERMISSION GRANTED
LA04/2020/0576/LBC	LOCDEV	Application 2 Queens University Belfast David Keir Building Belfast BT9 5AG.	Refurbishment of 1No. Lecture Theatre Room (OG/533)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0580/F	LOCDEV	71 Shandon Park Belfast BT5 6NY.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0584/F	LOCDEV	5 Loughview Drive Belfast BT6 0NU.	Two storey side and rear extension and single storey rear extension	PERMISSION GRANTED
LA04/2020/0592/F	LOCDEV	39 Kingsway Park Belfast BT5 7EW	Roofspace conversion to dwelling with change to hipped roof and rear dormer window. Roof lights to front.	PERMISSION GRANTED
LA04/2020/0593/A	LOCDEV	McDonalds Restaurant 233 Shore Road Belfast BT15 3PR	Installation of 4 no. freestanding signs and 1 no. 15" digital booth screen.	PERMISSION GRANTED
LA04/2020/0602/LDE	LOCDEV	1 Strandview Street Belfast BT9 5FF.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0613/LDE	LOCDEV	Flat 2 101 Wellesley Avenue Belfast BT9 6DH.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0615/LDE	LOCDEV	76 Stranmillis Gardens Belfast BT9 5AT	HMO House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2020/0616/LDE	LOCDEV	Flat 2 103 Wellesley Avenue Belfast BT9 6DH.	House of multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0627/LDE	LOCDEV	69 Jerusalem Street Belfast BT7 1QP	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0631/LDE	LOCDEV	Flat 2 49 Malone Avenue Belfast BT9 6EP	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0632/LDE	LOCDEV	6 Stranmillis Gardens Belfast BT9 5AS	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0637/F	LOCDEV	8 Lyndhurst Court Belfast BT13 3XE	Single storey extension on top of existing garage	PERMISSION GRANTED
LA04/2020/0639/F	LOCDEV	Braniel Methodist & Presbyterian Church Lower Braniel Road Belfast BT5 7NN	Alteration and extension to church hall	PERMISSION GRANTED
LA04/2020/0641/F	LOCDEV	117 to 121 Shankill Road Belfast BT13 1FD.	Change of use of offices and garage/workshop to accommodate expansion of existing funeral directors including in curtilage parking (retrospective)	PERMISSION GRANTED
LA04/2020/0649/F	LOCDEV	20 Glenbrook Avenue Belfast BT5 5JP	Proposed change of use from single dwelling to House in multiple occupancy (HMO)	PERMISSION GRANTED
LA04/2020/0651/F	LOCDEV	2 Norfolk Way Belfast BT11 8EN.	Single storey side extension.	PERMISSION GRANTED
LA04/2020/0653/F	LOCDEV	23 Clonallon Park Belfast BT4 2BZ.	Single storey extension to rear.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0671/F	LOCDEV	28 Ravensdene Crescent Ballynafoy Belfast BT6 0DB.	Retention of rear dormer (retrospective).	PERMISSION GRANTED
LA04/2020/0680/F	LOCDEV	314 Cregagh Road Belfast BT6 9EW.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0692/F	LOCDEV	11 Braefoot Cottages Upper Springfield Road Belfast BT17 0LX.	Retention of existing garage.	PERMISSION GRANTED
LA04/2020/0702/NMC	LOCDEV	Block B Apartments (1 To 9) 114 Upper Lisburn Road Belfast BT10 0BD.	Non material change to Z/2004/0437/F	NON MATERIAL CHANGE REFUSED
LA04/2020/0745/F	LOCDEV	13 Glendarragh Belfast BT4 2WB	Single storey rear extension to dwelling.	PERMISSION GRANTED
LA04/2020/0746/F	LOCDEV	28 Rosetta Avenue Belfast BT7 3HG	Single storey rear extension and partial garage conversion.	PERMISSION GRANTED
LA04/2020/0759/F	LOCDEV	84 Gilnahirk Road Belfast BT5 7DJ	Removal of existing conservatory and hipped roof return at rear. Construction of single storey flat roofed living space to replace conservatory and enlarged dormer at first floor to provide additional bedroom with ensuite facility.	PERMISSION GRANTED
LA04/2020/0760/F	LOCDEV	43 Clara Park Belfast BT5 6FE	First floor side and rear extension	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0765/LDE	LOCDEV	7 Colenso Parade Belfast BT9 5AN	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0766/LDE	LOCDEV	27 Damascus Street Belfast BT7 1QQ	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0769/LDE	LOCDEV	Flat 1 81 Eglantine Avenue Belfast BT9 6EW	House in multiple occupation - (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0771/LDE	LOCDEV	22 Tates Avenue Belfast BT9 7BY.	House of multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0772/LDE	LOCDEV	81(3) Eglantine Avenue Belfast BT9 6EW.	House in multiple occupation (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0774/LDE	LOCDEV	83(3) Eglantine Avenue Belfast BT9 6EW.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0775/LDE	LOCDEV	Flat 2 81 Eglantine Avenue Belfast BT9 6EW	House in multiple occupancy - HMO	PERMITTED DEVELOPMENT
LA04/2020/0776/LDE	LOCDEV	Flat 2 6 Eglantine Avenue Belfast BT9 6DX	House in multiple occupancy - HMO	PERMITTED DEVELOPMENT
LA04/2020/0777/LDE	LOCDEV	Flat 2 83 Eglantine Avenue Belfast BT9 6EW	House in multiple occupancy - HMO	PERMITTED DEVELOPMENT
LA04/2020/0783/LDE	LOCDEV	28 Sandymount Street Belfast BT9 5DP	House in multiple occupation - HMO	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0785/F	LOCDEV	72 Orby Road Belfast BT5 5HP.	Roof conversion including alteration to roof and gable.	PERMISSION GRANTED
LA04/2020/0786/LDE	LOCDEV	3 Colenso Parade Belfast BT9 5AN.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0787/LDE	LOCDEV	2 Delhi Street Belfast BT7 3AJ	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0801/DC	LOCDEV	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite No.s 27-29 Colinglen Road and accessed off Colinglen Road Belfast	Discharge of condition no. 8 of LA04/2019/1066/F (Landscaping and Planting Plan)	CONDITION DISCHARGED
LA04/2020/0803/F	LOCDEV	13 Kirkliston Gardens Belfast BT5 6EE.	2 storey rear extension.	PERMISSION GRANTED
LA04/2020/0812/LDE	LOCDEV	Flat 4 83 Eglantine Avenue Belfast BT9 6EW	House in multiple occupancy - HMO	PERMITTED DEVELOPMENT
LA04/2020/0820/DC	LOCDEV	1-5 Gaffikin Street Belfast BT12 5FH.	Discharge of condition no. 14 of LA04/2018/0021/RM (Service Management Plan)	CONDITION DISCHARGED
LA04/2020/0821/DC	LOCDEV	1-5 Gaffikin Street Belfast BT12 5FH.	Discharge of condition no. 11 of LA04/2018/0021/RM (Landscape management plan)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0832/F	LOCDEV	Hilton Hotel 4 Lanyon Place Belfast United Kingdom BT1 3LP.	Installation of new fixed planters at external entrance	PERMISSION GRANTED
LA04/2020/0862/DC	MAJDEV	Lands at Rosepark House Upper Newtownards Road Belfast BT4 3NR	Discharge of condition 16 B & C of approval LA04/2017/0235/F relating to contamination.	CONDITION DISCHARGED
LA04/2020/0873/DCA	LOCDEV	19 Lancefield Road Belfast BT9 6LL	REMOVAL OF EXISTING 2 STOREY REAR RETURN FOR REPLACEMENT 2 STOREY REAR EXTENSION CONTAINING KITCHEN/ DINING ON GROUND FLOOR AND BEDROOM ON FIRST FLOOR.	PERMISSION GRANTED
LA04/2020/0881/F	LOCDEV	23 Vauxhall Park Belfast BT9 5GZ	Single storey side extension, flat roof dormer extension/loft conversion to the rear and front roof light.	PERMISSION GRANTED
LA04/2020/0888/F	LOCDEV	19 Wandsworth ParadeBELFASTBT4 3FW	Single Storey Extension to side and rear.	PERMISSION GRANTED
LA04/2020/0891/F	LOCDEV	213 Belmont Road Belfast BT4 3DU.	Two storey rear and side extension. Garden store.	PERMISSION GRANTED
LA04/2020/0896/F	LOCDEV	138 Donnybrook Street Belfast BT9 7DG.	Change of use from residential to House in Multiple Occupation (HMO)	PERMISSION REFUSED
LA04/2020/0901/LDE	LOCDEV	4 Stranmillis Park Belfast BT9 5AU.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0907/LDE	LOCDEV	88 Carmel Street Belfast BT7 1QF.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0922/F	LOCDEV	37 Fortwilliam Crescent Belfast BT15 3RB.	Single storey rear extension, to replace existing conservatory.	PERMISSION GRANTED
LA04/2020/0947/F	LOCDEV	Public footpath on the Glen Road approximately 15m south of 11 Glencolin Close.	Proposed bus shelter set on the public footpath.	PERMISSION GRANTED
LA04/2020/0955/F	LOCDEV	12 Ardenlee Parade Belfast BT6 0AL.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0956/F	LOCDEV	45 Portallo Street Belfast BT6 9BE.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0978/F	LOCDEV	1 Loopland Court Belfast BT6 9FJ.	Single storey extension to rear.	PERMISSION GRANTED
LA04/2020/0980/F	LOCDEV	39 Somerton Park Belfast BT15 4DP.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0983/F	LOCDEV	124 North Road Belfast.	New access to North Road to create additional parking space. Replacement of existing rear sunroom with enlarged rear sunroom. Raised patio to rear.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1024/F	LOCDEV	5 Hamill Park Belfast BT11 8DQ	2 storey side extension for family room and bedroom	PERMISSION GRANTED
LA04/2020/1039/F	LOCDEV	6 Ardcaoin View Dunmurry BT17 0UY.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/1053/LBC	LOCDEV	Ulster Bank 11-16 Donegall Square East Belfast BT1 5UB	Replacement of existing generator	PERMISSION GRANTED
LA04/2020/1056/F	LOCDEV	68 Divismore Park Belfast BT12 7JE	Single storey rear extension	PERMISSION GRANTED
LA04/2020/1061/F	LOCDEV	Unit 1 Oyster House Wellington Place Belfast BT1 6GE	Change of use from part vacant unit and part approved restaurant use to restaurant with takeaway; New shopfront/rear elevation odour extractor	PERMISSION GRANTED
LA04/2020/1068/F	LOCDEV	15 Boucher RoadBelfast BT12 6NT	Installation of a canopy to car wash bay	PERMISSION GRANTED
LA04/2020/1082/F	LOCDEV	6 Forest Lane Upper Dunmurry Lane Belfast BT17 0YT	Proposed double storey side and rear extension to allow for additional upper floor bedroom/ensuite and downstairs kitchen/living area/utility room	PERMISSION GRANTED
LA04/2020/1139/DC	LOCDEV	Lands bounded north west of Lawnbrook Avenue Azamour Street and either side of Glenwood Street Belfast BT13 3AJ	Discharge of conditions no's 9 & 10 of LA04/2018/0619/F (verification report)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1149/CONTF	LOCDEV	18 Malone Park Belfast.	Works to trees	DC GROUP CONSIDERATION
LA04/2020/1151/CONTF	LOCDEV	32 Bladon Park Belfast.	Tree surgery	WORKS TO TREES IN CA - AGREED
LA04/2020/1152/CONTF	LOCDEV	18 Deramore Park Belfast BT9.	Tree surgery	WORKS TO TREES IN CA - AGREED
LA04/2020/1159/CONTF	LOCDEV	Victoria College Pedestrian entrance along Marlborough Park North Belfast.	Tree surgery to 3 x lime trees.	WORKS TO TREES IN CA - AGREED
LA04/2020/1160/CONTF	LOCDEV	12 Deramore Park South Belfast BT9 5JY.	Tree surgery to 1 birch tree.	WORKS TO TREES IN CA - AGREED
LA04/2020/1161/DC	LOCDEV	Recreational grounds at Blanchflower Playing Fields Holywood Road Belfast BT4.	Discharge of condition no. 6 of LA04/2018/0020/F (samples)	CONDITION NOT DISCHARGED
LA04/2020/1168/CONTF	LOCDEV	86 Osborne Park Belfast BT9 6JQ.	Routine trim of 1 beech tree in front of house.	WORKS TO TREES IN CA - AGREED
LA04/2020/1207/CONTF	LOCDEV	33 Knockdene Park Belfast BT5 7AD.	Felling of 4 trees	WORKS TO TREES IN CA - AGREED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1214/CONF	LOCDEV	60 Malone Road Belfast.	Crown reduce birch tree by 3m	WORKS TO TREES IN CA - AGREED
LA04/2020/1266/CONF	LOCDEV	14 Knockdene Park Belfast BT5 7AD.	Felling 1 cedar tree	WORKS TO TREES IN CA - AGREED
LA04/2020/1278/DC	LOCDEV	City Cemetery 511 Falls Road Belfast BT12 6DE	Discharge of condition no 4 of LA04/2018/1651/F (materials)	CONDITION DISCHARGED
LA04/2020/1284/CONF	LOCDEV	8 Windsor Park Belfast BT9 6FQ.	Tree surgery to 2 beech trees.	WORKS TO TREES IN CA - AGREED
LA04/2020/1286/CONF	LOCDEV	6 Kings Park Lane Belfast BT5 6JU.	Felling of 4 trees and crown reduce 2	WORKS TO TREES IN CA - AGREED
LA04/2020/1301/DC	LOCDEV	Crown EntryWilsons CourtJoys EntryPottingers EntryColes AlleyBelfastBT1.	Discharge of Condition 2 of LA/04/2020/0587/F Final Designs Crown Entry Belfast	CONDITION DISCHARGED
LA04/2020/1302/DC	LOCDEV	Castle Arcade Belfast BT1 5DG.	Discharge of Condition 2 of LA04/2020/0589/F Final Designs Castle Arcade Belfast	CONDITION DISCHARGED
LA04/2020/1314/DC	LOCDEV	Lands adjacent and east of 1-3 (odds) Lewis Park and 2-20 Lewis Mews Belfast.	Discharge of condition no. 6 of LA04/2019/1285/F (programme of archaeological work)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1330/LDP	LOCDEV	2 Glenmachan Drive Belfast BT4 2RE.	Single storey rear extension	PERMITTED DEVELOPMENT
LA04/2020/1345/DC	LOCDEV	Lewis Square Belfast	Discharge of condition no. 9 of LA04/2019/1285/F (Construction Method Statement)	CONDITION DISCHARGED
LA04/2020/1376/CONF	LOCDEV	26 and 28 Bawnmore Road Belfast.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED

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Agenda Item 5

PLANNING COMMITTEE – 20 AUGUST 2020

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2019/A0261

PLANNING REF: LA04/2019/2249/F

APPLICANT: Mark Rainey

LOCATION: Units 12, 13 and 14 Upper Springfield Development Trust,
688 Springfield Road, Belfast, BT12 7FP

PROPOSAL: Change of use of units 12, 13 and 14 from dress making business to a commercial gymnasium

PROCEDURE:

ITEM NO 2 PAC REF: 2020/A0007

PLANNING REF: LA04/2019/2179/F

APPLICANT: Mr Adam Spooner

LOCATION: 66 Wolfhill Manor, Belfast, BT14

PROPOSAL: Retention of existing storage area and raised decking structure with proposed new fencing panels

PROCEDURE:

ITEM NO 3 PAC REF: 2020/A0011

PLANNING REF: LA04/2019/2782/F

APPLICANT: Mr Andrew Smyth

LOCATION: 9 Ulsterdale Street, Belfast

PROPOSAL: Change of House to Multiple Occupation (HMO)

PROCEDURE:

APPEALS NOTIFIED (CONTINUED)

ITEM NO	4	PAC REF:	2020/A0015
PLANNING REF:	LA04/2019/2270/F		
APPLICANT:	Telephonica UK Limited and Cornerstone		
LOCATION:	On footpath approximately 125 m west of Cadogan Park, Belfast, BT9 6HH		
PROPOSAL:	Proposed 17.5 m telecommunications column with 6 No antennae, 3 No enclosed within a shroud, 3 No not enclosed, 3 No radio units, proposal includes 4 No new equipment cabinets and associated ground works		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2019/A0085
PLANNING REF:	S/2010/0436/F		
RESULT OF APPEAL:	Dismissed		
APPLICANT:	Mr Joe Briars		
LOCATION:	39 Upper Dunmurry Lane, Dunmurry		
PROPOSAL:	Demolition of existing mill building, annexes, stores, garages and erection of one detached, 8 semi-detached dwellings and 14 apartments 7 associated site works		

ITEM NO	2	PAC REF:	2019/A0107
PLANNING REF:	LA04/2019/0039/O		
RESULT OF APPEAL:	Dismissed		
APPLICANT:	Alan Wilton		
LOCATION:	29 Whitehall Parade, Ballynafoy, Belfast		
PROPOSAL:	Rear extension to dwelling and erection of new dwelling in side garden area		

Agenda Item 6

Network Traffic, Street Lighting and Transportation

Eastern Division

Mrs Suzanne Wylie
Chief Executive
Belfast City Council
City Hall
BELFAST
BT1 5GS

Chief Executive's Office	
Date:	28/7/20
Noted by:	CA. Y/N
Ref:	SW 13/7
Referred to:	Building Control/ Planning
Copy sent	Original sent
MB updated	Invite reg



www.infrastructure-ni.gov.uk

Annexe 7
Castle Building
Stormont Estate
Upper Newtownards Road
Belfast
BT4 3SQ

Telephone: 0300 200 7899
Email: Traffic.Eastern@infrastructure-ni.gov.uk
www.infrastructure-ni.gov.uk

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

Your Ref:
Our Ref: MT 98033-19

Date: 22 July 2020

Dear Mrs Wylie

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 26 FORTWILLIAM CRESCENT, BELFAST

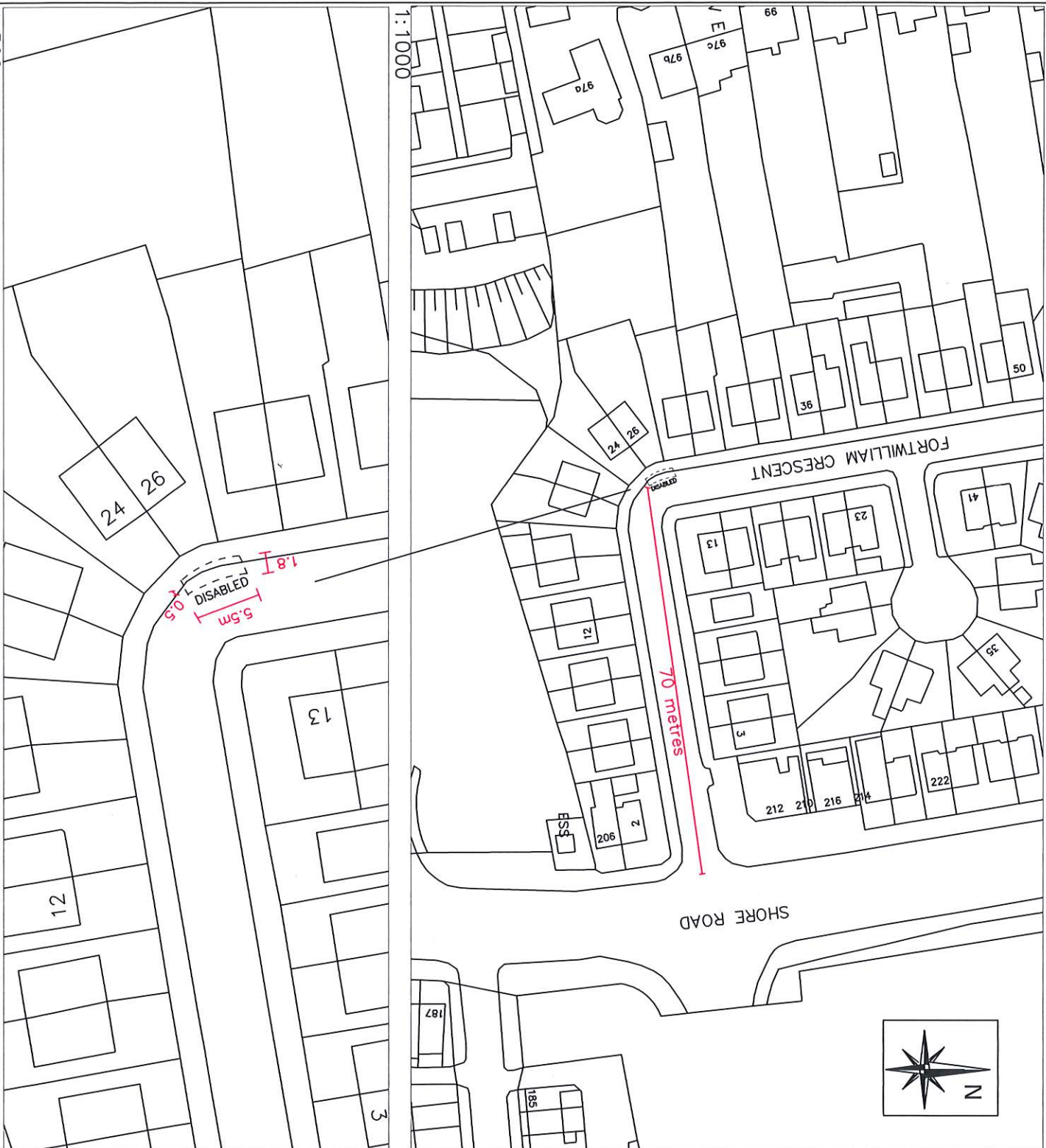
I am writing to advise you that we propose to provide an accessible/disabled parking bay at the above location. (see attached plan)

We would welcome your comments on this proposal.

Yours sincerely


GRAEME SALMON
Traffic Manager

ENC



Based upon the Ordnance Survey of Northern Ireland 1:1000 Scale Map with the Permission of the Director and Chief Executive
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Project ACCESSIBLE/DISABLED

PARKING BAY

26 FORT WILLIAM CRESCENT

BELFAST

File NO. DESIGNED AO'H date 19/11/19

DRAWN CHECKED date

TRACED APPROVED date

Drwg No. Revision

TM2/BEL/Jul/20/20/A

Scale AS SHOWED

Eastern Division

Annex 7
 Castle Buildings
 Stormont Estate
 Belfast
 BT4 3SQ

Telephone: 0300 200 7893
 Textphone: 028 90540022

Development Management Report Addendum Report

Summary	
Committee Meeting Date: 18 August 2020	Application ID: LA04/2019/1598/F
Proposal: Apart-Hotel (87no. bedrooms & 26no. serviced apartments), 14no. Business Studios and 10no. Live/work studios with associated car parking and landscaping.	Location: Adelaide Business Centre, Apollo Road, Belfast BT12 6HP.
Referral Route: Committee (Major application)	
Recommendation:	Refusal
Applicant Name and Address: Kilmona Property Ltd 8th Floor Bedford House 16-22 Bedford Street Belfast BT2 7FD	Agent Name and Address: Coogan & Co. Architects Ltd 122 Upper Lisburn Road Finaghy Belfast BT10 0BD
<p>Addendum Report</p> <p>This addendum report should be read in conjunction with the report to the Planning Committee on 19 May 2020 (including Late items report), appended below.</p> <p>The application was scheduled at May Planning Committee at which the application was deferred for NI Water to attend committee.</p> <p>NI Water has confirmed that a representative will be in attendance.</p> <p>There has been no further correspondence received since the May Late Items Report. It remains the view of officers (and confirmed by NI Water) that the information received remains insufficient to demonstrate that the proposed treatment plant represents either a suitable or feasible solution in this case</p> <p>It has also not been demonstrated that the proposed plant in itself would not require significant alterations to the proposed design and layout of the scheme. It is also considered inappropriate to deal with this by negative condition given the uncertainty of the treatment plant as a satisfactory means of disposal of the sewage for a development of this scale and use at this location.</p> <p>The treatment plant would also require an additional planning fee and for this reason alone it would not be possible to consider the treatment plant as part of this application. The applicant would need to withdraw the current application and resubmit a new application with the waste water treatment plant designed and integrated within a revised comprehensive proposal.</p> <p>The opinion remains that the application be refused for the reasons set out in the original report below.</p>	

Refusal is recommended for the following reasons

1. The proposal is considered contrary to Policy NH 1 of PPS 2: Natural Heritage in that insufficient information has been submitted to demonstrate that the proposed development will not have a significant effect on Belfast Lough, a European Site designated for its International Nature Conservation Importance [Belfast Lough Special Protection Area (SPA)/Ramsar site, Belfast Lough Open Water SPA and East Coast Marine proposed SPA].
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland as the receiving Waste Water Treatment infrastructure has insufficient capacity to accommodate a development of this scale at this location and insufficient information has been provided to demonstrate that there is a satisfactory alternative means of sewage disposal and that the proposal will not have a significant adverse impact on public health and the natural environment.

Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of the reasons for refusal subject to no new substantive planning issues being raised by consultees and third parties.

Appendix 1:**Late Items – Tuesday 19 May April 2020**

Agenda Item	Details	Issues Raised	Action
3b Apollo Road	Additional details of a proposed waste water treatment (WWTW) plant to address NI Water objection	<p><i>Emails from the agent dated 12/5/20, 14/5/20, 15/5/20 and 18/5/20 providing:</i></p> <ul style="list-style-type: none"> <i>• A timeline for the application;</i> <i>• Preliminary site layout, landscaping plan and revised floor plans and elevations showing the location of a proposed treatment plant;</i> <i>• Foul Drainage Plan</i> <i>• Vehicle Auto track for Tanker</i> <i>• Proposed WWTW layout</i> <i>• Site visuals showing the proposed wall surround to the works with no roof.</i> <i>• A request for the details of the treatment plant to be dealt with by negative condition</i> 	<ul style="list-style-type: none"> • The additional information has been submitted extremely late in the processing of this application. The issue of a lack of capacity at the Glenmachan Street WWPS was highlighted in the NI Water response dated July 2019 and even earlier by NI Water in a pre-development enquiry response to the applicant in November 2018. It is information that has been submitted directly to NI Water to address their objection. • It is the view of officers (and confirmed by NI Water) that the additional information remains insufficient to demonstrate that the proposed treatment plant represents either a suitable or feasible solution. It has also not been demonstrated that the proposed plant in itself would not require significant alterations to the proposed design and layout of the scheme. • It is also considered inappropriate to deal with this by negative condition given the uncertainty of the treatment plant as a satisfactory means of disposal of the sewage for a development of this scale and use at this location.

Agenda Item	Details	Issues Raised	Action
3b Apollo Road	Email from NI Water	<p><i>Email dated 18/5/20 (copy appended to the late items report):</i></p> <ul style="list-style-type: none"> <i>Confirmed as per NI Water Pre Development Enquiry (November 2018) and consultation response to BCC Planning (July 2019) that there is no foul sewer capacity available to serve this development. This proposed development is upstream of Glenmachan Street Waste Water Pumping Station (WwPS), currently this WwPS is operating above design capacity.</i> <i>NI Water are recommending connections to the public sewerage system are curtailed within this drainage area.</i> <i>NI Water recommend that this application in its current form should be refused. The existing WwPS has insufficient capacity to serve the development as currently designed and the development could result in a detrimental effect to the environment and a detrimental impact on existing properties.</i> <i>NIW have received proposals for an on-site Waste Water Treatment Works submitted on [22nd April 2020]. However, the information submitted is insufficient to allow NI Water to determine whether this represents a solution acceptable to both NI Water and NIEA.</i> <i>NI Water have expressed a view that it may be beneficial if the application was removed from the Council's planning committee to allow</i> 	<ul style="list-style-type: none"> The NI Water email supports the officer recommendation to refuse. Whilst NI Water have expressed a view that it might be beneficial to remove the application from the planning committee agenda this is a decision for officers and not the consultee. It remains the view of officers that the application remains on the agenda for the reason already given

Agenda Item	Details	Issues Raised	Action
		<i>further time to discuss a technical solution at this site. It may be necessary to submit further drawings to the planning authority and NI Water may require an appropriate planning condition.</i>	

Appendix 2

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 May 2020	
Application ID: LA04/2019/1598/F	
Proposal: Proposed Apart-Hotel (87no. bedrooms & 26no. serviced apartments), 14no. Business Studios and 10no. Live/work studios with associated car parking and landscaping.	Location: Adelaide Business Centre Apollo Road Belfast BT12 6HP.
Referral Route: Major Application	
Recommendation:	Refusal
Applicant Name and Address: Kilmona Property Ltd 8th Floor Bedford House 16-22 Bedford Street Belfast BT2 7FD	Agent Name and Address: Coogan & Co. Architects Ltd 122 Upper Lisburn Road Finaghy Belfast BT10 0BD
<p>Executive Summary: The application is seeking full planning permission for an Apart-Hotel (87no. bedrooms & 26no. serviced apartments), 14no. Business Studios and 10 no. live/work studios with associated car parking and landscaping.</p> <p>The key issues in the assessment of the proposal include:</p> <ul style="list-style-type: none"> • The principle of redeveloping the site; • The principle of the proposed uses at this location; • Open Space Provision; • Scale, Massing and Design; • Traffic and Parking • Impact on Sewerage Infrastructure • Contaminated Land; • Impact on Protected Sites; • Flooding and Drainage • Impact on amenity; • Air Quality and other Environmental issues; • Pre-application Community Consultation. <p>The site is located within an established mixed use industrial / commercial area. Although previously zoned as an area of existing employment/ industry the site is now unzoned. However the loss of the economic/ employment uses (warehousing and office space) are protected under regional policies to ensure economic development on suitably located sites is retained to ensure an ongoing and sufficient supply.</p>	

The proposed mixed use scheme, close to a number of retail and leisure amenities, fulfils one of the exceptions (PPS4) whereby such a site, with an established economic/employment use (warehousing and office space) can be redeveloped for a suitably designed mixed-use scheme that is compatible with the area and adjacent uses. The proposed scheme includes a similar quantum of office space to that which is being removed in the form of business studios with the accompanying hotel and short term let serviced apartments providing a quite a unique facility and adding to the diversity of this mixed use area.

Tourism proposals such as this can benefit the wider Boucher Road area by helping to support existing services and facilities such as retail, catering, entertainment, leisure, and transport as well as promoting a sense of vitality.

The proposal would see the introduction of a high quality landmark building in an area void of any particularly strong architectural character. The diversity in the roofline ensures architectural interest in this modern flat roofed structure, accompanied with a range of finishes and elevational detailing ensures an interest in the built form and enforces a strong character.

Notwithstanding the above points, NI Water has highlighted that the waste water pumping station (WWPS) at Glenmachan Street has insufficient capacity to serve the proposed development, it is currently operating above its design capacity.

DfI Roads – Awaiting response

NI Water - Objection

NIEA Waste Management Unit – Approval subject to conditions

NIEA Water Management Unit – No objection

NIEA Natural Environment Division – Approval subject to conditions

DfI Rivers Agency – No Objection

Shared Environmental Services – Further information required

Non-Statutory consultees

Environmental Health BCC – Approval subject to conditions

NI Tourist Board – Support

No objections or third party representations have been received.

In light of NI Water concerns regarding the waste water treatment infrastructure which would serve the proposed development, it is recommended that planning permission is refused.

By email dated 8 May 2020 the agent advised that they have recently submitted details of a waste water treatment plant as a proposed solution to the NI Water objection. This is very late in the day as the issue of a lack of capacity at the Glenmachan Street WWPS was highlighted in the NI Water response dated July 2019 and even earlier by NI Water in a pre-development enquiry response to the applicant in November 2018. The agent has also requested by email dated 11 May that the application be removed from the committee agenda. It is the view of officers that there is insufficient information to demonstrate that the proposed treatment plant represents either a suitable or feasible solution. It has also not been demonstrated that the proposed plant in itself would not require significant alterations to the proposed design and layout of the scheme. For these reasons the application has been kept on the agenda.

Refusal is recommended for the following reasons


3. The proposal is considered contrary to Policy NH 1 of PPS 2: Natural Heritage in that insufficient information has been submitted to demonstrate that the proposed development will not have a significant effect on Belfast Lough, a European Site designated for its International Nature Conservation Importance [Belfast Lough Special Protection Area (SPA)/Ramsar site, Belfast Lough Open Water SPA and East Coast Marine proposed SPA].
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland as the receiving Waste Water Treatment infrastructure has insufficient capacity to accommodate a development of this scale at this location and insufficient information has been provided to demonstrate that there is a satisfactory alternative means of sewage disposal and that the proposal will not have a significant adverse impact on public health and the natural environment.



Delegated authority given to the Director of Planning and Building Control to finalise the wording of the reasons for refusal subject to no new substantive planning issues being raised by consultees and third parties.

Case Officer Report

Site Location Plan



1.0	Description of Proposed Development
1.1	<p>The proposal includes an 87 bedroom hotel, 14 business studios (own door access), 10 live/ work studios and 26 serviced apartments. There are 243 car parking spaces proposed, 163 undercroft and 80 external. A new access is to be created off Apollo Road, with the two existing access points remaining unaltered. There are 2 courtyard communal landscaped areas proposed and a rooftop garden at fourth floor level. The first floor courtyards areas are primarily designed to provide amenity for the serviced apartments. The apartments range in size between 61-86 sqm with the live/ work studios ranging between 65-77 sqm.</p>
	 <p>Central live/ work core with first floor communal gardens at each side</p>
1.2	<p>Surface level car parking is located along the western and southern boundaries of the site. A drop off zone is proposed to the front of the building outside the hotel lobby. The undercroft car parking occupies most of the ground floor of the building, along with the hotel reception area.</p>
1.3	<p>In terms of height, the proposed building varies from 3 to 6 storeys. The flat roof structure is finished in render, glazing, stone cladding with a metallic covering on the roof. The business units are located in the three storey part of the building along the western boundary with the hotel located in the four storey block to the front of the site and the serviced apartments occupying the six storey element along the eastern boundary. The live/ work units are located within a central four storey core, as shown on the 3D image above at para 1.1.</p>

	
<p>2.0</p> <p>2.1</p> <p>2.2</p> <p>2.3</p>	<p>Description of Site</p> <p>The site area is approximately 1 Ha. The total gross floor area is approximately 14,600 sqm. The building on the site is a mixed use commercial complex with office and warehouse units. The building is subdivided into 46 separate units (14 warehouse (B4) and 32 office (B1)), equating to 175 sqm of warehouse space and 250 sqm of office space. The warehousing is located to the rear</p> <p>Flat site dominated by hard standing with a substantial warehouse style building located centrally with the main use on site being storage and distribution.</p> <p>The site provides a through access to several other buildings to the rear which are outside the application site. There are 196 car parking spaces on the site, 19 of which were dedicated to office staff.</p> 
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0</p> <p>3.1</p>	<p>Planning History</p> <p>No relevant planning history on the site</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Belfast Urban Area Plan (BUAP) 2001 Draft Belfast Metropolitan Area Plan 2015</p>
<p>4.2</p>	<p>Strategic Planning Policy Statement for Northern Ireland</p>

	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 8 – Open Space, Sport and Outdoor Recreation Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 - Planning and Flood Risk Planning Policy Statement 16 - Tourism
5.0	Statutory Consultees DfI Roads – Await response NI Water - Objection NIEA Waste Management Unit – Approval subject to conditions NIEA Water Management Unit – No objection NIEA Natural Environment Division – Approval subject to conditions DfI Rivers Agency – No Objection Shared Environmental Services – Further information required
6.0	Non-Statutory Consultees Environmental Health BCC – Approval subject to conditions NI Tourist Board - Support
7.0	Representation
7.1	No third party representations received
8.0	Other Material Considerations N/A
9.0	Assessment The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - The principle of redeveloping the site; - The principle of the proposed uses at this location; - Open Space Provision; - Scale, Massing and Design; - Traffic and Parking; - Impact on Sewerage Infrastructure; - Contaminated Land; - Impact on Protected Sites; - Flooding and Drainage - Impact on amenity; - Air Quality and other Environmental issues; - Pre-application Community Consultation.
9.1	The principle of redeveloping the site Following the May 2017 Court of Appeal decision on BMAP, the extant development plan is now the BUAP 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.
9.2	In the BUAP 2001 the site is located on unzoned lands within the development limits of Belfast and within the Draft Belfast Metropolitan Area Plan (November 2004) within an area of existing employment/ industry zoning. However the zoning in the 2014 version of draft BMAP the site is whiteland, and given that this is the most recent expression of land use policy in the Council Area this version of Draft BMAP must be given weight.

9.3	<p>However the weight would be limited as the PAC, in their report on dBMAP, recognised the points made in objections to the proposed employment use zoning, in that there were many non-employment, retail and sui-generis uses in the Boucher area at the time.</p>
9.4	<p>The site is located within an area of existing employment / industrial land within draft BMAP and on whiteland within the version successfully challenged. Although the draft version must be considered the move to whiteland is indicative of the land use policy thrust for the area. The SPPS must also be considered as it addresses development on unzoned lands in settlements in current economic development use. The SPPS states that it is important that economic development land and buildings which are well located and suited to such purposes are retained so as to ensure a sufficient ongoing supply. Accordingly, planning permission should not be granted for proposals that would result in the loss of land zoned for economic development use (Para 6.89). Although the employment zoning was removed after the PAC BMAP public inquiry the loss of employment land must still be considered. The SPPS goes on to state that unzoned land within settlements in current economic development use (or land last used for these purposes, the same principle (to retain economic development land) applies.</p>
9.5	<p>As a result of the sites location within the draft plan employment zoning, and given the existing use on the site, with the resultant loss of the loss of office space and warehousing units (B4), the proposal must be assessed against Policy PED7 of PPS4. Given the mixed use nature of the proposal arguably criteria (b) is most applicable, as detailed below.</p>
9.6	<p>Policy PED 7 states that ' On unzoned land a development proposal that would result in the loss of an existing Class B2, B3 or B4 use, or land last used for these purposes, will only be permitted where it is demonstrated that: (b) the proposal is a specific mixed-use regeneration initiative which contains a significant element of economic development use and may also include residential or community use, and which will bring substantial community benefits that outweigh the loss of land for economic development'.</p>
9.7	<p>Although there is a loss of existing office space on the site this employment use will be replaced by the proposed business studios, with a similar floor area. The existing office floorspace is 2,515 sqm. However the total floorspace of the proposed business units is approximately 2,600 sqm, thus a slight increase in employment floorspace. In terms of the policy requirement (criteria b above) this can be considered to be a significant element of economic development use. This is accompanied by the residential element, which although is not the normal residential use given the nature of the proposal (short term lets) it still adds to the diversity of the scheme and adds to the wider benefits of the scheme.</p> <p>An exception to the loss of employment land under PPS4 is also where the area has already been developed for alternative uses, as is the case in the Boucher Road area (Policy PED1 Paragraph 1). Another exception is where a proposed sui generis employment use is compatible with existing uses in the area and of an appropriate scale, as is the case with the proposed hotel. As stated below is Section 9.43-9.51 the use will not cause any detrimental impact on amenity and is compatible with adjacent</p>

9.8	<p>industrial/ commercial uses. Based on the assessment of the 'loss of economic/ employment' land against PPS4 and regional planning policy it meets the general thrust in terms of providing a suitable mixed use scheme and negating any loss of office space with the reintroduction of business units of a similar floor area with an acceptable mixed use redevelopment proposal in an area already characterised by a range of alternative uses.</p>
9.9	<p>The Principle of the proposed uses at this location</p> <p><u>Hotel</u></p> <p>The proposal has been assessed against the SPPS and Policies TSM1 and TSM 7 of PPS 16. This will be discussed in detail below. Although there are serviced apartments within the proposal these are not for long residency and will be available for short term let, hence the description of this element of the scheme being 'apart-hotel'.</p>
9.10	<p>A proposal for a tourism related use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria:</p> <p>(a) 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 site connects to the public road for both pedestrian and vehicular traffic providing immediate access to nearby bus stops and Adelaide Train halt.</p> <p>(b) the site layout, building design, associated infrastructure and landscaping arrangements (including flood lighting) are of high quality in accordance with the Department's published guidance and assist the promotion of sustainability and biodiversity; The stepped roof levels and mix of finishes on what is a contemporary building help provide a high quality landmark structure in an area with little in terms of architectural interest or quality. External landscaping provides some visual relief in an area dominated by hard landscaping and industrial style buildings. Internal planted courtyards enhance the residential environment and the overall internal aesthetics of the scheme.</p> <p>(c) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are screened from public view; A grassed area is proposed along the frontage of the site with intermittent ground floor planting provided throughout the basement car park. This will break up the dominance of hard standing and help soften views into the site from Apollo Road. Although not a significant level of planting the character of the area, with high levels of hardstanding, must be considered, and thus the level of landscaping is acceptable.</p> <p>(d) utilisation of sustainable drainage systems where feasible and practicable to ensure that surface water run-off is managed in a sustainable way; Given the industrialised, developed nature of the area this is not a feasible solution.</p> <p>(e) is designed to deter crime and promote personal safety; Access to the hotel and serviced apartments will be via the main hotel lobby. A secured access will also provide alternative entry into the serviced apartments towards the mid-point of the eastern boundary.</p> <p>(f) development involving public art, where it is linked to a tourism development, needs to be of high quality, to complement the design of associated buildings and to respect the surrounding site context.</p>

9.11	<p>N/A</p> <p>(g) it is compatible with surrounding land uses and neither the use or built form will detract from the landscape quality and character of the surrounding area; The proposed use and built form is in keeping with the industrial/ commercial style buildings in the wider Boucher Road area. The use is such that it will not be incompatible with surrounding uses due to any resultant noise or effluent.</p> <p>(h) it does not harm the amenities of nearby residents; The nearest residential properties are located approximately 100m east of the site on the other side of the railway. Given this separation distance and existing built form between the site and these properties the proposal will not have any impact on residential amenity.</p> <p>(i) it does not adversely affect features of the natural or built heritage; There are no built or natural heritage features affected by the proposal. The site is located in an established industrial/ commercial area. However, in light of NI Water's response, highlighting insufficient capacity at the Glenmachan Waste Water pumping station, Shared Environmental Services have requested more information in order to assess if the development would adversely affect Belfast Lough, a European Site.</p> <p>(j) it is capable of dealing with any emission or effluent in accordance with legislative requirements. The safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains sewerage and water supply services must be utilised where available and practicable; Environmental Health Service has asked that should planning permission be forthcoming a condition is attached to ensure flues terminate at the required height and due regard is given to adjacent land uses to ensure the future occupants of the apart-hotel do not experience any adverse impact on amenity. NIWater have raised an issue with regard to the capacity of the waste water pumping station that will serve the development. This is discussed further below at 9.23. In light of these significant concerns and the inability of the receiving waste water pumping station to deal with the additional effluent from the proposed development, it is recommended that planning permission should be refused.</p> <p>(k) access arrangements must be in accordance with the Department's published guidance; DFI Roads have not raised any issues with regards to the proposed access arrangements onto Apollo Road. The two existing accesses are to be utilised along with an additional access.</p> <p>(l) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic; See (m) below.</p> <p>(m) the existing road network can safely handle any extra vehicular traffic the proposal will generate; DFI Roads has not raised any concerns in terms of the principle of the proposed use and any inadequacies of the existing transport infrastructure. They have however sought a reduction in overall parking to discourage the use of the private car and limit the impact on the existing road network. This has been demonstrated through the submitted Travel Plan.</p> <p>The NI Tourist Board has provided some wider comments on tourism and how the proposal could help meet an apparent need for this type of accommodation:</p> <ul style="list-style-type: none"> - As of the end of June 2019, in the Belfast City Council area, there were 120 serviced accommodation providers (Hotels, Guest Houses, Guest Accommodation and B&Bs)
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	<p>providing 5,309 rooms and 11,413 bed-spaces. Of these providers, 85 are members of the Tourism NI Quality Grading Scheme.</p> <ul style="list-style-type: none"> - Of the estimated 2.2 million hotel room nights sold in Northern Ireland in 2018, 1.1 million (51%) were sold in the Belfast City Council area, the highest of any area. - In 2018, the Belfast City Council area had the largest number of hotel rooms (4,706 rooms, equating to 51% of the Northern Ireland total). This is a substantial increase from 2017 (3,630 rooms). - The Belfast City Council area attracted the largest number of estimated overnight trips in 2018 (1.7 million), equating to a third (33%) of all overnight trips to Northern Ireland. - The Belfast City Council area attracted the joint highest relative proportion of business trips (with Antrim & Newtownabbey), with business accounting for approximately 15% of all overnight trips to this council area. Of all those people taking an overnight business trip in Northern Ireland, over half (54%) stayed in the Belfast City Council area. - The proposed location of this Apart-Hotel in the South West area of the city may help to address a lack of hotel accommodation in that immediate area which is attractive to visitors who wish to take part in popular political walking tours, black taxi tours, cemetery tours or who wish to visit Colin Glen Forest Park & Activity Centre.
9.12	<p><u>Serviced Apartments</u></p> <p>The exception (b) in Policy PED7 of PPS4, discussed above, states that permission may be granted for a <i>‘specific mixed-use regeneration initiative which contains a significant element of economic development use and may also include residential or community use’</i>. In terms of the serviced apartments the supporting documentation outlines that these will not be a typical private apartment in terms of the type of accommodation proposed, will be available for short term stays, and will provide housekeeping and a range of services for guests akin to a hotel experience. These will have private kitchens and larger living and sleeping areas than the standard hotel room. Should approval have been recommended the tenure could have been secured via condition to ensure none of the residential units are let over long terms, or privately sold.</p>
9.10	<p>As part of the proposal is a residential use in what is an area characterised by non-residential uses it must also be assessed against Policy PED8 of PPS 4 which applies when a proposed use may be incompatible with existing economic development uses in the vicinity. With a residential element proposed there is therefore the potential that amenity issues may arise by introducing serviced apartments onto the site. However, as stated above, the characteristics of a serviced apartment, and certainly of the type proposed, are more akin to a hotel room than a typical dwelling unit and are thus less likely to demand or require the level of privacy and tranquillity normally associated with a more typical residential proposal, which would be of a more sensitive nature. Environmental Health stated that should planning permission be forthcoming noise mitigation measures could be conditioned to ensure the residents do not experience any loss of amenity.</p> <p><u>Business Units</u></p> <p>The proposed business units (14 business studios and 10 live/ work studios) have been assessed against the Office Strategy within draft BMAP and Policy PED1 of PPS4. The</p>

9.11	<p>agent has clarified that the live/ work units will be located within the hotel but will be available to rent for conference meetings.</p>
9.12	<p>Although regional planning policy and draft BMAP directs office uses to the city centre and commercial nodes the B1 business/ office units proposed have an overall floor area which is slightly greater than the existing office floorspace on the site as outlined above. The principle of this use, effectively a like for like replacement in terms of quantum of floor space, is acceptable at this location.</p>
9.13	<p>Open Space Provision As residential units are proposed as part of the scheme, albeit serviced apartments as part of the apart-hotel, the proposal has been assessed against policies QD1 of PPS and OS2 of PPS8, and accordingly the appropriate level of private and communal open space must be provided for the prospective short terms residents.</p>
9.14	<p>External open space has been provided in the form of two courtyards at first floor level and a rooftop garden to serve the hotel on the fourth floor. There is approximately 2,500 sqm of communal and private open space provided throughout the proposal. This is in excess of the requirement in PPS8 (Policy OS2), which states that at least 10% of the total site area should be given over to the provision of open space. In this case the site area is approximately 1ha, thus the minimum requirement is 1,000 sqm.</p>
9.15	<p>The serviced apartments and live/work studios have an outlook onto the two first floor courtyards which enhances the residential experience for those that would be availing of a longer stay.</p>
9.16	<div data-bbox="213 1142 794 1464" data-label="Image"> </div> <p>3D image of proposed landscape garden</p> <p>Scale, Massing and Design The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS and Policy QD1 of PPS7. The area is characterised by large scale commercial/ industrial blocks, most of a relatively low scale (2/3 storey, with the exception of the Windsor Park stadium located a short distance north of the site. The proposal acknowledges this lower scale with the three storey business unit element to the western part of the site. Although the six storey element will be higher than most of the buildings in the vicinity it is located some distance from the nearest existing building and takes this opportunity to provide a distinctive, landmark feature in area devoid of any particular architectural quality or feature building.</p> <p>The active ground floor hotel lobby creates a solid base to the building with a difference in finish (cladding) ensuring that this high corner element acts as a feature element to the structure, whilst also providing a sense of arrival to the scheme. The transition of</p>

9.17	<p>finishes along the frontage from granite coloured cladding of the business units, through the render of the main hotel element, to the predominantly glazed serviced apartments block ensure a degree of visual interest and help break up what is a substantial built form. This is also assisted with the variations in height which complement the changes in finish. The result is a contemporary high quality structure with soft landscaping enhancing its overall visual appeal. The scheme will undoubtedly improve the appearance of the area.</p>
9.18	<p>The main access for the live/ work units and serviced apartments is defined by a solid vertical element with the entrance framed by a horizontally emphasised solid archway. This also helps ground the proposal, on what is an otherwise lightweight ground floor given the level of undercroft parking.</p>
9.19	<p>The internal elevations onto the courtyards are heavily glazed which will ensure an attractive outlook and provide a high quality internal environment.</p>
9.20	<p>Traffic and Parking Vehicular access is proposed via three access points along the site frontage onto Apollo Road, two of these accesses are existing. 243 car parking spaces are proposed. 97 spaces have been provided for the hotel (1 per room + 10 for staff), 109 for the business and live/ work units and 37 spaces for the 26 serviced apartments.</p>
9.21	<p>DfI Roads notes that a significant level of parking is offered in an area (Boucher Road) already associated with high traffic congestion at peak times. The Department initially expressed a desire to see a programme of measures to reduce the number of vehicle trips to the site, in favour of enhancing travel to the site by sustainable measures, and requested a Travel Plan for both commercial and residential aspects of the proposal. DfI Roads stated that it would offer no objection if measures to achieve this, or other planning objectives, were to involve reductions in the overall level of parking on the site and reduce reliance on the private car. It should be noted that the Transport Assessment form states that there are 709 private car trips to the site per weekday, this will be reduced to 128 with the proposed development, a reduction of 268 trips.</p>
9.22	<p>A Travel Plan for the commercial elements and for the hotel was submitted in December 2019 to address DfI Roads initial points. The Travel Plan points to the proximity of Adelaide Train halt, which is served by 3 peak time services in both morning and evening. Bus stops are located close by on Boucher Crescent and Boucher Road. The site is also located on a Metro corridor. It also states that a Travel Plan Co-ordinator would be employed to monitor visitor travel behaviour and concentrate on areas where most impact can be made in terms of changing travel habits. The implementation of the Travel Plan would help ensure a shift from car based trips to more sustainable modes of transport.</p>
9.23	<p>Impact on Sewage Infrastructure A 150mm diameter public water main is located within Apollo Road, which can serve this proposal.</p>
9.24	<p>There is no foul sewer available to serve this development. This proposed development is upstream of Glenmachan Street Waste Water Pumping Station (WwPS), currently</p>

	the WwPS is operating above design capacity and as such NIW are currently not approving connections to the network upstream.
9.25	There is a 900mm diameter public storm sewer within Apollo Road, which can serve this proposal based on a storm discharge of 10.3l/s.
9.26	The receiving Waste Water Treatment facility (Belfast WwTW) has sufficient capacity to serve this proposal.
9.27	Given the NI Water concerns based on the lack of capacity at the receiving pumping station, and in the absence of any adequate, alternative solution on site, it is recommended that planning permission is refused. The waste water treatment infrastructure serving the proposed development does not have the ability to serve the proposed development and with insufficient information to demonstrate that there is an alternative means of sewage disposal there is a risk of adverse impact on public health and the natural environment.
9.28	<p>Contaminated Land</p> <p>A Generic Quantitative Risk Assessment (GQRA) report has been provided by WYG Environment and Planning (NI) Ltd in support of this application. Intrusive site investigations have been undertaken in support of the GQRA. Reduced quality made ground has been found across the site with low levels of contamination, however no unacceptable risks to environmental receptors have been identified.</p>
9.29	Remedial works to verify former fuel storage tank locations are required and a piling risk assessment will be necessary prior to development for which conditions are recommended. Regulation Unit Land and Groundwater Team have no objections
9.30	subject to conditions.
9.31	This submission has determined that there are pollutant sources of contamination present at this site. A Preliminary Risk Assessment & Generic Quantitative Risk Assessment has been carried out.
9.32	A site investigation was completed in November 2018 comprising 3 boreholes located across the site with a total of 5 soil samples. Made ground was identified on site to a maximum depth of 2.5m below ground level.
9.33	Gas monitoring undertaken on six occasions between 15 th November 2018 and 12 th December 2018 consistently recorded concentrations of CO ₂ greater than 5% and as a result the site has been classified as Characteristic Situation (CS) 2 with gas protection measures required within the proposed development.
9.34	Remedial measures include incorporation of a clean cover system in gardens and landscaped areas in order to break the identified human health pollutant linkage. A clean cover system of minimum depth 500mm is proposed for communal landscaped areas at ground level, consisting of a minimum 200mm granular layer at the base. In addition, the report notes that landscaping and garden areas to be installed on the 1 st and 4 th levels of the proposed development will be formed from imported soils that are demonstrably suitable for use.

9.35	Where roads, paths, driveways and buildings are located on the proposed development, this hardstanding is considered to break any direct contact pathways.
9.36	The report states that it will be necessary to test the soils utilised within the capping system and the soils intended for use within the 1 st and 4 th level gardens/landscaping areas. Details on the material source and analyses undertaken must be included in the validation report.
9.37	The report proposes that the necessary remediation for a CS2 classification can be achieved by implementing a selection of remediation measures including gas membranes or other subfloor dispersal layers
9.38	Gas protection measures will need to be verified in line with CIRIA C735. This Service would additionally note that should a passive sub floor dispersal layer be utilised, evidence will be required to demonstrate that 'good performance' has been achieved.
9.39	On the basis of the information submitted Environmental Health Service has offered no objection to the proposal subject to conditions, should planning permission be forthcoming.
9.40	<p>Impact on Protected Sites</p> <p>The planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p>
9.41	Having considered the nature, scale, timing, duration and location of the project Shared Environmental Services has concluded that further information is required to assess potential impacts on the selection features, conservation objectives and status of Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA and East Coast Marine proposed SPA. Clarification is required on the method of sewage disposal as NIWater has confirmed there is no foul sewer to serve this proposal and that it is currently not approving connections to the network upstream of Glenmachan Street WwPS. As stated above it is recommended planning permission is refused in light of inadequacies in the receiving waste water infrastructure.
9.42	
9.43	<p>Flooding and Drainage</p> <p>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.</p>
9.44	There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site.
9.45	<p>Impact on amenity</p> <p>The accompanying Odour Abatement report states that a high level odour abatement system will be provided as assessed in line with Defra risk score and adhere to the minimum requirements as set out in EMAQ 2018 guidance. Furthermore it is noted that the extraction duct terminates 1m above the main roof as detailed in drawing number 18-176-10.</p>

9.46	<p>Based on the information provided in the above report Environmental Health Service has asked that should planning permission be forthcoming Condition No. 9 is attached to ensure flues terminate at the required height and due regard is given to adjacent land uses to ensure the future occupants of the apart-hotel do not experience any adverse impact on amenity.</p>
9.47	<p>Environmental Health Service has reviewed the Noise Impact Assessment, which includes a baseline daytime and night-time background noise monitoring survey taken at 3 locations. The findings of the assessment note that with appropriate mitigation measures the required internal noise environment in all internal habitable rooms may be achieved, and could be secured via condition.</p>
9.48	<p>The Report recommends that double glazing providing a sound reduction Rw of 35dB is installed to habitable rooms throughout the development. Also alternative means of ventilation for passive/active ventilation is proposed.</p>
9.49	<p><u>Outdoor living Areas/Communal External area</u> BS8233:2014 states it is desirable that the external noise level does not exceed 50dB LAeq with an upper guideline value of 55dB LAeq; it also recognises that the guideline values are not achievable in all circumstances. The report states that these areas are deemed functional spaces and unlikely that these smaller external spaces will be used for relaxation and/ or for spending significant amounts of time in.</p>
9.50	<p>Communal landscaping is proposed at first and fourth floor levels. The first floor landscaped area is located in the centre of the proposed development and it is predicted that the building construction will provide a barrier effect of at least 10-15dB attenuation. The fourth floor area will include a 600mm brick wall with 500mm toughened glass balustrade proposed along the perimeter with increased height to provide attenuation. It is proposed that noise levels of 55dB LAeq or less are achievable in the majority of communal external areas.</p>
9.51	<p><u>Plant and Equipment</u> The report states that as detailed information is unknown for the mechanical plant and equipment the noise rating level cannot be accurately predicted. It states that at the detailed design stage mitigation measures may be required. The report advises that the selection and design of mechanical plant will ensure that the lowest LAeq daytime 54 LA90,1 Hour dB and night time 52 LA90, 15 min dB will not exceeded.</p>
9.52	<p><u>Traffic Noise</u> The report states that traffic noise level increase will be imperceptible as the traffic level is not predicted to increase by 25%.</p>
9.53	<p><u>Construction Phase</u> With respect to the construction phase the report has highlighted that there is a potential for short term noise impacts at the nearest noise sensitive property if worst case construction noise occurs.</p>
9.54	<p>Air Quality and other Environmental issues</p>

9.55	The consultant has undertaken a detailed dispersion modelling exercise to assess the existing air quality in the vicinity of the proposed development site and to examine potential impacts that the proposed development may have at relevant receptor locations.
9.56	The assessment has demonstrated, based on the local background data and estimated transport emissions, that exceedances of the air quality objectives for nitrogen dioxide and particulate matter are not expected at modelled receptor locations.
9.57	Moreover, it is stated within the accompanying Transport Assessment Form (RPS, February 2019) that the proposed development is predicted to generate less vehicles trips than extant approval on site. The consultant has therefore concluded that the traffic impact of the proposed development will be less than the existing usage on the site.
9.58	However, this Service notes that the air quality impact of nearby industrial sources, which may result in adverse health and amenity impacts for occupants of the proposed development, have not been assessed in accordance with the provisions of the LAQM.TG(16) local air quality management technical guidance.
9.59	The assessment highlights however, that the nearby industrial sources are not permitted Pollution Prevention and Control processes and their emissions are therefore considered to be not significant.
	Moreover, RPS have submitted further information advising that a mechanical ventilation system has been recommended as a mitigation measure for ambient air quality.
9.60	Although full mechanical plant details are not presently available, RPS have advised that the design of the system (including the positions of air intake locations) will take cognisance of the boilers located on the neighbouring properties in order to ensure no significant detrimental air quality impact on the occupants of the new residential units.
9.61	The air quality consultants have advised however that the development proposal does not include any substantial combustion processes, which could have an unacceptable impact at relevant receptors. RPS have added that at this early stage of the design process, there is no detailed information about the proposed combustion plant to be installed for heating and for hot water provision.
9.62	In view of the lack of detail at this stage, regarding the proposed combustion plant to be installed for heating and hot water provision, Environmental Health has requested that specifics are secured via condition, should planning permission be forthcoming.
9.63	<i>Construction phase</i> The environmental consultant has also assessed the anticipated impact of the construction phase of the proposed development. With the implementation of appropriate mitigation measures set out within the Air Quality Impact Assessment, the dust effect is predicted to be insignificant. Environmental Health has subsequently requested that mitigation is conditioned, as per condition No. 11 below.
9.64	Pre-application Community Consultation

9.65	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.
9.66	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) LA04/2018/2117/PAN was submitted to the Council on 23 rd
9.67	August 2018.
9.68	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.
9.69	A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:
9.70	<p>The Public Consultation Event took place in The Doyen, 829 Lisburn Road on 9th October 2018. This event was advertised in the Belfast Telegraph on 2nd October 2018.</p> <p>Information leaflets were issued to properties in the vicinity of the site in October 2018, including properties on Apollo Road, Falcon Way and Boucher Road.</p> <p>The development team met with a number elected representatives from South Belfast and South Belfast Westminster Assembly Constituencies over a 3 month period.</p> <p>An estimated 20 people took part in the public exhibition with 1 person providing feedback. The comment related to the timeline for construction. It is confirmed in the Community Consultation Report submitted with the application that the contractor will take over responsibility for communication with local businesses and residents.</p> <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>
10.0	Summary of Recommendation: Refusal
10.1	Having regard to the policy context and other material considerations above, including the planning history on the site, the proposal is considered unacceptable and planning permission should be refused. The receiving waste water treatment infrastructure has insufficient capacity to adequately deal with the effluent from the proposed development and no viable alternative solution has been proposed on site to address NI Water's concerns.
10.2	It is recommended that planning permission is refused with delegated authority given to the Director of Planning and Building Control to finalise the wording of refusal reasons subject to no new substantive planning issues being raised by consultees and third parties.

11.0	Refusal Reasons <ol style="list-style-type: none"> 1. The proposal is considered contrary to Policy NH 1 of PPS 2: Natural Heritage in that insufficient information has been submitted to demonstrate that the proposed development will not have a significant effect on Belfast Lough, a European Site designated for its International Nature Conservation Importance [Belfast Lough Special Protection Area (SPA)/Ramsar site, Belfast Lough Open Water SPA and East Coast Marine proposed SPA]. 2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland as the receiving Waste Water Treatment infrastructure has insufficient capacity to accommodate a development of this scale at this location and insufficient information has been provided to demonstrate that there is a satisfactory alternative means of sewage disposal and that the proposal will not have a significant adverse impact on public health and the natural environment.
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member None
14.0	Neighbour Notification Checked Yes

ANNEX	
Date Valid	4th July 2019
Date First Advertised	19th July 2019
Date Last Advertised	19th July 2019
Details of Neighbour Notification (all addresses) 1 Apollo Road,Belfast,Antrim,BT12 6HP 2 Wildflower Way,Belfast,Antrim,BT12 6TA 2-6 ,Apollo Road,Belfast,Antrim,BT12 6HP 8 Apollo Road,Belfast,Antrim,BT12 6LP 9 Apollo Road,Belfast,Antrim,BT12 6HP Unit 1,2-6 ,Apollo Road,Belfast,Antrim,BT12 6HP Unit 1,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 1,2a Boucher Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 10,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 11,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 12 Part,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 12b,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 2,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 2,2a Boucher Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 2b,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 3,1 Apollo Road,Belfast,Antrim,BT12 6HP Unit 3,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 3,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 3,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 3,2a ,Apollo Road,Belfast,Antrim,BT12 6HP Unit 4,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 4a,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 5,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 5,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 5a,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 6,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 6,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 6a,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 7,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 7,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 7a 1st Floor,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 7a Gd Floor,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 8,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 8,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 8a,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit 9,24 Boucher Road,Belfast,Antrim,BT12 6HR Unit 9a,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Unit C,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6BF Unit D,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6BF Unitc,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP	

Units 1 & 2,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP Units 13 - 14,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6BF Units 1a & B,2-6 Adelaide Business Centre,Apollo Road,Belfast,Antrim,BT12 6HP	
Date of Last Neighbour Notification	11th July 2019
Date of EIA Determination	22 nd August 2019
ES Requested	No
Drawing Numbers and Title 01, 02/A, 03/A, 04/A, 05, 06, 07, 08, 09, 10 Site location, layout, floor plans, elevations and sections.	
Notification to Department (if relevant) N/A Date of Notification to Department: Response of Department:	

Addendum Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 18 th August 2020	
Application ID: LA04/2018/2876/F	
Proposal: Residential development comprising 16 units (10 semi-detached and 6 detached), associated landscaping access and car parking.	Location: Lands opposite 13, 15, 17 and 32 Somerdale Park, Belfast.
Referral Route: At the request of the City Solicitor	
Recommendation:	Refuse
Applicant Name and Address: Conway Estates Ltd 58 Moneymore Road Magherafelt BT45 6HG	Agent Name and Address: Gravis Planning 1 Pavilions Office Park Kinnegar Drive Holywood BT18 9JQ
<u>ADDENDUM REPORT</u> <p>This full application was previously listed for Planning Committee on 21st July 2020. The application was not presented and subsequently deferred for a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand. Member should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>A site visit for elected members took place on Wednesday 12th August 2020.</p> <p>No further additional information or letters of representation have been received following the previous Planning Committee meeting.</p> <p><u>Summary</u></p> <ul style="list-style-type: none"> The site visit by members has taken place. <p>In conclusion, the recommendation remains as set out in the case officer's report and this addendum.</p> <p><u>Recommendation</u></p> <p>The proposal is recommended for refusal. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.</p>	

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 21 July 2020	
Application ID: LA04/2018/2876/F	
Proposal: Residential development comprising 16 units (10 semi-detached and 6 detached), associated landscaping access and car parking.	Location: Lands opposite 13, 15, 17 and 32 Somerdale Park, Belfast.
Referral Route: At the request of the City Solicitor	
Recommendation:	Refuse
Applicant Name and Address: Conway Estates Ltd 58 Moneymore Road Magherafelt BT45 6HG	Agent Name and Address: Gravis Planning 1 Pavilions Office Park Kinnegar Drive Hollywood BT18 9JQ
Executive Summary: <p>The proposal is for full planning permission for a housing development of 16 dwellings, to consist of 10 semi-detached and 6 detached dwellings.</p> <p>The Key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> Principle of development and use; Impact on Open Space; Layout; Parking, access; Residential Amenity – Outlook, Streetscape, Safety & Surveillance Height, scale and design; Other environmental factors. <p>Under the adopted Belfast Urban Area Plan 2001 the site is zoned as open space and recreation. The 2004 version of Draft Belfast Metropolitan Area Plan also designated the site as lands reserved for open space and recreation. At the public inquiry to draft BMAP 2004 version the PAC recommended the site be re-designated as housing land, which the Department of Environment carried through to 2015 version of Draft Belfast Metropolitan Area Plan 2015 which was unlawfully adopted and subsequently quashed.</p> <p>Therefore, there is a conflict between the statutory adopted BUAP 2001 and the draft BMAP 2015 version. Section 6 (3) of the Planning Act for Northern Ireland 2001 states; <i>‘If to any extent a policy contained in a local development plan conflicts with another policy in that plan the conflict must be resolved in favour of the policy which is contained in the last development plan document to be adopted or, as the case may be, approved’.</i></p> <p>Significant weight is afforded to the adopted BUAP 2001 and its designation as open space and the draft BMAP 2004 version which also designates the site as existing open space. The 2015 version remains a material consideration however does not carry greater weight than the existing adopted plan the Belfast Urban Area Plan 2001 despite its vintage.</p> <p>Whilst a previous planning application was granted in 1996 for a residential use at this location, this was a decision of the previous Authority, the Department of Environment, a Central Government decision by which the Council is not bound by and was also within a different</p>	

policy context, pre the introduction of Planning Policy Statement 8 – Open Space and Recreation.

The applicant was afforded the opportunity to submit a PPS 8 statement to address policy OS 1 but it was not submitted, and the statement that was submitted did not address the policy tests of OS 1 and focused on a reliance on the status of the draft BMAP 2015 version instead and the weight that should be afforded to the site's designation as housing land under the purported to be adopted 2015 version of draft BMAP. This has been considered and addressed in this report. The applicant has failed to address the policy context and therefore the proposed land use for housing is considered unacceptable in principle.

The proposed design, architectural treatment and materials are acceptable. However, the scheme results in overdevelopment as the number of units create a layout dominated by parking, minimal or no front gardens, retaining structures and others with rear gardens backing onto the front access laneway resulting in a safety and surveillance concern at a sensitive interface. The scheme is not reflective of the character of the area, fails to consider the unique location and fails to provide a quality residential environment and is considered to be contrary to policies QD1 of PPS 7 and LC1 of Addendum to PPS7.

Neighbours have been notified and no objections have been received.

Consultees - Environmental Health, NIEA and BCC Local Development Plan NI Water, Rivers Agency, DFI Roads offer no objection to the proposal, subject to conditions.

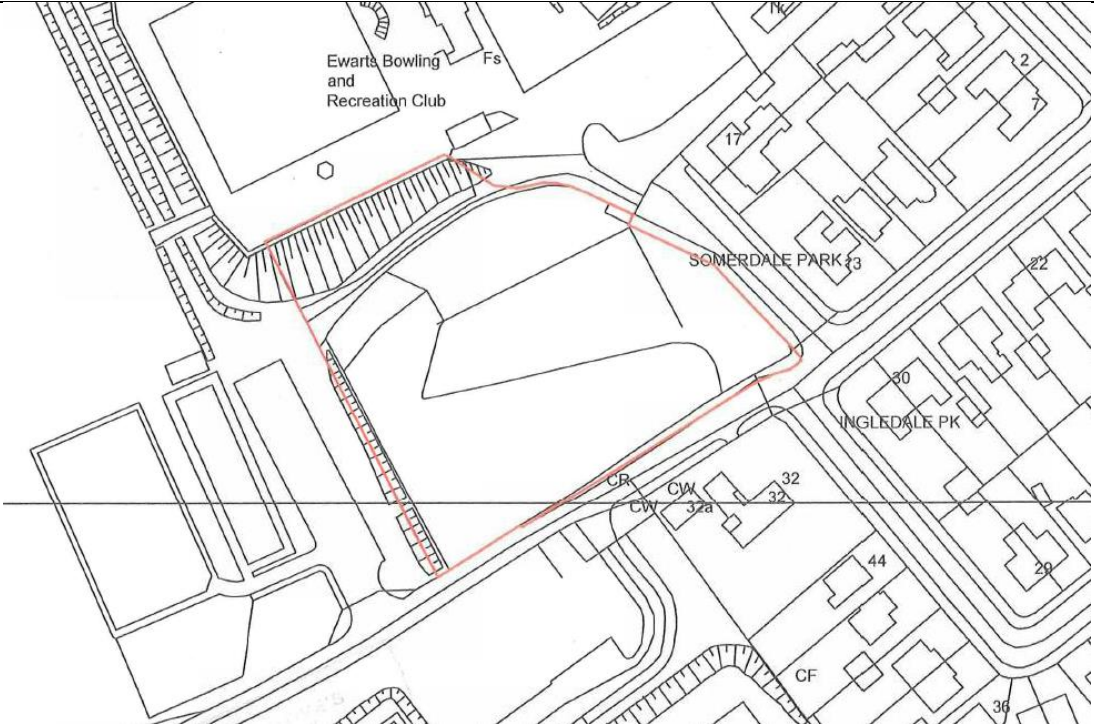
Recommendation:

Refuse

Having regard to the policy context and other material considerations, the proposal is considered unacceptable and refusal of planning permission is recommended for the reasons set out in paragraph 11 below. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.

Case Officer Report

Site Location Plan



Proposed Site Layout



Consultations:		
Consultation Type	Consultee	Response
Statutory	NI Water - Multi Units East - Planning Consultations	Consultation reminder letter
Statutory	DFI Roads - Hydebank	Advice
Statutory	Historic Environment Division (HED)	Content
Statutory	NI Water - Multi Units East - Planning Consultations	Consultation reminder letter
Statutory	NIEA	Advice
Statutory	Rivers Agency	Advice
Non Statutory	Env Health Belfast City Council	Add Info Requested
Non Statutory	Env Health Belfast City Council	Add Info Requested
Statutory	Rivers Agency	Consultation reminder letter
Non Statutory	NI Water - Multi Units East - Planning Consultations	No objection
Non Statutory	Env Health Belfast City Council	Add Info Requested
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	DFI Roads - Hydebank	Advice
Statutory	DFI Roads - Hydebank	Advice
Statutory	Rivers Agency	No objection
Statutory	DFI Roads - Hydebank	No objection
Non Statutory	BCC Local Development Plan Team	No objection
Statutory	Rivers Agency	No objection
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 proposal is for full planning permission for a housing development consisting of 16 dwellings, to consist of 10 semi-detached and 6 detached dwellings.
2.0	Description of Site
2.1	The site is located at lands opposite 13, 15, 17 and 32 Somerdale Park, Belfast. The site is a green field site that has been cleared of vegetation. The site gently falls from the north west to the south east and from the north east to the south west. The site is bounded by approximately 2m metal fencing along all of the site boundaries with a gate providing access to the site from Somerdale Park, north of the existing laneway which provides pedestrian and service vehicle access to Clarendon Park and playing fields.
2.2	The area is characterised by two storey semi-detached and detached residential dwellings with front and rear gardens with incutillage parking. Dwellings are finished in red brick, with render detail with pitched slate roofs. To the west of the site is Clarendon Park and playing fields and to the north Ewatts Bowling and Recreation Club.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/1995/2859 - Land opposite no 17 Somerdale Park, Belfast, BT14 - Housing development (17 dwellings) - amended layout - Permission Granted
3.2	Z/1987/1679 - Land adjacent to Clarendon Park Playing Fields, Somerdale Park, Crumlin Road, Belfast BT14 7HD - Housing development - Permission Granted
3.3	Z/1982/1535 - Somerdale Park, Crumlin Road, BT14 - Erection of 16 old persons dwellings - Permission Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (2004 Version)
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 7: Quality Residential Environments 4.4.4 Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas 4.4.5 Planning Policy Statement 8: Open Space and Recreation 4.4.6 Planning Policy Statement 12: Housing in Settlements 4.4.7 Planning Policy Statement 15: Planning and Flood Risk 4.4.8 Development Control Advice Notice (DCAN) 8: Housing in Existing Urban Areas 4.4.9 Development Control Advice Notice (DCAN) 15: Vehicular Access Standards

	4.4.10 Creating Places
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection subject to conditions
5.2	NI Water Multi Units East – No objection
5.3	Rivers Agency – No objection
5.4	NIEA were consulted and advised of the following; <ul style="list-style-type: none"> • Drainage and Water provided standing advice; • Land, Soil and Air has no objection to the proposal subject to conditions; • Natural Heritage and Conservation Areas has no objection.
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health - No objection subject to conditions.
6.5	BCC Planning – Local Development Plan team – No objection
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press; no representations from neighbours have been received.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 designates the site as lands reserved for landscape, amenity or recreation use.
8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2004 plan the site is designated as lands reserved for open space and recreation.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2015 plan that was adopted and now subsequently quashed the site was designated as housing land WB 04/02.
8.4	Living Places an Urban Stewardship and Design Guide for Northern Ireland.
9.0	Assessment
9.1	The Key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> • Principle of development and use; • Impact on Open Space; • Layout; Parking, access; • Residential Amenity – Outlook, Streetscape, Safety & Surveillance • Height, scale and design; • Other environmental factors.
9.2	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area. The site is located within the settlement development limit for Belfast in the adopted and both draft versions 2004 and 2015 of BMAP.

9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	Section 6 (3) of the Planning Act for Northern Ireland 2001 states; <i>'If to any extent a policy contained in a local development plan conflicts with another policy in that plan the conflict must be resolved in favour of the policy which is contained in the last development plan document to be adopted or, as the case may be, approved'.</i>
9.5	Under the adopted Belfast Urban Area Plan 2001 the site is zoned as lands reserved for landscape, amenity or recreation use. Under the 2015 version of Draft Belfast Metropolitan Area Plan 2015 which was unlawfully adopted and subsequently quashed, the site was zone for housing land. This was an amendment from the 2004 version of Draft Belfast Metropolitan Area Plan which designated the site as lands reserved for open space and recreation. The designation of the site within the LLPA was the subject of objection 2209 of dBMAP 2004.
9.6	At the public enquiry the PAC report referred to the granting of housing on the site in 1997 and that the PAC had been informed by the Department that consultees had no objections and Belfast City Council did not require the land as open space. The PAC report stated that Belfast City Councils position had not changed since and given the adjoining parks, that this was understandable. The Department maintained that the site should be retained as open space and that the introduction of PPS 8 marked a change in circumstances since the previous approval. However the PAC stated in the report that they did not necessarily agree with this proposition as BUAP 2001 designated the site as an area reserved for landscape, amenity and recreational use and Policy R1 referred to the protection of existing open spaces; the 1997 permission was allowed within this context.
9.7	The PAC report stated that the site was fenced off for many years, had no public access, limited amenity value and the large parks adjacent to the site and that Belfast City Council had no interest in the site. It was on this basis that the PAC recommended the exclusion of the site from the Local Landscape Policy Area BT 125 (dBMAP 2014), the recommendation was accepted by the Department and it was instead zoned for housing (WB 04/02 – marked as WB 04/14 in error on map) in the 2015 version of draft BMAP which was unlawfully adopted.
9.8	The PAC, in recent decisions, have afforded no weight to the unlawfully adopted BMAP – now the 2015 draft version of BMAP.
9.9	<i>'The Court of Appeal declared the adoption of the Belfast Metropolitan Area Plan (2015) (BMAP) to be unlawful on 18th May 2017. I therefore attach no weight to the unlawfully adopted version of BMAP. A consequence of this Court of Appeal judgement is that the Belfast Urban Area Plan 2001 (BUAP), despite its vintage, operates as the statutory local development plan (LDP) for the proposal'. (PAC decision 2018/A0102)</i>
9.10	Given the stage to which the Plan had progressed, prior to the Court of Appeal decision, Council do afford weight in their decision making process however, given the stance of the PAC, it is considered that lesser weight can be afforded than that which is afforded to the 2004 version of draft BMAP and the adopted BUAP 2001. Considering that the site is designated as an area reserved for landscape, amenity or recreation use as per the adopted BUAP

	2001 Policy R1 of BUAP 2001 and Policy OS1 of PPS 8 must therefore be considered and the application assessed accordingly.
9.11	<p><u>Policy R1 – Protection of Existing Open Spaces – BUAP 2001</u></p> <p>Policy R1 – Protection of Open Spaces in the Belfast Urban Area Plan 2001 aim to maintain the overall level of recreation provision of both public and private open spaces within the built up area will be retained. Policy R1 states that in exceptional circumstances, the Authority may permit development on open space where it is satisfied that it is in the public interest taking into account several factors including;</p> <ul style="list-style-type: none"> • The level of public recreation provision available within the locality and in adjoining neighbourhoods; • Alternative recreation facilities accessible to the local population or users of the particular facility; • The impact on the amenity of the surrounding area; • Alternative needs for recreation or open space use; • The achievement of other objectives of the plan.
9.12	The policy states that it may be necessary in some localities to allow a minor part of existing open space to be developed to meet pressing community needs such as sheltered housing, community centres or church-based schemes. The proposal is not for any of those community needs and therefore fails to comply with policy R1 on this basis.
9.13	The applicant has failed to demonstrate the exceptional circumstances under which the Authority would permit the loss of the space under policy R1. The site has been fenced with no public access so does not impact on the level of available recreation provision and is adjacent to Clarendon Park. However, in terms of the impact on the amenity of the surrounding area, the site consists an area of 0.57ha, which if lost would detrimentally impact on the surrounding area as there will be a net loss of open space available in the area by replacing it with built form and will not maintain the overall level and therefore the proposal fails the requirements of policy R1.
9.14	<p><u>Principle of development and use</u></p> <p>Whilst the previous planning applications granted residential use at this location, they were granted in excess of 25 years ago and have expired long ago. They were Department of Environment (DOE), Central Government decisions by which the Council is not bound and were taken within a different policy context, pre the introduction of Planning Policy Statement 8 – Open Space and Recreation.</p>
9.15	It is acknowledged that the PAC stated in their public inquiry report that they did not necessarily agree with the Department of Environments stance that the previous housing approvals were pre the introduction of PPS 8 and therefore a different policy context. The PAC stated that Policy R1 of BUAP 2001 referred to the protection of existing open spaces. However this application must be considered under the current policy context which includes policy PPS 8. The key difference between policy R1 of BUAP 2001 and policy OS1 of PPS 8, is that the policy test requires the applicant to provide an alternative open space provision to offset the loss of open space from the proposal site. Without a PPS 8 statement as discussed at 9.22 in this report, which addresses the policy tests as set out in policy OS1, the applicant has failed to meet the policy requirements and therefore the proposal is contrary to policy OS 1 – Protection of Open space of PPS 8.
9.16	<p><u>Impact on Open Space</u></p> <p>The Court of Appeal declared the adoption of BMAP to be unlawful on 18 May 2017. A consequence of this Court of Appeal judgement is that the BUAP, despite its vintage, as</p>

	<p>already referred to above, operates as the LDP for the area. A further consequence of the judgement is that the draft BMAP, published in 2004, is a material consideration in the determination of planning applications. Draft BMAP 2004 version retains the proposal site as lands reserved for landscape, amenity or recreation use.</p>
9.17	<p>BCC Local Development Plan (LDP) team were consulted and commented in regards to the PACs report into the public inquiry of draft BMAP 2004 and previous housing approvals. BCC LDP advised that given that draft BMAP 2015 was at its most advanced stage, that its designation as zoned housing land was a material consideration that merits considerable weight and that it was reasonable to treat the site as suitable for housing from a policy perspective. However, as previously mentioned at 9.9 in this report, a lesser weight is afforded to the draft BMAP 2015 version which was purported to be adopted and subsequently quashed. With greater weight afforded to the BUAP 2001 designation for landscape, amenity and recreation use and the draft 2004 version of BMAP 2015 in which the site was existing open space. PPS8 is therefore a material consideration.</p>
9.18	<p>Annex A of PPS 8 defines the typology and functions of open space. The proposal site, prior to clearance of the site, in respect of typology the site would have fallen within natural and semi-natural urban green space – woodland. However, the woodland on the site has been cleared and the typology has changed to amenity green space. In terms of the functions the proposal site serves as a strategic function – separating the urban area with Clarendon Park and playing fields acting as green lungs and a landscape buffer; urban quality – providing visually attractive green space close to where people live; visual amenity – despite no public access to the site, the site provides a positive outlook and provides variety in the urban landscape.</p>
9.19	<p>Policy OS 1 of PPS 8 states that development that will result in the loss of existing open space will not be permitted irrespective of its physical condition and appearance. Exception will only be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of open space. A further exception is where it is demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area, and where the site is an open space of 2 hectares or less, alternative provision is made by the developer, which is at least as accessible to current users and at least equivalent in respect of size, usefulness, attractiveness, safety or quality.</p>
9.20	<p>A PPS 8 statement was requested to address the requirements of policy OS 1 as set out above. The agent subsequently submitted a statement of case for the proposal which did not address the policy tests as set out in policy OS 1 of PPS 8 and refers to an Appeal decision (2018/A0137). This appeal decision was considered and considered not to be comparable to the proposal site and involved a piece of land mapped in error in dBMAP. The agent was advised that the tests in PPS 8 had not been addressed and the proposal was contrary to policy OS 1 – Protection of Open Space.</p>
9.21	<p>The Strategic Planning Policy Statement for NI (SPPS) defines open space as; <i>‘Open space is taken to mean all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity’.</i></p>
9.22	<p>Paragraph 6.200 of the SPPS reiterates PPS 8 that open space whether or not there is public access to it is important for its contribution to the quality of urban life by providing important green lung, visual breaks, wildlife habitats in built up areas and can enhance the character of the residential areas.</p>

9.23	<p>The SPPS sets out a presumption against the loss of open space irrespective of its physical condition and appearance in paragraph 6.205, with exception to this being only where it has been demonstrated that redevelopment of the site would bring substantial community benefit that outweighs the loss of open space. A further exception is where, it is demonstrated that the loss of open space will have no significant detrimental impact. Without the submission of a PPS 8 statement which specifically responds to the policy requirements, the applicant has failed to demonstrate that the proposal would not have a significant detrimental impact.</p>
9.24	<p><u>Height, Scale, Massing and Design</u></p> <p>The proposed development includes:</p> <p>House Type A – Semi - Detached – Plot 7-10 Two storey, 3 bedroom, 5 person dwelling Height – 8.6m from FFL Eaves – 5.2m from FFL Gable Depth – 10.1m Length – 5.7m Floor space – 94.25m² approx.</p>
9.25	<p>House Type B – Semi-detached – Plot 13 Two storey, 3 bedroom, 5 person dwelling Height – 8.2m from FFL Eaves – 5.3m from FFL Gable Depth – 11.6m Length – 6.2m Floor space – 117.00m² approx.</p>
9.26	<p>House Type C – Detached - Plots 1, 2, 3 & 16 Two storey, 3 bedroom, 5 person dwelling Height – 8.3m from FFL Eaves – 5.3m from FFL Gable Depth – 7.3m Length – 8.8m Floor space – 103.63m² approx.</p>
9.27	<p>House Type D – Semi-detached – Plots 11, 12, 14 & 15 Two storey, 3 bedroom, 5 person dwelling Height – 8.6m from FFL Eaves – 5.2m from FFL Gable Depth – 10.4m Length – 12.4m Floor space – Left Side semi -106.10m² approx. Right Side semi -103.56m² approx.</p>
9.28	<p>House Type E – Detached – Plot 6 Two storey, 3 bedroom, 5 person dwelling Height – 8.6 m from FFL Eaves – 5.2m from FFL Gable Depth – 10.1m Length – 5.9m Floor space – 94.05m² approx.</p>
9.29	<p>House Type G – Semi-Detached – Plots 4 & 5 Two storey, 3 bedroom, 5 person dwelling</p>

	<p>Height – 8.6m from FFL Eaves -5.3m from FFL Gable Depth – 8.1m Length – 13.3m Floor space – 88.68m² approx.</p>
9.30	<p>The proposed height, design and finishes of the proposed dwellings are considered to be acceptable and in keeping with adjacent residential dwellings which are a mix of red brick and render finishes. The architectural approach is modern yet sympathetic to its context, following the design code from the architecture in the local area.</p>
9.31	<p><u>Layout</u></p> <p>The area of Somerdale and surrounding streets displays a traditional form and layout with detached and semi - detached dwellings set in traditional plots with front and rear gardens and side driveways set out in uniform streets with footpaths. Policy QD 1 of planning policy Statement 7 – Quality Residential Environments also considers the impact of the proposal on the character of the area. It is considered that the proposal fails to take account of the area in its general layout characteristics and does not reflect the best of local tradition and form which includes front gardens, a generally uniform building line, footpaths and generous rear gardens. The proposed level of hardstanding for the provision of car parking is considered to be excessive resulting in an unacceptable layout, impacting on the amenity of prospective residents.</p>
9.32	<p>In terms of density, the proposed density is higher when compared to the area in which the site is located. The proposal would also be out of keeping with the pattern of development in the area. This is demonstrated, by the open plan layout and the smaller plot sizes with gardens which are smaller in comparison to existing dwellings in the area; the 'hemming in' of the proposed dwellings at plots 4 and 5 by retaining walls, the lack of provision of front garden areas or minimal garden areas for plots 1, 2, 4, 5, 11, 12, 14, 15 and 16 as well as the extensive hardstanding required to provide the necessary parking for the number of dwellings proposed. The outlook for Plots 11 and 12 is unacceptable, as they will look directly out onto parking spaces.</p>
9.33	<p>The site has an open plan layout which is not characteristic of the area, the type of units would indicate family homes yet the proposed layout does not include the provision of a 2m wide footpath and therefore the car will dominate the layout. In addition the provision of 8 on street parking spaces to meet parking requirements leaves no scope for facilitating a footpath within the development and will detrimentally impact on the quality of the environment.</p>
9.34	<p><u>Provision of amenity space</u></p> <p>All of the 16 proposed dwellings exceed the minimum requirement of 40m² and the recommended 70m² private amenity space as set out in creating places. Due to the sloping nature of the site, the applicant proposes to cut into the site and to construct retaining structures around the north, west and eastern boundaries. In addition, retaining structures will be formed inside the garden areas, to the rear of each dwelling, to enable the provision of more level and useable private amenity spaces for the proposed dwellings. Given the orientation of the dwellings along the north western and north eastern boundaries of the site the rear gardens will be north facing and therefore will not benefit from light during the majority of the day. In the morning and evening time the retaining structures may result in some shadow to the ground floor of the proposed dwellings.</p>
9.35	<p>The side of dwelling 4 and 6 will be dominated visually by a double retaining wall as will the rear of dwellings 4 and 5 resulting in narrow raised garden areas exacerbated by the fact that</p>

	they are north facing, resulting in poor amenity and poor outlook. All of these are symptoms of over development and indicate that the proposed development exceeds the maximum capacity that the site can accommodate.
9.36	Therefore, the proposed layout is unacceptable and if permitted would detrimentally impact, on the local character and environmental quality if the area and is considered to be contrary to criterion (a), (e), (g), (h) and (i) of policy QD 1 of PPS 7 and criterion (a) and (b) of Policy LC 1 of the Addendum to PPS 7.
9.37	In terms of the required minimum space standards, private amenity provision and parking provision, the proposed dwellings meet and exceed the space standards as set out in Annex A of the Addendum to Planning Policy Statement 7 – Safeguarding the Character of Established Residential Areas and therefore is in accordance with criterion (c) of policy LC 1.
9.38	<p><u>Residential Amenity – Streetscape, Safety & Surveillance</u></p> <p>The site is located at a sensitive interface location and fronts Somerdale Park, at this point the roadway narrows and is divided by a security turnstile and gate across the entire width of the laneway. This presents a unique situation and potential conflict. The lane allows access for pedestrians through a turnstile and service vehicles to Clarendon Park from the Crumlin Road end and to pedestrians from Ballygomartin and Glencairn across Forthriver Bridge.</p>
9.39	Creating Places advises that rear gardens should never be orientated to face out onto the public road, dwellings should front the street. The rear gardens of dwellings 11, 12 and 13 are orientated to back on to the laneway to Clarendon Park and Forthriver Bridge. They do not front the laneway or provide a continuation of the existing streetscape. Instead a 1.6m/ 1.8m high brick wall and railing is to bound almost the entire frontage of the site.
9.40	As the proposed dwellings do not front Somerdale Park but back on to the lane, this will not allow for sufficient surveillance and will impact on the actual or perceived safety and security for prospective residents. This is a further demonstration of overdevelopment of the site. Paragraphs 4.14 -4.16 of PPS 7 states, that <i>'the design or house types and other buildings, the relationship between them, their relationships to streets and the spaces created around them will all strongly influence the character of the overall site and its surroundings and contribute significantly to the quality and identity of the new residential environment'</i> . Para.4.15 specifically refers to properties <i>'backed onto nearby roads or other public areas and creating unsightly views'</i> and failing to provide an attractive outlook from the proposed dwellings and views of the proposed dwellings from public areas. Para. 4.16 states <i>'All buildings should be located and orientated to front onto existing and proposed roads to present an attractive outlook... with particular regard for corner sites'</i> .
9.41	The proposed layout would result in the frontage of the site being effectively sub-divided by the existing turnstile and railing resulting in a layout where houses do not address the front of the street and this combined with the turnstile railing would also result in three of the houses backing onto the lane which has the potential to compromise safety and surveillance. PPS 7 Policy QD1 (h) requires personal safety to be considered in housing layouts amplifying text at para 4.39 advises that "The design of new developments should seek to provide a feeling of security and a sense of vitality in all parts of the layout. To enhance security from crime, the back gardens of dwellings should be enclosed and back onto each other. Public areas such as open spaces, pedestrian routes and cycle linkages should be overlooked by the fronts of dwellings and other buildings to provide maximum surveillance. Narrow, potentially unfrequented or unsupervised routes for pedestrians and cyclists will not be acceptable".
9.42	Further guidance is contained in Living Places. A physical barrier exists at the front boundary and 'no man's land' to the south of the site demarcates a boundary within the neighbourhood.

	<p>Living Places document states that in the context of continued efforts to jointly resolve such complex issues, that the provision of 'neutral' urban space will remain especially important. However, the unique setting of the proposal site, north and immediately adjacent to an interface and the turnstile dissecting the front boundary of the site, combined with the proposed layout and orientation of the dwellings raises concerns in terms of the safety and surveillance for prospective residents. There are no plans for the turnstile and gates to be removed, therefore there is also potential for the traffic through the gates to be a nuisance for prospective residents. The proposed layout does not provide a neutral urban space between the two communities and may pose a risk to a safe environment as a place to live. This could however could have potentially been addressed by an amended layout dealing with the issues raised. The applicant was afforded an opportunity to amend the scheme but chose not to and in its current form the proposal is considered contrary to the guidance set out in the Living Places document.</p>
9.43	<p>In this instance, it is the relationship between the proposed development, with the adjacent lane and existing security gates combined with the over development of the site which is resulting in an unacceptable relationship between the two and would fail to create a quality residential environment for prospective residents. It is considered, that the proposal is contrary to criterion (i) of policy QD 1.</p>
9.44	<p><u>Impact on Neighbouring Residential Amenity</u></p> <p>In terms of the residential amenity of existing residents, given the sufficient separation it is considered that the proposed residential development will not result in negative amenity impacts. In terms of overlooking and overshadowing the proposal will not result in significant detrimental impact to the residential amenity of existing nearby dwellings. The existing Somerdale Park, access road to the Ewatts Bowling and Recreation Club and laneway to Clarendon Park provide sufficient separation distances, a minimum of 17m between the site and existing dwellings.</p>
9.45	<p><u>Parking Provision and Access</u></p> <p>Transport NI were consulted and have no objection to the proposal. Incurtilage parking for two cars is provided for each of the dwellings and an additional 10 visitor parking spaces. Whilst DFI Roads are satisfied, the level of hard standing required to deliver this is considered excessive and is a result of over development.</p>
9.46	<p><u>Other Environmental Factors</u></p> <p>NI water were consulted and have no objection to the proposal.</p>
9.47	<p>Environmental Health were consulted and requested the submission of a Preliminary Risk Assessment, Generic Quantitative Risk Assessment (GQRA), noise impact assessment and an updated site and development-specific Remediation Strategy. Following the submission and consideration of these, Environmental Health has no objection to the proposal.</p>
9.48	<p>NIEA was consulted and provided standing advice in relation to drainage and water. NIEA Land, Soil and Air recommended the attachment of conditions.</p>
9.49	<p>NIEA Natural Heritage advised prior to the clearance of the site the woodland would have likely conformed to PPS 2 NH5 – other natural heritage feature worthy of protection and the likelihood that protected and priority species were supported by the site and therefore may have been disturbed and displaced by the site clearance.</p>
9.50	<p>Rivers agency has no objection to the proposal.</p>

9.51	<p><u>Recommendation</u></p> <p>The proposal is considerable to be unacceptable and refusal of planning permission is recommended.</p>
9.58	<p>Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and refusal of planning permission is recommended. Delegated authority is sought for the final wording of refusal reasons from the Director of Planning and Building Control.</p>
10.0	<p>Summary of Recommendation: Refusal</p>
11.0	<p>Refusal Reasons</p> <ol style="list-style-type: none"> 1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) paragraph 6.205 and Policy OS1 of Planning Policy Statement 8 - Open Space, Sport, and Outdoor Recreation, in that the development, if permitted, would result in the loss of existing open space and the applicant has failed to demonstrate exceptional reasons to decisively outweigh the loss of open space. 2. The proposal is contrary to Policy QD1 of the Department's Planning Policy Statement 7: Quality Residential Environments in that the proposal would, if permitted, introduce an unacceptable layout through the overdevelopment of the site which would fail to provide a quality residential environment to the detriment of the amenity of prospective residents as the layout will be dominated by parking and retaining structures, resulting in a poor quality living environment. 3. The proposal is contrary to Policy QD1 of the Department's Planning Policy Statement 7: Quality Residential Environments and to Policy LC1 of the Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas, in that the development would, if permitted, not be in keeping with the overall character and environmental quality of the established residential area. If permitted would result in an over developed site and pattern of development which would introduce to the location a density and uncharacteristic layout which will result in negative impact on the street scene to the detriment of the quality of the area. 4. The proposal is contrary Policy QD1 of the Department's Planning Policy Statement 7: Quality Residential Environments, paragraphs 4.11 and 4.12 of the Strategic Planning Policy Statement (SPPS) for Northern Ireland and Living Places in that if permitted would result in a layout that is not designed to promote safety and security and has the potential to detrimentally impact on the residential amenity of prospective residents.
<p>Notification to Department (if relevant)</p> <p>N/A</p>	
<p>Representations from Elected members:</p> <p>N/A</p>	

ANNEX	
Date Valid	4th December 2018
Date First Advertised	21st December 2018
Date Last Advertised	21st December 2018
Details of Neighbour Notification (all addresses) 13 - 19 Somerdale Park, Belfast, Antrim, BT14 7HD 21 Somerdale Park, Belfast, Antrim, BT14 7HD 29 Somerdale Park, Belfast, Antrim, BT14 7HD 30 Somerdale Park, Belfast, Antrim, BT14 7HD 32 Somerdale Park, Belfast, Antrim, BT14 7HD 32a , Somerdale Park, Belfast, Antrim, BT14 7HD	
Date of Last Neighbour Notification	8th January 2019
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title Drawings 01-08, 3129-PL03, 3129-PL08 and 3129-PL09. Site Location Map, Existing and Proposed Site Layout Plan, Proposed Elevations and Floor Plans, Existing and Proposed Site Sections, Proposed Road Sections, Private Streets Determination Drawings, Proposed Retaining Wall Details – Boundaries A, B, C, D and private gardens.	

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 18 th August 2020	
Application ID: LA04/2020/0454/F	
Proposal: Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking to rear yard area. (No external alterations are proposed to the facade).	Location: 19 Balfour Avenue, Belfast, BT7 2EU.
Referral Route: Councillor referral	
Recommendation:	Refusal
Applicant Name and Address: Mr Martin Kerr 19 Balfour Avenue Belfast BT7 2EU	Agent Name and Address: Paul Jenkins 40 Mount Merrion Park Belfast BT6 0GB
<p><u>ADDENDUM REPORT</u></p> <p>This full application was previously listed for Planning Committee on 16th June 2020. Due to late items (set out below), members of the Planning Committee could not be consulted with sufficient time for some members to offer a view. Consequently, the item was deferred to a later meeting of the Planning Committee.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p><u>Summary</u></p> <ul style="list-style-type: none"> • Three emails were sent to Democratic Services by Robert Kerr, the applicant's son. • One objection has been received from an elected member. <p>On 15th June, Mr Kerr (son of the applicant) sent three emails with attachments to Democratic Services:</p> <p><u>The first email</u> contained the applicant's Supporting Statement & a statement to Committee Members. Democratic Services forwarded the statement to Committee to Members in June. In terms of the contents of the Supporting Statement this was submitted with the planning application and the matters raised within are dealt with in the case officer report attached.</p> <p><u>The second email</u> contained correspondence between the applicant's son, Robert Kerr and Planning officers. Mr Kerr raised a number of issues, relating to the processing and assessment of the application, referral to Planning Committee, consultation responses and the planning portal.</p> <p>All relevant information relating to processing and assessment of the proposal is contained in this report. Mr Kerr advised that he wasn't aware of a June Planning Committee and officers had not given enough time for him to arrange for the application to be referred. As mentioned in para 8.23,</p>	

an officer emailed Mr Kerr on 1st May advising that the proposal was contrary to policy and also provided information regarding referral to the Planning Committee. In respect of consultees, all have responded and are available to view on the portal. There may have been a short delay in these being uploaded due to remote working arrangements in place due to Covid19, however, Mr Kerr was made aware of the consultee responses during the processing of the application. With regard to the planning portal, the case officer has recommended refusal, however it appears on the portal that the Authority has refused the application. This is a 'glitch' in the planning portal and the reference was reported to DFI to erase the line pending Committee (again there are delays due to Covid19). Mr Kerr was written to and assured that no decision has been made on this application.

The third email contained licensing information from the Council's HMO team. Mr Kerr has been advised that licensing data is not kept for planning purposes and the two lists can be at variance.

Objection Received In the intervening period since the June Committee, one objection to the proposal has been received from Councillor Gormley. The objection raised the following issues:

- Proposal is contrary to Policy HMO1 of the HMO Subject Plan 2015
- Council has proposed to designate the Holyland and Lower Ormeau Area (including Balfour Avenue) as a Special Action Area within which the return of properties to family dwelling would be favoured. Allowing new HMO developments runs directly contrary to that intention.
- Detrimental impact on parking.
- Detrimental impact on residential amenity, specifically noise.
- In addition to HMOs, over 40% of houses in Balfour Avenue are privately rented and only 25% are owner occupied / NIHE, thereby impacting the sense of community in the area.

No further additional information has been received following the previous Planning Committee meeting.

Recommendation

The proposal is recommended for refusal, as it is contrary to Policy HMO 1 of the Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast City Council Area 2015 in that the number of HMO dwelling units already exceeds 30% of all dwelling units within the Lower Ormeau Policy Area; with delegated authority given to the Director of Planning and Building Control to finalise the wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.

Committee Application

Development Management Report	
Application ID: LA04/2020/0454/F	Date of Committee Decision: 16 June 2020
Proposal: Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking to rear yard area. (No external alterations are proposed to the facade).	Location: 19 Balfour Avenue, Belfast, BT7 2EU.
Referral Route: Councillor referral	
Recommendation:	REFUSAL
Applicant Name and Address: Mr Martin Kerr 19 Balfour Avenue Belfast BT7 2EU	Agent Name and Address: Paul Jenkins 40 Mount Merrion Park Belfast BT6 0GB
<p>Executive Summary:</p> <p>The proposal is for 'Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking to rear yard area. (No external alterations are proposed to the facade)'.</p> <p>The key considerations for this proposal are:</p> <ul style="list-style-type: none"> • Principle of Development • Impact on amenity <p>15 neighbours were notified of the proposed development and no representations were received.</p> <p>The site is located within a zoned Housing Action Area, in accordance with the BUAP. Within draft BMAP, the site is located within the proposed Lower Ormeau Area of Townscape Character (ATC) - Ref BT 060.</p> <p>The HMO Subject Plan is unaffected by the quashing of BMAP and is a material consideration.</p> <p>As the application site falls within a designated HMO policy area, Policy HMO 1 applies and states that within designated HMO Policy Areas, planning permission will only be granted where the number of HMO dwelling units does not as a result exceed 30% of all dwelling units within the Policy Area. Out of 370 domestic properties within the Lower Ormeau Policy Area, 122 are HMOs, equating to 32.9%.</p> <p>The applicant disagrees with the Council's calculation of the number of HMOs and the number of dwellings within the Policy Area. The applicant's representative has submitted a planning statement and taken the opportunity to rebut Council calculations in this case and has sent further emails in support of the proposed development. An assessment of the issues is contained within this report.</p> <p>Recommendation – Refuse</p> <p>Having considered all the evidence in this case, it is recommended that planning permission be refused as the proposal fails to comply with the tests of Policy HMO 1 with delegated authority given to the Director of Planning and Building Control to finalise the wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.</p>	

Characteristics of the Site and Area

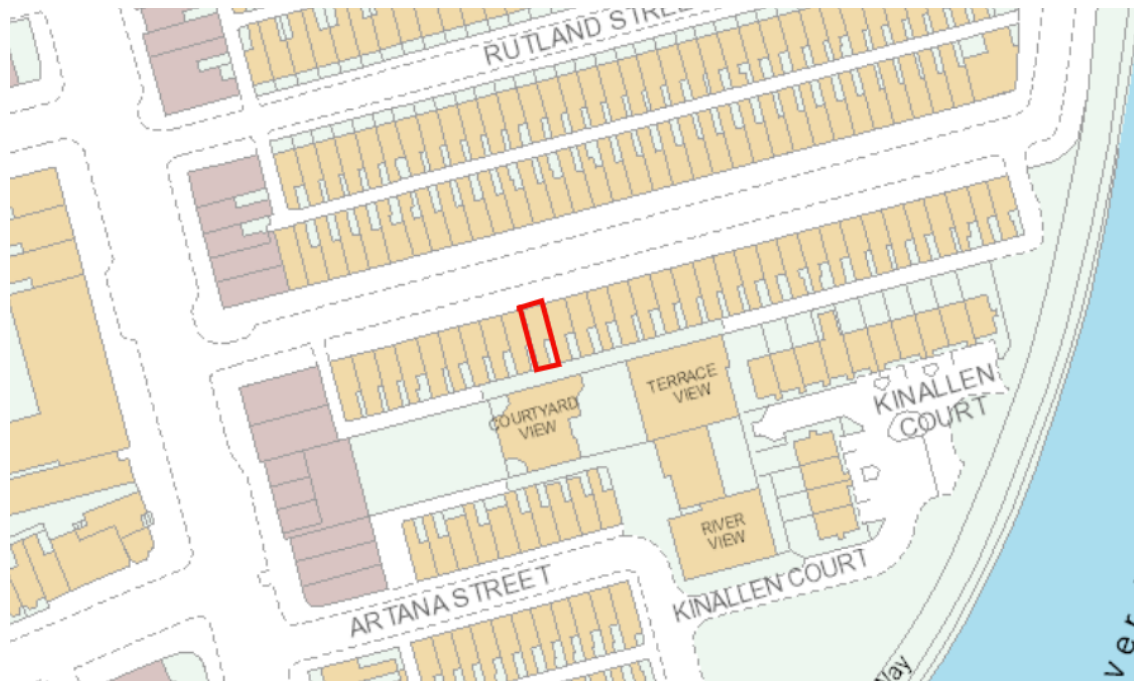
1.0 Description of Proposed Development

The proposal is for the 'Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking'. No external changes are proposed. The proposed cycle parking is located in a small yard to the rear.

2.0 Description of Site

The application site is located within the urban limits of Belfast. The site is a terraced dwelling, located on Balfour Avenue. The dwelling is 2 storeys in height, with a roof dormer at the front of the dwelling.

The surrounding area is characterised primarily by residential development. Commercial uses are more prevalent along the nearby Ormeau Road.





Planning Assessment of Policy and other Material Considerations

3.0	Site History	
3.1	No relevant site history.	
4.0	Policy Framework	
4.1	Belfast Urban Area Plan 2001 (BUAP)	
4.2	Draft Belfast Metropolitan Area Plan 2015 (dBMAP)	
4.3	Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast City Council Area 2015 (HMO Subject Plan)	
	4.1.1	Housing Action Area
	4.2.1	Area of Townscape character
	4.3.1	HMO Policy Area – Lower Ormeau
4.4	Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3: Access, Movement and Parking	

	Planning Policy Statement 6 Addendum: Areas of Townscape Character
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection
6.2	NI Water – No objection
7.0	Representations
7.1	15 neighbours were notified of the proposed development, with no representation received in respect of the proposal.
8.0	Assessment
8.1	<p><u>Development Plan context</u></p> <p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p>
8.2	<p>The site is located within a zoned Housing Action Area, in accordance with the BUAP. Within draft BMAP, the site is located within the proposed Lower Ormeau Area of Townscape Character (ATC) - Ref BT 060. There was one objection to this proposed ATC designation during the BMAP public inquiry, however the PAC found that the objection was aimed at the plan process rather than this site specific designation. The PAC advised no change to the plan. It is therefore likely, if and when BMAP is lawfully adopted, a Lower Ormeau ATC designation will be included.</p>
8.3	<p>There are no specific policies within the BUAP regarding HMOs, however policy HOU 6 of dBMAP provides criteria for conversion of buildings for multiple occupation. Prior to the BMAP Public Inquiry, the Department published the HMO Subject Plan. The PAC recommended that Policy HOU 6 was deleted from the plan, as the issues raised in relation to HOU 6 are fully addressed in the HMO Subject Plan. The HMO Subject Plan is unaffected by the quashing of BMAP and is a material consideration.</p>
8.4	<p><u>HMO Subject Plan</u></p> <p>The HMO Subject Plan Strategy aims to adopt a balanced approach to HMO development, by seeking to positively influence and shape the market for HMOs, while controlling and curtailing further development in areas where such accommodation is currently concentrated.</p>
8.5	<p><u>Principle of HMO Development</u></p> <p>As the application site falls within a designated HMO policy area, Policy HMO 1 applies and states that within designated HMO Policy Areas, planning permission will only be granted</p>

	where the number of HMO dwelling units does not as a result exceed 30% of all dwelling units within the Policy Area.
8.6	The Council has to calculate the number of HMOs and the total number of dwelling units within the Lower Ormeau Policy area. The methodology for this is included within the HMO Subject Plan:
8.7	<p>The level of multiple occupation within an area, whether designated or not, will be measured by:</p> <ul style="list-style-type: none"> - the number of HMOs recorded by the NIHE at November 2004; plus - the number of HMO development units subsequently approved by the Department; plus - the number of extant permissions for HMO development units. <p>The total number of dwelling units in a Policy Area will be measured by Ordnance Survey's Pointer database. The Pointer database includes all dwellings with an address in Northern Ireland. In considering Policy HMO1 this assessment will be undertaken across the individual Policy Area and not on a street by street basis.</p>
8.8	<p>With regard to the number of HMOs:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded by the NIHE at November 2004 was 120. 2. 7 No. Certificates of Lawful Use (CLUDS) have been approved for HMOs. However, 5 of these properties were on the 2004 Register (and are included in point 1 above), therefore 2 additional properties (18 Farnham Street & 17 Balfour Avenue) have been subsequently declared lawful HMOs. 3. No HMO planning applications have been approved. <p>In accordance with the methodology set out in the HMO Subject Plan, the number of HMOs within the Lower Ormeau Policy Area is 122.</p>
8.9	With regard to the total number of dwellings in the Policy Area, the number of domestic property addresses was 370 on 24/3/20, in accordance with Ordnance Survey's Pointer Database. It is noted that the number of dwellings in the policy area has reduced from 389.
8.10	In summary, out of 370 domestic properties within the Lower Ormeau Policy Area, 122 are HMOs, equating to 32.9%. Accordingly, it appears that the proposal does not comply with the Policy tests of HMO 1 in that the number of HMOs already exceeds 30% of all dwelling units within the Policy Area.
8.11	<p><u>The Applicant's case</u></p> <p>The HMO Subject Plan directs that in circumstances where an applicant disagrees with Planning Service's assessment on the number of HMOs in a given area or considers that the property was already a HMO at November 2004 when the Planning (Use Classes) Order (Northern Ireland) 2004 was introduced, then the applicant will be afforded an opportunity to provide evidence and demonstrate otherwise. A planning statement has been submitted to the Council in support of the proposed development. The Council had previously wrote to the agent on two occasions, 22nd April 2020 and 1st May 2020, advising that it considered the proposal does not comply with Policy HMO 1 and setting out its calculations. On both of these occasions, the agent followed up with further detailed emails rebutting the Council's position.</p>
8.12	<p>The supporting planning statement argues against the use of 2004 HMO data; 'this is not a sustainable planning argument and to use figures which are now 15 years out of date is not logical'.</p> <p>The case went on to state that the Council's HMO Unit has advised the applicant that there are 69 licensed HMOs within the policy area. The Supporting statement advised that the Council confirmed that 3 CLUDs had been approved for HMOs, however the 3 related properties are already included within the 69 HMOs. The applicant therefore contends that the number of HMOs within the area has decreased from 120 to 69.</p>

8.13	HMO licensing is separate from the planning process and is not maintained for the purposes of planning. In planning terms, it is possible for a property to be classified as a HMO but not be licensed as such. The applicant has identified that many of the properties on the 2004 list are not currently licensed. However, no evidence has been provided to the Council indicating that specific properties previously on the 2004 Register are no longer HMOs from a planning perspective, other than not having a HMO license. The applicant states that 53 of the HMOs identified by the Council are not registered or licensed, and suggests they do not exist as HMOs. Furthermore, the applicant requests evidence that these HMOs currently exist. It is entirely possible that a property is a HMO in planning terms, whether it is licensed as a HMO or not. As clearly stated within the Policy, the onus is on the applicant to provide evidence, not the Council.
8.14	The Subject Plan is very clear in how to measure the level of HMOs within an area. The baseline for this measurement is the number of HMOs recorded by NIHE at November 2004, however the applicant appears to disregard these figures as they are 'out of date'.
8.15	The applicant has provided comments from the Planning Appeal Commission's (PAC) Report into objections to the Houses in multiple occupation (HMOs) Subject Plans for Belfast City Council Area 2015. The PAC acknowledged that there were issues with the identification of HMOs throughout the city. The PAC conceded that the database, excepting registered properties, is a list of likely rather than known HMOs, however it also acknowledged that an underestimate of HMO numbers is more likely. Despite these shortcomings, the PAC ultimately endorsed the unit based approach to the assessment of existing HMO development. The PAC Report examined the methodology used in the formulation of the policy. As already stated, the Subject Plan has now been adopted and the proposed development is assessed against the policies contained within.
8.16	<p>It is important to note the disparity in the figures relating to approved CLUDs for HMO use within the policy area. In total, 7 CLUDs have been approved, however the applicant submitted an Environmental Information Request (EIR) and at the time of the applicant's EIR request in relation to approved CLUDs, only 3 had been approved. In the meantime, a further 4 CLUDs have been approved. The 7 approved CLUDs relate to the properties below:</p> <ul style="list-style-type: none"> - 3 Balfour Avenue (LA04/2019/2483/LDE) - 17 Balfour Avenue (LA04/2019/1969/LDE) - Not on 2004 Register. - 60 Balfour Avenue (LA04/2019/2315/LDE) - 18 Farnham Street (LA04/2018/1945/LDE) - Not on 2004 Register. - 60 Farnham Street (LA04/2019/1969/LDE) - 9 Hatfield Street (LA04/2019/2546/LDE) - 31 Hatfield Street (LA04/2019/2955/LDE)
8.17	The applicant also argues that using Ordnance Survey's Pointer Address Database, there are presently 389 dwelling units within the Policy area. This contrasts with the Council figures, which found that the number of domestic property addresses was 370 on 24/3/20. The applicant's supporting statement suggests the Council's figures are not correct, however no further evidence is submitted explaining why they are not correct.
8.18	The applicant has provided a list of the 389 identified properties, in contrast to the Council's records which identified 370 properties. In a significant number of cases, the applicant's information does not correspond with the information the Council holds. Furthermore, some of the properties identified by the applicant lie outside the Policy Area (i.e. the 15 apartments located at No. 22 and 23 Artana Street).
8.19	The applicant's supporting statement sets out that the percentage of HMOs within the Policy Area equates to 17.7%. This is based on 69 HMOs and 389 dwelling units within the area. It

	<p>is considered that this percentage is incorrect as the number of HMOs and dwelling units provided by the applicant are not accurate, as explained to the applicant's representative and set out in this report. The applicant's representative has also sent numerous emails in respect of the Council's consideration of the information and has also requested a meeting with senior officers, it was explained that the Planning Service is always willing to facilitate meetings where it would assist to bring forward a more acceptable proposal. However, in this case, in line with the Planning Service's 10 Operating Principles, the facts were clearly set out by the Officer and Development Plan Team and no contrary convincing evidence was provided by the applicant and therefore there was no benefit to the applicant in meeting to discuss the figures as the two sets of figures are incomparable.</p>
8.20	<p>As stated above the Council wrote to the agent on two separate occasions advising that it does not consider the proposal complies with the policies of the HMO Subject Plan. In accordance with the HMO Subject Plan, the Council invited the agent to submit additional evidence, however the agent confirmed that all the evidence required is within the supporting statement.</p>
8.21	<p><u>Amenity</u></p> <p>The proposed HMO has only 4 bedrooms, is not wholly in the rear of the property and has access to the public street. The proposal therefore complies with the tests of Policy HMO 6. There are no concerns with residential amenity of future occupiers or existing neighbours. Furthermore, no external alterations are proposed therefore the proposal complies with the tests of PPS 6 Addendum.</p>
8.22	<p><u>Consultee Comments</u></p> <p>DFI Roads, BCC Environmental Health (EHO) and NI Water were all consulted regarding this proposal. No objections were offered from any consultees. EHO suggested an informative relating to HMO Standards and minimum requirements etc. DFI Roads stated that the provision of car parking is not a requirement of the assessment process for HMOs. Equally, existing regional policy and supplementary planning guidance do not incorporate car parking as a requirement for HMO development.</p>
8.23	<p><u>Committee Referral</u></p> <p>As per normal procedure, the Council contacted the agent on 2nd June 2020 to advise the application was recommended for refusal and would issue as such, in accordance with the Council's Scheme of Delegation. The agent responded advising that he had not been given an opportunity to ask a Councillor to refer the application to Planning Committee, despite the details being sent to him on 1st May 2020. The Council agreed to hold the application to allow the agent a further opportunity to have the application called before Committee.</p>
9.0	<p>Summary of Recommendation: REFUSAL</p>
9.1	<p>Out of 370 domestic properties within the Lower Ormeau Policy Area, 122 are HMOs, equating to 32.9%. Accordingly, it appears that the proposal does not comply with the Policy tests of HMO 1 in that the number of HMOs already exceeds 30% of all dwelling units within the Policy Area.</p>
9.2	<p>The agent has provided supporting evidence in an attempt to show that the number of HMOs does not exceed 30% of all dwelling units within the Policy Area. It is considered that the agent's assessment of both the number of HMOs and existing dwelling units within the Policy Area is incorrect for the reasons outlined above.</p>

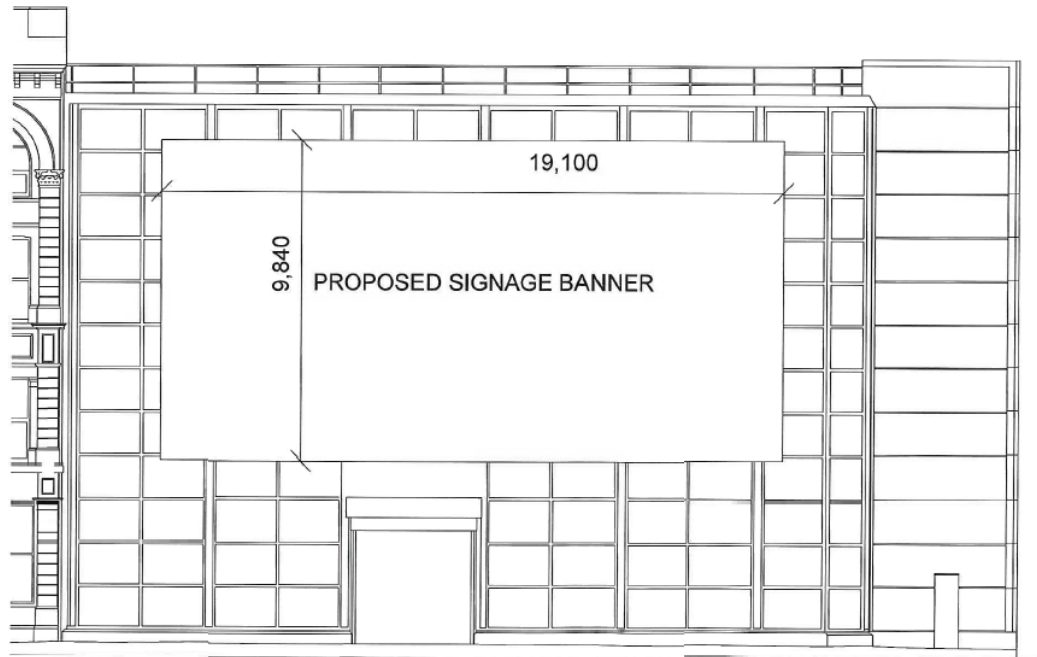
9.3	Accordingly, it is considered that the proposal is contrary to Policy HMO 1 of the HMO Subject Plan and is therefore recommended for refusal.
10.0	Reasons for Refusal
10.1	The proposed development is contrary to Policy HMO 1 of the Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast City Council Area 2015 in that the number of HMO dwelling units already exceeds 30% of all dwelling units within the Lower Ormeau Policy Area.
Notification to Department (if relevant)	
Representations from Elected members: Cllr Lyons – Requested the application be presented to Committee on behalf of the applicant. Cllr Gormley – update on status of application Cllr Murphy – update on status of application	

Committee Application

Development Management Report	
Date of Committee: Tuesday 18 August 2020	Application ID: LA04/2020/0662/A
Proposal: Temporary mesh banner signage (19.1M X 9.84m)	Location: Former Belfast Telegraph Printworks 124-132 Royal Avenue Belfast BT1 1DN
Referral Route: BCC joint venture with applicant	
Recommendation:	Approval
Applicant Name and Address: Bel Tell LLP C/O McAleer & Rushe 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Todd Architects Ltd 2nd Floor Titanic House 6 Queens Road Belfast BT3 9DT
Executive Summary: Advertisement Consent is sought for a temporary mesh banner sign (19.1M X 9.84m) The key issues in assessment of the proposed development include: <ul style="list-style-type: none"> • Impact on local amenity • Impact on public safety • Impact on the setting of listed buildings <p>The site is located within the city development limits for Belfast as designated within the Draft Belfast Metropolitan Area Plan 2004.</p> <p>Whilst the sign is contrary to Planning Policy (PPS17 Outdoor Advertisements) it is accepted that granting consent for an extended period of 1 year is acceptable in the particular circumstances, given the locality is going through a period of transition with the construction of the university campus etc and that future plans for the host building are also well advanced.</p> <p>The Belfast Telegraph Building is listed - Historic Environment Division was consulted and has no objection to the proposal, subject to a temporary approval for 1 year.</p> <p>No representations were received.</p> <p>Recommendation</p> <p>It is recommended that Advertising Consent is granted for one year with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	

Characteristics of the Site and Area**1.0 Description of Proposed Development**

- 1.1 The application is advertising consent for a mesh banner on the south eastern elevation of the building. It seeks to extend the 2 year temporary approval granted previously under LA04/2017/2802/A.

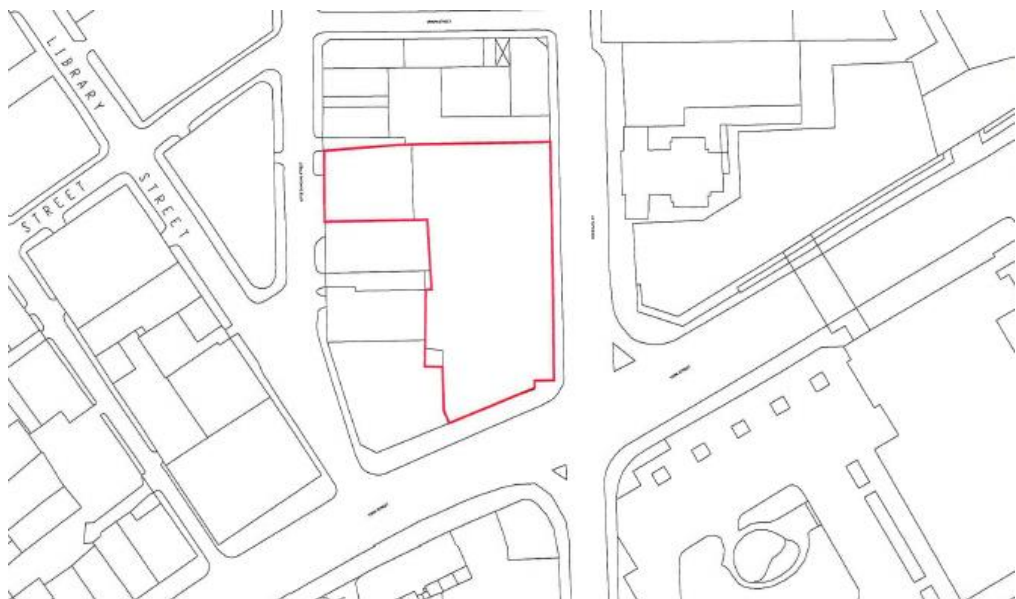


Proposed South-East Elevation



2.0 Description of Site

- 2.1 The site is the former Belfast Telegraph Printworks, a listed building, located at 124-132 Royal Avenue and bounds the corner of Donegal Street. The building was granted a 2 year temporary permission for use as an event space in November 2017 and subsequently a 3 year extension to this use in October 2019. The area is characterised by a variety of multi-storey office development with ground floor retail outlets. The University of Ulster Belfast Campus is located to the east of the site.



3.0	Site History
	<p>LA04/2019/0878/F - Ground floor print hall, 122-144 Royal Avenue - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 3 years - PERMISSION GRANTED 30.10.2019</p> <p>LA04/2018/1991/F - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street - Demolition of existing non listed buildings and redevelopment of site to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising facade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern facade [amended scheme] - PERMISSION GRANTED 22.02.2019</p> <p>LA04/2018/1968/LBC - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street - Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, facade restoration of dormers, replacement windows and reinstatement of original entrance to southern facade - PERMISSION GRANTED 22.02.2019</p> <p>LA04/2017/2802/A - Former Belfast Telegraph Printworks - Proposed mesh banner signage (19.1M X 9.84m) - temporary for 2 years - PERMISSION GRANTED 15.03.2018</p> <p>LA014/2017/2209/F – Ground floor 122-144 Royal Avenue - Temporary change of use of former printing hall to event space for a period of 2 years including internal alterations and creation of two emergency exits onto Donegall Street - PERMISSION GRANTED 29.11.17</p>
4.0	Policy Framework
4.1	<p>BUAP 2001</p> <p>Draft Belfast Metropolitan Area Plan 2004</p> <p>Version of Belfast Metropolitan Area Plan published 03.09.14</p> <p>Strategic Planning Policy Statement (SPPS)</p> <p>Planning Policy Statement 6: Planning, Archaeology and the Built Heritage</p> <ul style="list-style-type: none"> - Policy BH11 <p>Planning Policy Statement 17: Control of Outdoor Advertisements</p> <ul style="list-style-type: none"> - Policy AD1
5.0	Statutory Consultees Responses
5.1	None
6.0	Non Statutory Consultees Responses
6.1	DfC Historic Environment Division
7.0	Representations
7.1	No comments have been received.
8.0	Other Material Considerations

8.1	None
9.0	Assessment
9.1	<u>Policy AD1 – Amenity and Public Safety</u>
9.2	<p>Policy AD1 states:</p> <p><i>Consent will be given for the display of an advertisement where:</i></p> <p>(i) <i>it respects amenity, when assessed in the context of the general characteristics of the locality; and</i></p> <p>(ii) <i>it does not prejudice public safety.</i></p> <p><u>Impact on Characteristics of Locality</u></p>
9.3	The proposal comprises a fixed building mesh banner sign on the Royal Avenue elevation of the former Belfast Telegraph print works premises, to be on display for a one year period.
9.4	The proposed banner is 19.1m in width and 9.8m in height. The building height is 16.6m and the front elevation is 24m wide. The bottom of the banner is to be fixed at 5.8m above ground level and 1.2m from the top of the building. It therefore will take up virtually the entire elevation above main entrance level. The banner is to display branding relating to the redevelopment of the site.
9.5	In relation to advertisements the term amenity is usually understood to mean its effect upon the appearance of the building or structure or the immediate neighbourhood where it is displayed, or its impact over long distance views.
9.6	PPS17 provides guidance on Shroud Advertisement Displays which is relevant to the proposed mesh banner. It states:
9.7	<i>In view of their scale and size, shroud advertisements have the potential to seriously conflict with the visual amenity of the buildings upon which the display is situated and the area in which buildings are sited. Accordingly, proposals for this type of advertisement are only likely to be acceptable in commercial areas, where they are to be attached to scaffolding surrounding a building or development site and where a contract has been drawn up for the building or renovation works.</i>
9.8	<i>To prevent clutter, account will be taken of the number of similar proposals located within the vicinity of the site and others that have the benefit of advertisement consent.</i>
9.9	As stated above, shroud displays are only acceptable in commercial areas, of which the surrounding land around the proposal site is considered to be. However, the buildings in the area are not commercial warehouses such as those found in retail parks and the proposed banner is be attached directly to the building itself and not to scaffolding.
9.10	Whilst the glazed fronted host building is not considered to be of any particular architectural interest, the site forms part of the listed building and the buildings in the area are generally very attractive.
9.11	Justification for the original banner, as approved for a 2 year period under LA04/2017/2802/A, and the current application to extend by one year was provided and is set as follows:

9.12	<p>The sign is required on a temporary basis as part of an overall marketing strategy for the building whilst plans are concluded and planning permission is secured for its future use.</p> <p><i>'This scheme is an important part of the future development of this part of the city centre as a hub for the educational, digital and tech sectors, which will also see both the new Ulster University Campus and the renovated Central Library delivered in the years ahead. The banner for this site, by heralding the investment that is to follow, will not only help to promote this specific scheme but it will also boost the profile of the wider area and illustrate the positive change underway'.</i></p>
9.13	<p>As per the assessment of the previous application, the proposed banner will have an impact on the amenity of the area and in normal circumstances would be considered unacceptable. However, the area is going through a transition period with the construction of the University campus adjacent and reconfiguration of Buoy Park opposite. Therefore, justification for the banner which is intended to promote redevelopment of this key site, is considered in this case, to be acceptable for a temporary period in these exceptional circumstances.</p>
9.14	<p><u>Impact on Public Safety</u></p> <p>The proposed signage has no illumination or projection and is not considered to create any hazard. It will therefore not prejudice the safety of public safety and is compliant with AD1 (ii).</p> <p><u>Impact on Setting of nearby Listed Buildings</u></p>
9.15	<p>The site is adjacent to the listed Belfast Telegraph Offices and is in the site line of St Anne's Cathedral. Policy BH11 of PPS6 relates to development affecting the setting of listed buildings. It states that the Department will not normally permit development which would adversely affect the setting of a listed building.</p>
9.16	<p>Regarding the previous approval LA04/2017/2802/A, HED was consulted and advised that it would not be content with the proposal on a permanent basis as the material, size, scale, alignment and location of the very large 19.1m X 9.84m mesh banner signage, in such proximity to the historic fabric of the listed building, would adversely affect its setting. However, it was content with the proposal for a temporary period of two years, after which the mesh banner signage must be removed.</p>
9.17	<p>Regarding the current application, HED reiterated its concerns about the impact on the nearby listed buildings but recommended that a 1 year temporary approval would be acceptable.</p> <p><u>Recommendation</u></p>
9.18	<p>Based on the above assessment the proposed signage is considered to be compliant with relevant advertising and built heritage guidance. Consent is recommended - granting of temporary consent for a period of 1 year.</p>
10.0	<p>Summary of Recommendation: Temporary Consent</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The sign shall be erected in the position shown on Approved Drawing no.04, date stamped 11 March 2020.

	<p>Reason: In the interests of road safety and the convenience of road users</p> <p>2. The approval is temporary for a period of 1 year from the date of this decision. Within 2 weeks of the expiration date the signage and all associated fittings shall be removed.</p> <p>Reason: In the interests of visual amenity.</p>
Notification to Department (if relevant) N/A	
Representations from Elected members: None	

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Committee Application

Development Management Report	
Application ID: LA04/2020/0757/F	Date of Committee: 18 th August 2020
Proposal: Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container.	Location: West Pitch Downey House Pirrie Park Gardens Belfast
Referral Route: Director of Planning and Building Control – matters raised should be considered by planning committee	
Recommendation:	Approval
Applicant Name and Address: Methodist College Belfast 1 Malone Road Belfast BT9 6BY	Agent Name and Address: Doran Consulting 96-102 Great Victoria Street Belfast BT2 7BE
<p>Executive Summary: This application seeks full planning permission for the upgrade of an existing gravel pitch (known as west pitch) to a synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier and storage container. There is a related application for the same proposal at the adjoining west pitch under reference LA04/2018/1411/F.</p> <p>The proposed hours of operation are from 9am to 6pm Monday to Friday and 8am to 1pm on a Saturday. No use on a Sunday. The applicant has confirmed that the pitch is for the primary use of the school only with the occasional use of the pitches for Easter and summer camps as per the existing arrangements with Pirrie Park.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Principle of development - Design, Visual Amenity and Impact on character of locality - Landscaping / Ecology / Draft LLPA - Impact on residential amenity - Access, Movement and Parking - Flooding / Infrastructure Capacity <p>The application site is unzoned 'whiteland' within the settlement limits of the BUAP. In Draft BMAP 2015 the land is zoned as existing open space within the development limits. The proposal involves upgrade works to an existing hockey pitch, thus retaining its recreational use in accordance with Policy OS1 of PPS8 and paragraph 6.205 of the SPPS.</p> <p>195 representations have been received comprising of 71 objections from local residents, 119 letters of support from general public and 5 letters of support from school staff. These are considered in detail in the case officer report.</p> <p>Objections summarised as;</p> <ul style="list-style-type: none"> - Should be a major development, applicant has sought to avoid requirements of a major application; 	

- Lack of EIA statement;
- Light spillage;
- Noise;
- Significant harm to visual amenity of residents and wider area;
- Daylight shading;
- Intensification, unknown baseline and fall-back position;
- Traffic congestion, parking and highway safety issues;
- Inappropriate planting;
- Impact on ecology;
- Drainage / Flooding;
- Lack of and inaccurate information;
- Health and safety concerns.

Representations of support, summarised;

- Current facilities are outdated, substandard and unsafe;
- Enhancement of girls' sporting activities;
- Physical and mental health benefits;
- There is adequate existing parking and access via Ardenlee Avenue;
- Will benefit children currently attending school, future generations and local community;
- Consider proposed mitigation will limit harm to neighbours;
- Positive aesthetic effect on the surrounding area.

DFI Roads, Rivers Agency, NI Water, DAERA, BCC Environmental Health and BCC Landscaping Section were all consulted and have offered no objection to the proposal.

The proposal would accord with one of the core planning principles of the SPPS to improve health and well-being through facilitating quality sport and outdoor recreational facilities which must also be balanced against the need to safeguard residential amenity.

It is acknowledged the proposed operational development including the floodlighting, fencing and container will change the outlook for neighbouring properties relative to what they currently experience. However having regard to the garden depths, the height of fencing that could be carried out under permitted development rights (2m) without requiring planning permission, the inclusion of collapsible ball stop netting; proposed native planted screening, 3 x 4.5 high retractable floodlights, slim line nature of the floodlighting columns, it is considered that this would not result in unacceptable harm to the visual amenity of neighbouring properties or cause unacceptable overshadowing.

Environmental Health was consulted in respect of amenity matters relating to noise and lighting. They have reviewed the detailed objections received and are content with the proposal.

Intensification of use has been raised by residents, whilst the proposal will undoubtedly make the pitches more attractive to play on, with more matches being played, given the restriction on the hours of operation with the predicted noise levels being reduced and within acceptable levels, it is not considered that the small degree of increased use would result in unacceptable harm to the amenity of neighbouring properties. There will be no play on the pitches in the weekday evenings after 6pm, on Saturday afternoon after 1pm and at no time on Sundays.

All consultees have considered the proposed usage and cumulative impact of the two pitches operating together and are satisfied that the scheme will not result in unacceptable impacts.

Therefore, subject to the inclusion of mitigation measures outlined and covered in conditions 2 - 14, it is considered that the proposed development would not result in an unacceptable impact on

the amenity of surrounding properties in accordance with Policies OS4, OS5 and OS7 of PPS8 and the SPPS.

In relation to all other matters, the proposal is considered acceptable in terms of design, impact on character and appearance of the area including draft LLPA, impact on highway safety, parking, access, flooding / drainage, landscaping and ecology.

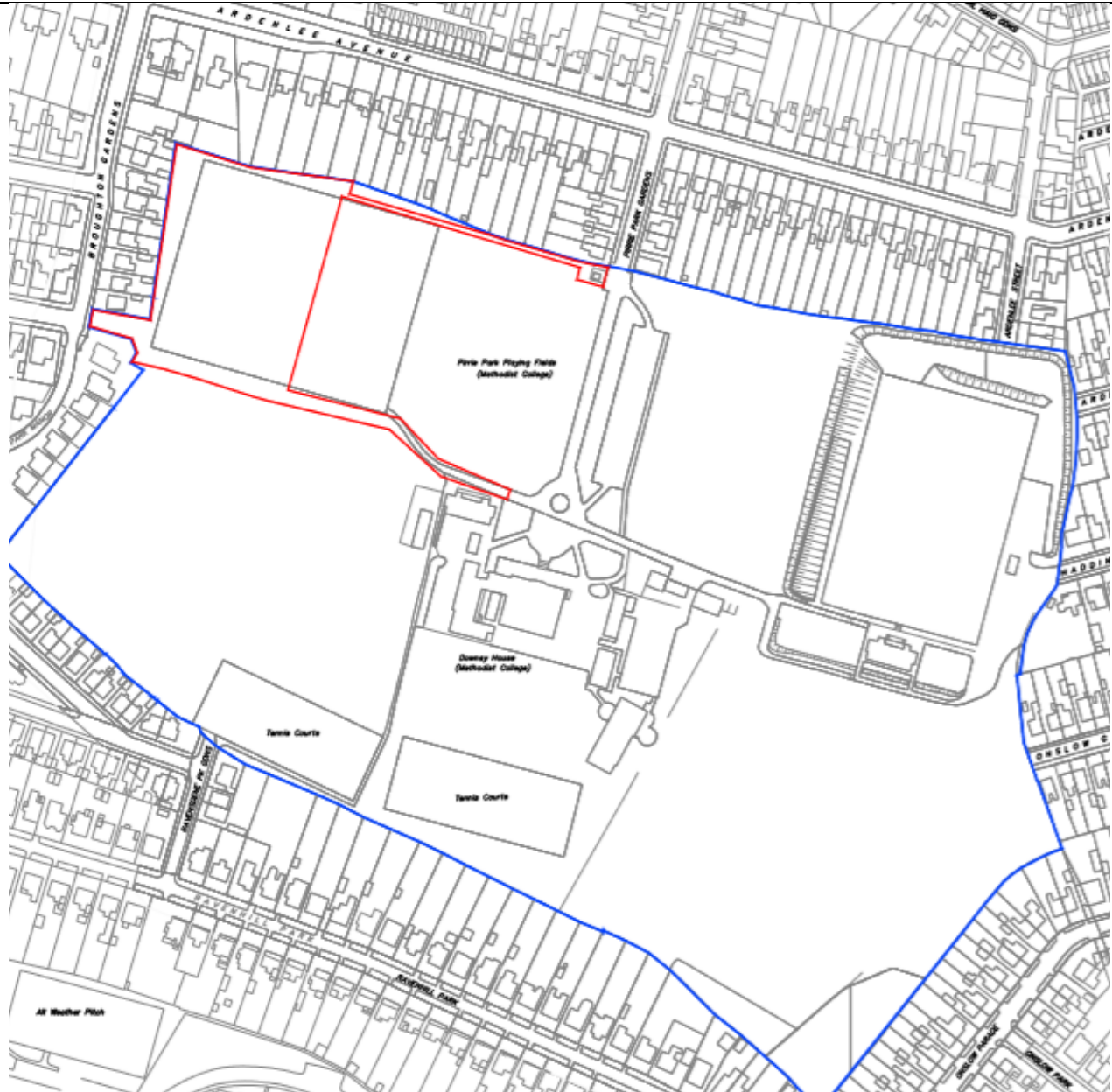
The proposal has been assessed against and is considered to comply with PPS2, PPS3, PPS8, PPS15, the SPPS and Draft BMAP 2015. Having regard to the development plan, relevant planning policies, and other material considerations including third party representations and application LA04/2018/1411/F, on balance, it is recommended that the proposal is approved.

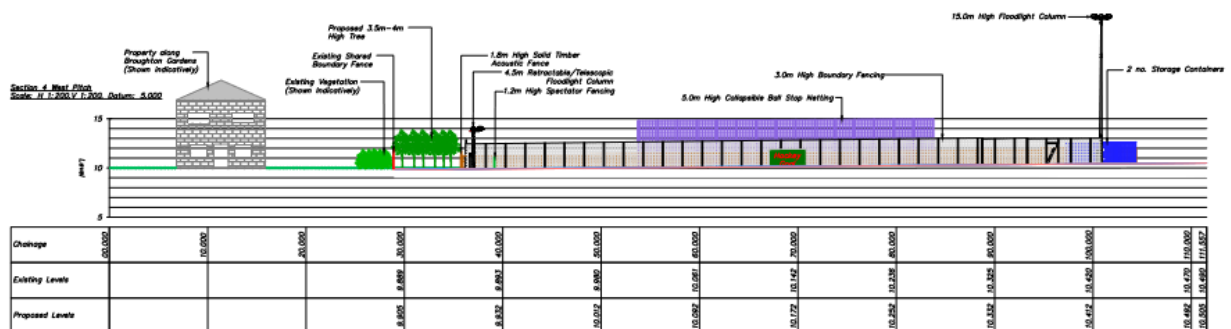
Recommendation – Approved subject to conditions

Having regard to the policy context and other material considerations, the proposal is considered acceptable and approval is recommended for the reasons set out. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

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 upgrade of an existing gravel pitch to a synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier and storage container. These elements include;</p> <ul style="list-style-type: none"> • 6 floodlights – 3 x 15m floodlights and 3 x 15m floodlights (retractable to a height of 4.5m); • 5m high ball stop netting with collapsible columns; • 1.8m high timber acoustic fence; • 3m high paladin perimeter fence; • 1.2m high spectator fence; • Storage container (2.75m height, 5.95m depth and 4.9m width). <p>The applicant has confirmed that the pitch is for the primary use of the school only with the occasional use of the pitches for Easter and summer camps as per the existing arrangements with Pirrie Park.</p> <p>The proposed hours of operation are from 9am to 6pm Monday to Friday and 8am to 1pm on a Saturday. No use on a Sunday.</p> <p>The applicant has also confirmed the following;</p> <ul style="list-style-type: none"> • There is 25 match days per year which run from September to Easter each year, in that period there would be approximately 25 Saturdays selected for matches for school hockey. There may be occasional matches that take place during the school week, but this is not a regular occurrence. Usually this would take place to catch up on any postponed matches in the season only. • Saturday mornings are proposed to be the main days for play: • The pitch will host on a Saturday with a maximum of 6 matches each in the period 9am – 1pm on Saturday; Teams turn up for the time slot for their scheduled match; a maximum 20-30 parents attend; 11 players in each with 3 reserves; 2 teams per match x 14 in a squad x 6 matches = 168 attendees maximum and children will leave when their match is complete. The applicant has stressed that not all these participants will be on the site at one time, this is the maximum over the course of the morning. <p>This application follows on from a previously withdrawn application LA04/2018/1416/F and incorporates the following changes;</p> <ul style="list-style-type: none"> • Movement of pitch a further 5.5metres away from western boundary with Broughton Gardens; • Re-siting of acoustic barrier; • 3 x 15m floodlights (retractable to a height of 4.5m) along the boundary with Broughton Gardens; • Collapsible ball stop nets; • Landscaping screen.
2.0	<p>Description of Site and Area</p> <p>The application site comprises of an existing gravel hockey pitch (known as west pitch) which adjoins another gravel hockey pitch to the east located within the playing fields of Pirrie Park. The larger site contains Downey House Preparatory School and Preschool, the college house and playing fields for tennis, netball, basketball, football, cricket and rugby. The main vehicular access is via Pirrie Park Gardens which links into Ardenlee Avenue. There is a secondary access point from Broughton Gardens.</p>

	The western boundary of the site adjoins the rear gardens of the residential properties along Broughton Gardens / Pirrie Park Manor. The northern boundary adjoins the rear gardens of the residential properties along Ardenlee Avenue. A mix of close-boarded fencing, low walls, shrubs / hedges and trees defines these boundaries.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Relevant site history: East Pitch LA04/2018/1411/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container (AMENDED PLANS, ADDITIONAL INFORMATION) – Pending West Pitch LA04/2018/1416/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container – Withdrawn 02.04.2020
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
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 ENV3 Local Landscape Policy Areas
	4.2.3 Designation BT001 Metropolitan Development Limit
	4.2.4 Designation BT144 Pirrie Park Local Landscape Policy Area (LLPA)
	4.2.5 Designation Area of existing open space
	4.2.6 Designation BT162/06 Community Greenway
	Draft BMAP 2015 (purported to be adopted)
	4.2.7 Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
	4.2.8 Policy ENV1 Local Landscape Policy Area
	4.2.9 Policy OS1 Community Greenways
	4.2.10 Designation BT126 Pirrie Park Local Landscape Policy Area
	4.2.11 Designation Existing area of open space
	4.2.112 Designation BT147/07 Odyssey / Tullycarnet Park /Ormeau Park Community Greenway
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 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 15: (Revised) Planning and Flood Risk
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection

5.2	Rivers Agency – No objection, recommended condition
5.3	DAERA (Water Management Unit) – No objection, refers to standing advice on conditions
5.5	DAERA (Natural Environment Division) (NED) – No objection
5.7	NI Water – Advice
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection subject to conditions
6.4	BCC Landscaping Section – No objection, content that the proposals indicate a comprehensive landscaping scheme which enables the landscape and visual integration of the proposals, thereby mitigating any potential visual impact on adjacent properties. We are content that the information provided in the Landscape Management and Maintenance Plan is acceptable in detail, providing establishment maintenance and long term management of the landscape elements of the proposals.
7.0	Representations
7.1	<p>The application was neighbour notified on the 26th May 2020. The period for comment was extended until the 26th June. It was advertised in the local press on the 29th May 2020.</p> <p>Subsequent amended landscaping plans and additional information was re-neighbour notified on the 23rd July 2020, the period for which expired on the 6th August 2020.</p> <p>A total of 71 letters of objection have been received from 35 properties along Ardenlee Avenue, Broughton Gardens, Pirrie Park Manor and Pirrie Park Gardens, summarised as;</p> <p>Technical Matters</p> <ol style="list-style-type: none"> 1. The development should be one planning application for a major development, by submitting as two separate applications, the applicant has sought to avoid statutory planning requirements for a major development; (Refer to paragraphs 9.1) 2. Insistence of the school that the pitches have to be sited side by side and includes a 400m running track spilt between the two pitches, clearly it is one scheme, community consultation carried out was for one scheme; (Refer to paragraphs 9.1) 3. Remains residents' understanding that one factor in the decision to spilt the project into two, was a recognition that the whole development may not be acceptable, but by splitting the applications retains the possibility of securing permission for one pitch; (Refer to paragraphs 9.1) 4. By splitting the applications, this has prejudiced the Council's and statutory consultees ability to properly consider the application as one project and reinforces the requirement for full consideration to be given to the legitimate concerns of residents; (Refer to paragraphs 9.1) 5. Measurement of the site area less than 1 hectare; (Refer to paragraphs 9.1) 6. Impact of Covid, residents have no access to hard copy drawings or reports, therefore unable to take part in the planning process; (Refer to paragraph 9.34) 7. Unacceptable deadline for neighbour notification period; (Refer to paragraph 9.33) 8. Inadequate planning statement; (Refer to paragraph 9.37) 9. Problems with P1 form, parts not answered correctly; (Refer to paragraph 9.38) 10. Incorrect building footprint of No 2 Pirrie Park Manor shown in the proposed plans and will therefore be more significantly impacted than claimed in the assessments; (Refer to paragraph 9.39) 11. Sections submitted are inaccurate and should be removed and consultees re-consulted; (Refer to paragraph 9.40) 12. Almost all of letters of support are from individuals who do not live in the locality and would therefore not be adversely affected by the development, greater weight should

be given to local residents which border the site; ***(Clear breakdowns of the representations have been included in the officer report)***

13. There are anomalies with the letters of support e.g. letters from people in the same household, no addresses; ***(People can from the same households and with no address can still provide a representation, Clear breakdowns of the representations have been included in the officer report)***
14. In the Carson Mc Dowell letter there is a repeated claims that impacts on residents have been shown to be acceptable, this is not the case and is refuted; ***(As the author is now involved representing the school, their letter of support has been removed and placed under additional documentation as part of the school's submission)***
15. Lack of planners site visit into neighbouring gardens to view the hockey pitches to properly assess the extent, bulk and mass of the new proposals – requested consideration is not taken forward unless and until this has been carried out; ***(Refer to paragraph 9.41)***

Environmental Impact Statement

16. Objection to EIA determination and lack of Environmental Impact Statement; ***(Refer to paragraph 9.35)***
17. Failure to place this information on the planning portal; ***(Refer to paragraph 9.36)***

Access, Roads

18. In the formal consultation request to DFI Roads, there is no mention of the park and ride facility operated on Fridays and Saturdays which generates significant traffic; ***(Refer to paragraphs 9.28 – 9.30)***
19. No traffic information, impact study or modelling has been provided to inform on the potential traffic impacts of these applications; ***(Refer to paragraphs 9.28 – 9.30)***
20. Lack of information on access and construction phase – Broughton Gardens access is inappropriate for construction purposes and would pose a health and safety hazard with damage to the road and additional noise, pollution and dirt; ***(Refer to paragraphs 9.28 – 9.30)***
21. Previous extensive disruption when Broughton Gardens access was used; ***(Refer to paragraphs 9.28 – 9.30)***
22. Area already experiences heavy traffic levels with safety and parking difficulties especially due to other sporting activities, proposed development will lead to increased parking and congestion; ***(Refer to paragraphs 9.28 – 9.30)***
23. Applicant has continually stated that there will be no increase in traffic, this assessment of traffic and the site, road impacts is inaccurate; ***(Refer to paragraphs 9.28 – 9.30)***
24. DFI Roads consultation response is inadequate, have not considered objections, they need to visit the site and consider increase in vehicle movements and personnel; ***(Refer to paragraphs 9.28 – 9.30)***

Residential Amenity

25. Refer to Environmental Health's response which states that the pitches are not for external hire, the Planning Statement states that the pitches maybe occasionally hired out – should these additional users not be considered, in addition to spectators? ***(Refer to paragraphs 9.19 – 9.27)***
26. Inadequate Noise Assessment – reliance on computer programme, missing information, failure to take into consideration cumulative impact with rest of Pirrie Park, unacceptable/unknown nature of the necessary acoustic barrier and other mitigation; ***(Refer to paragraphs 9.19 – 9.27)***
27. Increased noise from players / spectators; ***(Refer to paragraphs 9.19 – 9.27)***

28. Noise barrier unlikely to make any difference; **(Refer to paragraphs 9.19 – 9.27)**
29. Light pollution, spillage into neighbouring properties; **(Refer to paragraphs 9.19 – 9.27)**
30. Lack of information on the proposed lighting system and questions over the validity of lighting assessment; **(Refer to paragraphs 9.19 – 9.27)**
31. Noted that retractable floodlights have been proposed along Broughton Gardens, consider the same courtesy should be afforded to properties along Ardenlee Avenue; **(This was the decision of the applicant, the planning authority is required to assess the scheme as submitted)**
32. Inadequate separation distances to neighbouring properties; **(Refer to paragraphs 9.19 – 9.27)**
33. Scale, significant visual impact of 15m high floodlights, container and fencing over existing situation; **(Refer to paragraphs 9.5 – 9.14, 9.19 – 9.27)**
34. Sports England recommends a MUGA (especially floodlit) ones should be 12m and ideally at least 30m away from residences; **(This is only for guidance, each application is assessed on its own permits)**
35. No justification for fence heights, recent guidance from the Hockey Federation advises side boundary fencing shall be a minimum of 1 metre high; **This is only for guidance, each application is assessed on its own permits)**
36. Close mesh fence and wooden noise barrier will create an overbearing 'prison' like atmosphere, hemming in houses and destroying their visual amenity; **(Refer to paragraphs 9.5 – 9.14, 9.19 – 9.27)**
37. Daylight shading of adjoining properties, need for technical daylighting appraisal; **(Refer to paragraphs 9.19 – 9.27)**
38. Route taken by spectators in proximity to neighbouring dwellings - **(This is a matter which can be dealt with by the school through the management plan)**

Landscaping

39. Lack of design rigour with the proposed planting scheme with other major aspects of the scheme such as drainage, ball stop netting, and man access, questions the actual feasibility of the proposal; **(Refer to paragraphs 9.15 – 9.18)**
40. Lack of space for tree planting, inappropriate tree species and impact on neighbouring properties; **(Refer to paragraphs 9.15 – 9.18)**
41. Objections to rebuttal notes provided by Park Hood – it is clear there has been no attempt to co-ordinate landscape proposals with other services and elements of the scheme; **(Refer to paragraphs 9.15 – 9.18)**
42. Inadequate consultation response from BCC Landscaping, request that they consider all the detailed objections submitted; **(Refer to paragraphs 9.15 – 9.18)**
43. Proposed planting conflicts with existing field drain; **(Refer to paragraphs 9.15 – 9.18)**

Visual Impact, Impact on the surrounding area

44. Stunning and overwhelming visual impact presented by the illuminated pitch cube installation with associated floodlights and fencing; **(Refer to paragraphs 9.5 – 9.14)**
45. Not in keeping with local landscape policy area; **(Refer to paragraphs 9.5 – 9.14)**
46. Inappropriate, scale for the local area and townscape including Ravenhill Park Area of Townscape Character; **(Refer to paragraphs 9.5 – 9.14)**

Comparison with similar developments;

47. Other similar facilities in Belfast have much greater buffer zones e.g. Aquinas, Cregagh Youth and Community Centre, Queens Dub, Campbell College; **(Each application required to be assessed on its own merits)**

48. The development fails to take into account the precedent set by Cherryvale which provided adequate clearances from existing properties; **(Each application required to be assessed on its own merits)**

Intensification

49. Not against the current pitches being upgraded, however this level of intensification is not appropriate so close to existing properties; **(Refer to paragraphs 9.19– 9.27, 9.28 – 9.30)**
50. Obvious intensification which has not been represented, 700 pupils redirected to the proposed site, facilities maybe hired out to third parties, additional hours of use and additional spectators (1000 spectators); **(Refer to paragraphs 9.19– 9.27, 9.28 – 9.30)**
51. Questions whether full level of intensification is known, baseline for impacts of noise and traffic have been inadequately assessed due to an unsubstantiated claim that the school has an unrestricted use; **(Refer to paragraphs 9.19– 9.27, 9.28 – 9.30)**
52. Claim of fall-back position has not been evidenced, no information presented on the level of use of the site in recent times given pitch conditions. Refer to Moorland and Owenvarragh Residents' Association Application [2014] NIQB 130 (Casement Park), critical any assessment is based upon a realistic baseline; **(Refer to paragraphs 9.19– 9.27, 9.28 – 9.30)**
53. Change from low key school use to round the clock use, planning application is likely to come along to allow change of times to late time use; **(There is restricted operating times and the application needs to be assessed on what has been applied for)**
54. If there is no change of usage, then all that is needed is a new playing surface with no fencing or floodlighting; **(The application is for operational development for the upgrade of the existing hockey pitches and is required to be assessed on what has been applied for)**

Ecology

55. Impact on local wildlife; **(Refer to paragraph 9.15-9.18)**
56. Lack of assessment in regards to priority species of birds, validity of the ecological assessments and the site visit carried out and its timing; **(Refer to paragraph 9.15-9.18)**

Drainage

57. Inadequate drainage assessment including lack of consideration to historical drainage problems, lack of information, questions over accuracy of calculations, flaws in design concept, siting of acoustic barrier over line of existing field drains, construction risks; **(Refer to paragraph 9.31-9.32)**
58. Failure of proposed artificial aquifer; **(Refer to paragraph 9.31-9.32)**
59. Little or no meaningful information on the detailed design and specification of the actual pitch construction, how can effective and proper consideration of these applications be given; **(Refer to paragraph 9.31-9.32)**
60. Request Rivers comment on critical points raised in objections; **(Refer to paragraph 9.31-9.32)**

Policy objections

61. Contrary to Policy NH5 of PPS2; **(Refer to assessment below)**
62. Contrary to Policy OS4, OS5 and OS7 of PPS8; **(Refer to assessment below)**
63. Contrary to Policy ENV1 of BMAP; **(Refer to assessment below)**

Future Use

64. Substantial costs to provide lighting and fencing does not makes economic sense if the pitches are only to be restricted to the school and during the proposed hours of use; ***(The application is required to be assessed on what has been applied for)***
65. School has been considering alternative ideas for the future of the site, this proposal for international class hockey facility is the first steps in a significant change of use of the site towards a more commercial usage; ***(The proposal is not for an international hockey facility, it for operational development relating to the upgrade of existing hockey pitches)***
66. The application requires consideration to the scope of acceptable uses that are available under Class D1 – this would allow for after school facilities, day centre and community centre activities, begs the question as to whether the usage of the facility is to be restricted only to children attending the school; ***(This is irrelevant. The proposal is not for a change of use, it is for operational development of existing hockey pitches. The usage of the pitches are restricted by the recommended conditions.***

Other matters

67. No information on fencing, colour or finish; ***(The proposed fencing is green paladin fencing as shown in the example images provided and uploaded to the planning portal)***
68. Electrical supply to floodlights, no information provided; ***(This is not a planning matter)***
69. Impact of security / emergency lighting, no information provided; ***(This have not been proposed as part of this proposal)***
70. No information of on the method of irrigation for the pitches; ***(This is not a planning matter)***
71. No information on advertising hoardings, loudspeakers, cameras; ***(Loudspeakers and cameras fall outside the scope of planning. Refer to condition 14)***
72. Increased security risk to local residents; ***(It not considered that the proposed development poses a security risk to adjoining residents from a planning perspective)***
73. Impractical maintenance areas; ***(This is not a planning matter, this is a matter for the school)***
74. No evidence of risk assessments for fencing and collapsible netting; ***(This is not a planning matter, this is a matter for the school)***
75. In the interests of good planning and transparency the Overall Development Plan for Pirrie Park which appears to include proposals for the laying of a multi sports surface to allow for general training, athletics and soccer all year round; ***(The application is required to be assessed on what has been applied for)***
76. Failure to give sufficient regard to relocation of the pitches to a more suitable or central position within the grounds or wider area; ***(The application is required to be assessed on what has been applied for)***
77. The school has other pitch options available to it in the wider area including Harlequins, Cherryvale; ***(The application is required to be assessed on what has been applied for)***
78. Lack of clarification as to whether the pitch is sand or rubber crumbed or a mixture of both. The use of rubber crumb has its own health and safety risks; ***(Planning permission have been sought for a sand dressed pitch as per the description of development and the agent has confirmed that no rubber crumb is to be used)***
79. To avoid further environmental problems, particularly those well publicised around micro plastics, it would seem logical and prudent that any proposed pitch project should

include and be accompanied with a clear end-of-life plan; ***(This is not a planning policy requirement).***

80. Potential damage to wall and tree at 39 Broughton Gardens, request if planning is granted that a condition is attached that wall and tree is subject to a photographic and dimensioned survey, and any damage made good by the school. ***(This is a civil matter between the resident and the school and cannot be controlled by planning)***

A total of 119 representations of support have been received (8 of which are from the Ardenlee Avenue, Pirrie Park Gardens and Ravenhill Park), summarised as;

1. Current facilities are outdated, substandard and unsafe and are often unplayable in winter or in poor light;
2. Lack of existing hockey pitches provided by BCC;
3. Will benefit and enhance the profile of girls' sporting activities;
4. Proposed development of pitches will enhance the school's ability to;
- Promote enthusiastic participation in sport part of a healthy lifestyle that contributes to the development and well-being of children;
- Allows pupils to enjoy the facilities of sport, be they a novice or elite athlete;
- Provides opportunities for pupils to experience individual and collective endeavour, achievement and excellence;
5. Proposed facilities will not only benefit children who currently attend the school, but also future generations and the local community;
6. A great investment in the health, both physical and mental, especially at a time when it has been compromised by Covid;
7. Living in an urban area comes with the benefit of close proximity to many public, private and commercial conveniences including local schools. In urban areas, it is inevitable that residential developments and schools will often be in close proximity to each other;
8. There are many other schools (e.g. Aquinas Diocesan Grammar) that enjoy facilities similar to those proposed here and are also in close proximity to residential properties;
9. Welcome proposed mitigation, I understand that MCB will only use the pitches for school use and only until 6.00 pm. I think that this voluntary restriction should limit any inconvenience to neighbours;
10. Understand concerns around floodlighting, however the use of LED floodlights ensures they are much less intrusive than older halogen floodlights, this is apparent in our highways which where LEDs are replacing older street lighting;
11. There is adequate existing parking and access via Ardenlee Avenue;
12. The proposed upgrade will have a positive aesthetic effect on the surrounding area;
13. The site is well suited and will not result in the loss of open space nor interfere with the enjoyment of the local amenity by residents in this area;
14. The cost of paying for Methodist teams to access AstroTurf is enormous and access is difficult as there are so many teams all vying to play on superior pitches;
15. My children play hockey every week on these pitches and they are not in line with other schools.

A total of 5 representations received from staff of the school, summarised as:

1. Proposed development of pitches will enhance the school's ability to;
- Promote enthusiastic participation in sport as part of a healthy lifestyle that contributes to the development and well-being of the whole child;
- Allow pupils to enjoy the benefits of sport be they a novice or an elite athlete;
- Provide opportunities for pupils to experience individual and collective endeavour, achievement and excellence;

	<ol style="list-style-type: none"> 2. Metal and physical health benefits; 3. Hockey facilities is not on par with rugby; 4. Bring facilities in line with other schools and clubs; 5. Building of these pitches will help us offer hockey to many more pupils throughout the school and in the wider community e.g. At present, we can have at least fourteen girls, and six boy's hockey teams available to play on a Saturday morning, but we do not have the space for them; 6. New pitches will dramatically improve the quality of games sessions in the future; <p>A meeting was held on the 30th January 2020 in the Council offices with local residents, elected representatives, the applicant and their agents and planning officers. Cllr de Faoite, Cllr Brian Smyth, Cllr Long and Christopher Stalford MLA attended on behalf of local residents.</p>
8.0	Other Material Considerations
8.1	DCAN 15 Vehicular Access Standards Parking Standards
9.0	Assessment
9.1	<p><u>Preliminary Matters</u></p> <p>The agent has advised Planning that the applicant and their agent undertook an informal public consultation event on the 30th November 2017 to provide local residents with an opportunity to view and discuss proposed works to upgrade the existing two hockey pitches together. Subsequently, the Council received two local planning applications one for each pitch separately under references LA04/2018/1411/F (east pitch) and LA04/2018/1416/F (west pitch) for proposed upgrade works to the pitches. Following the meeting held on the 30th January 2020 between local residents, elected representatives, the applicant and their agents and planning officers, the school revisited the scheme and proposed further amendments to seek to address concerns of local residents. A drop-in event was then carried out at Pirrie Park on 27th February 2020. Due to the proposed movement of the pitches, application LA04/2018/1416/F was withdrawn and a fresh application made under reference LA04/2020/0757/F for the west pitch and an amended package of information was submitted under the existing application LA04/2018/1411/F for the east pitch.</p> <p>Local residents have made detailed representations around the public consultation events that took place, splitting of the scheme into two separate applications, requirement for a major application and subsequent avoidance of statutory planning procedures for a major development.</p> <p>Each application is for operational development consisting of new ground cover, floodlighting, fencing and storage container on an existing hockey pitch. Each application can function independently of itself within its own planning unit (i.e. within the red line boundary). Each red line boundary is less than 1 hectare, West Pitch being 0.99 hectares and East Pitch being 0.88 hectares. Therefore, the planning authority must accept these applications as local developments, both of which are valid.</p> <p>Had the applications been submitted together as one, this would have amounted to a major development, which would have required formal pre-application community consultation and a pre-application consultation report submitted with the planning application. The planning authority cannot speak for the rationale of the applicant in submitting the scheme as two separate applications, however, it is noted that this approach has concerned local residents. Nonetheless, as explained above, each application is a valid local planning application and must be determined as such.</p>

	<p>These are two applications for two sites that sit side by side and they are required to be assessed on their own individual merits, in addition to any cumulative impacts of the both sites together.</p> <p>In respect of the issues raised around the two pitches being used together for summer athletics amounting to a major development. As set out above, the applicant has applied within the regulations for a local development on this site and the adjacent site. The application is not to change the use of the land it is for operational development on existing pitches and therefore, the applicant can continue to use the pitches for athletics as it does not constitute a material change of use.</p>
9.2	The proposal is considered to be in compliance with the development plan.
9.3	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Design, Visual Amenity and Impact on character of locality - Landscaping / Ecology / Draft LLPA - Impact on residential amenity - Access, Movement and Parking - Flooding / Infrastructure Capacity
9.4	<p><u>Principle of development</u></p> <p>The application site is unzoned 'whiteland' within the settlement limits of the BUAP. In draft BMAP 2015, the land is zoned as existing open space within the development limits. The proposal involves upgrade works to an existing hockey pitch, thus retaining its recreational use in accordance with Policy OS1 of PPS8 and paragraph 6.205 of the SPPS. In light of the above, the principle of development is acceptable subject to the material considerations as set out below.</p>
9.5	<p><u>Design, Visual Amenity and Impact on character of locality</u></p> <p>The application site is located within existing playing fields that are enclosed on the northern and western boundary by residential streets. Public views of the proposed operational development (fencing and floodlights) would be largely limited. Glimpses of the proposal may be viewed from the surrounding residential streets, namely Pirrie Park Manor, Broughton Gardens, Ardenlee Avenue, Pirrie Park Gardens, Ravensdene Park and Ravensdene Crescent. However, these views would be filtered by existing properties, proposed landscaping and separation distances. In addition, any associated light spill from the floodlights would be contained to the application site and adjoining rear gardens within acceptable levels as discussed in further detail in the residential amenity section below. The proposed operational development is akin to modern playing field facilities and for the reasons set out above is not considered individually or cumulatively with application LA04/2018/1411/F to adversely impact the character of the locality.</p>
9.6	<p>Issues have been raised that the proposal is of an inappropriate scale for the local townscape including Ravenhill Park Area of Townscape Character (ATC). The application site is not located within the draft Ravenhill Park ATC. Furthermore, this part of Pirrie Park it is located some distance from this draft designation i.e. minimum of 150 metres with intervening streets. The proposal would therefore have no impact on this draft ATC.</p>
9.7	<p>The proposal includes two storage containers sited side by side along the northern boundary of the site (adjoining the rear boundary of No 43 Ardenlee Avenue) measuring a total 2.75m in height, 5.95m in depth and 4.9m in width which would be of limited scale and massing. The containers would be 2m away from the rear boundary with No 43 at its closest point with the existing dwelling a further 30m away. Any views of this structure would be largely screened by the proposed 1.8m timber acoustic fence and landscaping. The design, scale and siting of the</p>

	containers is therefore considered acceptable and will not prejudice the visual amenity of the neighbouring properties.
9.8	A 1.8m high timber acoustic fence has been proposed around the perimeter of the hockey pitch. At its closest points, it will be 1.3m away from the northern boundary with Ardenlee Avenue properties and 39 Broughton Gardens and 6.8m away from the western boundary with Broughton Gardens/ Pirrie Park Manor properties. The proposed acoustic fence would have no greater visual impact on the surrounding residential properties than a normal timber fence that is used to define residential gardens. In addition, it is important to note, that under Class A, Part 3 of the Schedule to the Planning (General Permitted Development) Order (NI) 2015, the school could erect a 2m high fence or wall without the need for planning permission.
9.9	A 3m high paladin perimeter fence is also proposed which would sit inside the acoustic fence. At its closest points, it will be 2m away from the northern boundary with Ardenlee Avenue properties and 39 Broughton Gardens and 7.3m away from the western boundary with Broughton Gardens/ Pirrie Park Manor properties. A paladin fence by its very nature has a lightweight appearance, which allows views through. This fence will also be viewed in the context of the proposed native planting buffer and the 1.8m timber acoustic fence, which would largely screen the structure. For these reasons, it is not considered that it would be adversely impact the visual amenity of neighbouring properties.
9.10	With regards to the proposed 5m high ball stop netting with collapsible columns, this would only be temporary and would be taken down when not in use, therefore, a significant visual impact is not anticipated.
9.11	In relation to the proposed floodlighting columns, these consist of 3 x 15m floodlights and 3 x 15m floodlights (retractable to a height of 4.5m). The 3 retractable floodlights are located along the western boundary with Broughton Gardens and Pirrie Park Manor. At its closest points, the proposed columns will be 2.5m away from the boundary with No 39 Broughton Gardens and 12 metres away from the rear building façade of the dwelling. In regards to No 2 Pirrie Park Manor, the proposed columns will be 8m away from its rear boundary and 17m away from its rear building façade. The retractable floodlights to a height of 4.5 metres would be of less height than a street lighting column. In addition, the native planting will assist in screening. Given these proposed mitigation measures, it is not considered that the proposal would unacceptably harm the visual amenity of neighbouring properties.
9.12	A 15m high floodlight column is also proposed 8m from the rear boundary of No 43 Ardenlee Avenue. Whilst it is noted that the lighting columns would be visible from the rear of these properties along Ardenlee Avenue, they have long gardens with increased separation distances from the floodlighting columns to their rear facades starting from 36m. For these reasons and the physical slim line nature of the floodlighting columns, it is not considered that it would be so over dominant that it would adversely impact the visual amenity of these neighbouring properties to warrant refusal of the application.
9.13	For the residents of dwellings which bound the park at a greater distance, they will view all of the lighting and fencing together from the rear of their properties however, this is typical of the majority of playing fields in the city when brought up to a modern standard. The area is characterised by significant separation distances that will not result in an unacceptable visual impact.
9.14	The proposed development is therefore considered acceptable with regards to design, visual amenity and impact on the locality of the area and cumulatively with application LA04/2018/1411/F in accordance with bullet point 3 of Policy OS4 and criteria (ii) of Policy OS7 of PPS8 and the SPPS.

	<u>Landscaping / Ecology / Draft LLPA</u>
9.15	A landscaping buffer of native planting along the boundaries with Ardenlee Avenue, Broughton Gardens and Pirrie Park Manor is incorporated to assist in the mitigation of the visual impacts of the proposal. A Landscape Management and Maintenance Plan has also been submitted to establish the maintenance and long-term management of the proposed landscaping. This The Council's Landscaping Section was consulted and is content with the proposal.
9.16	Detailed objections have been received about a lack of design rigour with the proposed planting and other aspects of the scheme, in addition to inappropriate planting. Following this the applicant's landscaping consultant provided an updated Landscape Management and Maintenance Plan and Rebuttal Statement confirming that the proposed planting locations are appropriate, the plans clearly detail the planting mix which is suitable in achieving a native planting screen and a protective tree root barrier will be incorporated along the existing field drain to protect any drainage utilities. An amended landscaping plan was also provided with the rearrangement of tree siting and species along the boundary with 39 Broughton Gardens and Ardenlee Avenue properties to seek to address residents' concerns regarding the size of the trees and boundary issues. Three trees were also removed near the entrance to Broughton Gardens, to ensure that maintenance access from here was not blocked. It is still considered that the remaining buffer planting is sufficient in offering screening from the main view from No 2 Pirrie Park Manor. The amended package and detailed objections have both been considered by the Council's Landscaping Section who has advised that the detailed objections have been addressed and they are content with the proposed landscaping. In regards to the issues raised in respect of health and safety matters associated with the operation of the collapsible ball stop netting; this is a separate maintenance matter for the school and not planning.
9.17	A Biodiversity Checklist and Ecological Appraisal and Bat Activity Survey has been carried out on the site by a suitably qualified ecologist. Objections from local residents have also been received outlining issues in respect of the assessment of priority species of birds, validity of the assessments and the site visit carried out and its timing. The Natural Environment Division (NED) at DAERA (as the authoritative body on natural heritage) were consulted on the above and have no objection to the proposal. In relation to the objections received from local residents, NED have advised they are content that an appropriate assessment has been carried out and that bird species are unlikely to be significantly impacted as a result of the proposed development. Furthermore, NED are content that appropriate habitat exists within proximity to the pitches for birds. It is therefore considered that the proposal is not likely to result in unacceptable adverse harm to protected/ priority species or other natural heritage features in accordance with Policies NH2 and NH5 of PPS2, bullet point 2 of Policies OS4 and OS5 of PPS8 and the SPPS.
9.18	The site falls within the draft Pirrie Park LLPA in dBMAP with its features listed as an area of local amenity importance in the grounds of a preparatory school with playing pitches and linkages to Ormeau Park. It is also an area of local nature conservation with significant groups of deciduous and coniferous trees. As discussed above, the impact on visual amenity is considered acceptable. The proposal is upgrading facilities at these playing fields and the significant groups of existing trees remain unaffected. The nature conservation value of the site will also be enhanced through the new native planting buffer. The proposal would therefore not adversely impact the Draft LLPA in accordance with Policy ENV1 of Draft BMAP and the SPPS.
	<u>Impact on Residential Amenity</u>
9.19	Issues have been raised by local residents in respect of daylight shading from the proposed acoustic fence, perimeter fencing and tree planting. As explained above in paragraph 9.7, the acoustic fence is 1.8m high which is akin to normal residential boundary enclosures, which will result in no unacceptable overshadowing of neighbouring properties. In addition, a 2m high

	<p>boundary wall or fence can be erected under permitted development (PD) rights. The proposed 3m high paladin fence will sit 1.2m above this and is not a solid structure, allowing sunlight to penetrate through. In total therefore, the paladin fencing will sit 0.8m above the height of that permitted and as stated it is not a dense material but will allow light through. Furthermore, it is to be positioned 2m from the boundary at its closest point and at the bottom to the rear of residential gardens that border the application site and not the main amenity area of the surrounding properties. The same applies to the proposed trees, there is sufficient space to accommodate these. For these reasons, no unacceptable overshadowing will occur.</p>
9.20	<p><u>Lighting</u></p> <p>It is acknowledged that a large amount of local objection has been raised in respect of noise and light disturbance. A lighting assessment has been provided for the east pitch and a cumulative assessment of both the west and east pitches operating together using the Institute of Lighting Professionals Document – Guidance Notes for the Reduction of Obtrusive Light GN01:2011. This assessment demonstrates that there will be no vertical illuminance at ground or first floor level on any of the adjoining residential dwellings and the horizontal illuminance levels within the rear gardens will be low and within acceptable levels as specified in the GN01:2011 document. Furthermore, the school has confirmed that the floodlighting will not operate outside the hours of 09:00 – 18:00 hours Monday – Friday and 08:00 – 13:00 hours on a Saturday, which would further reduce the impact on adjoining properties. BCC Environmental Health (the relevant authority to comment on effects of floodlighting) have reviewed the lighting assessment and the detailed objections and have advised they have no objection to the proposal. Accordingly, it is concluded that the proposal will not detrimentally impact the amenity of neighbouring properties through light disturbance. Conditions have been recommended to adequately mitigate (Conditions 7, 8, 9).</p>
9.21	<p><u>Noise</u></p> <p>A Cumulative Noise Assessment has been provided in support of the proposal to which local residents have raised detailed objections. A number of mitigation measures have been proposed to reduce the level and character of noise resulting from the proposed development. These include;</p> <ul style="list-style-type: none"> • 1.8m high timber acoustic fence with 15kg/m² mass; • Resilient connections on the weldmesh fence panels (referred to as 3m paladin perimeter fencing); • Proprietary pads to the backboards of the nets; • Use of upturn boards covered in resistant material around pitch perimeter.
9.22	<p>These documents have been reviewed by BCC Environmental Health (the relevant authority to comment on effects of noise), who have advised that they have no objection and the noise levels at surrounding residential properties. In addition, noise levels will be slightly reduced from those currently experienced during the use of the two existing pitches together due to the introduction of the acoustic barrier. The presented noise levels are within the acceptable levels set out by the BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings, World Health Organisation – Guidelines for Community Noise and the Sport England guidance 'Artificial Grass Pitch (AGP), Planning Implications Document'.</p>
9.23	<p>Residents have raised the issue that the noise assessment should have included a cumulative assessment of the use of the pitches in combination with the use of the other pitches / sports facilities in Pirrie Park playing fields. However, the noise assessment demonstrates that the predicted noise levels will be lower than the existing situation with the current hockey pitches being in use, and therefore it would be unreasonable to request this.</p>
9.24	<p>It is also noted that local residents have raised concerns that the improved pitch surfaces with accompanying infrastructure will result in the extended use and intensification of the pitches.</p>

	<p>The application site is on existing hockey pitches which are used by the school and that use is currently unrestricted. The existing hockey pitch is currently used for training and junior hockey matches and athletics in the summer months, however it not fit for purpose for competitive schools hockey. The school has confirmed the following;</p> <ul style="list-style-type: none"> • There is 25 days per year which run from September to Easter each year, in that period there would be approximately 25 Saturdays selected for matches for school hockey. There may be occasional matches that take place during the school week, but this is not a regular occurrence. Usually this would take place to catch up on any postponed matches in the season only. • Saturday mornings are proposed to be the main day for play: • The pitch will host on a Saturday at the a maximum 6 matches each in the period 9am – 1pm on Saturday; Teams turn up for the time slot for their scheduled match; a maximum 20-30 parents attend; 11 players in each with 3 reserves; 2 teams per match x 14 in a squad x 6 matches = 168 attendees maximum and children will leave when their match is complete. The applicant has stressed that not all these participants will be on the site at one time, this is the maximum over the course of the morning.
9.25	<p>Therefore, it is anticipated that cumulatively if this pitch is approved with the adjoining east pitch the maximum number of matches on a Saturday would be 12 with a maximum 336 participants on the site during the period of 9am to 1pm. However, the school has explained that children only arrive for their designated match time and depart at the end of their match when complete.</p>
9.26	<p>It is accepted that Saturday mornings will be the busiest period for the pitches and when assessed cumulatively given the restriction on the hours of operation to 1pm, with the predicted noise levels being reduced and within acceptable levels, it is not considered that the degree of increased use would result in unacceptable harm to the amenity of neighbouring properties. There will be no play on the pitches in the weekday evenings after 6pm, on Saturday afternoons or Sundays.</p>
9.27	<p>Therefore, it is the acceptability of the proposed use within the limited hours of operation proposed that are key to the consideration. The response from Environmental Health, in respect of the matters outlined above in relation to noise and lighting raises no concerns or objections. Therefore subject to the inclusion of mitigation measures outlined (conditions 2 - 14), it is considered that the proposed development would not result in an unacceptable impact on the amenity of surrounding properties in accordance with Policies OS4, OS5 and OS7 of PPS8 and the SPPS.</p>
9.28	<p><u>Access, Movement and Parking</u></p> <p>Local residents have raised concern over intensification and subsequent increase in traffic congestion and road safety issues for it users. The site is well contained, with its own car park, with the main access from Pirrie Park Gardens. The application site consists of an existing hockey pitch which is currently used by the school for training and junior hockey matches and athletics in the summer months.</p>
9.29	<p>The current proposal is for the replacement of the existing hockey pitch with a newly upgraded modern pitch. It would be accessed via the existing Pirrie Park Gardens. In terms of any intensification, this would be minimal as it is restricted by the hours of operation until 6pm Monday – Friday and 1pm on a Saturday with its prime use to be solely for the school. The school has also advised that the number of match days is typically 25 per year. DFI Roads were consulted and have offered no objection to the proposal taking into account previous concerns raised by local residents and a cumulative assessment with application</p>

	LA04/2018/1411/F. Accordingly, the proposal is considered acceptable in terms of traffic, parking and access considerations and is therefore in accordance with Policy OS4 of PPS8 and relevant policy within PPS3.
9.30	The applicant has confirmed that the construction access is to be via Broughton Gardens. Local residents have raised health and safety concerns with this use of this access. This is an existing access point to the playing fields. In terms of any health and safety concerns associated with the use of this access, this is covered by separate environmental legislation. A Construction Management Plan (Condition 15) has been recommended to minimise disruption to local residents.
9.31	<p><u>Flooding and Infrastructure Capacity</u></p> <p>The site does not lie in the fluvial or coast flood plain. The flood maps show an area of surface water flooding along the western boundary in the gardens of properties along Broughton Gardens. A detailed drainage assessment has been submitted in support of the application which also includes a cumulative assessment of both pitches together. Rivers Agency and NI Water have been consulted and have no objection to the proposal. Overall, the proposed drainage system provides an overall betterment in relation to the existing pitch drainage.</p>
9.32	Local residents have submitted detailed objections to the Drainage Assessment which have been considered by Rivers Agency. Additional information was provided by the applicant demonstrating that sufficient storage is available within the design to accommodate the 1 in 100 year storm event (including 20% allowance for climate change). Rivers have since been re-consulted on this and have advised that they have no objection to the proposal. As the drainage network will be unadopted by NI Water, a condition has been recommended to secure a long-term maintenance programme for its ongoing function (Condition 16). The proposal is therefore considered to be in accordance with Policy FLD3 of PPS15 and the SPPS.
9.33	<p><u>Other matters</u></p> <p>Neighbour Notification Period and Access to Drawings</p> <p>Due to an apparent delay in the post and subsequent receipt of neighbour notification letters, the neighbour notification period was extended by a further two weeks to give sufficient time for residents to make representations on both applications.</p>
9.34	A set of hard copy drawings were delivered to all residents who initially requested copies. In addition, a subsequent set of the amended drawings were also posted to these residents. There is no legal obligation to make hard copy plans available, planning applications are available to view through the Planning Portal, which is the same mechanism for local and major planning applications. Officers' are satisfied that sufficient time has been given and measures put in place to allow residents to fully participate in the planning application process and the statutory neighbour notification requirements have been fulfilled.
9.35	<p><u>EIA Screening</u></p> <p>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. The EIA screening has been carried out in accordance with the selection criteria set out in Schedule 3 of the regulations.</p>
9.36	The planning authority is required to keep a register of all screening opinions completed, which is held in hard copy in the Council offices. A copy of the original screening opinion was

	uploaded to the planning portal on the 15 th April 2019 for application LA04/2018/1416/F. The new proposal was re screened on the 18 th May 2020.
9.37	<p><u>Inadequate planning statement</u></p> <p>There is no legislative requirements as to the content of a planning statement. There is sufficient information submitted to make an informed assessment of the application.</p>
9.38	<p><u>Problems with P1 form</u></p> <p>The matters have been clarified in the additional assessments and documentation submitted by the agent.</p>
9.39	<p><u>Relationship with No 2 Pirrie Park Manor</u></p> <p>The agent has provided an overlay of the newly constructed dwelling at No 2 Pirrie Park Manor over the footprint of the dwelling shown in the submitted plans. Whilst there is a minor discrepancy in the orientation and building footprint shown on the submitted drawings, the differences are negligible. Therefore, the impact on No 2 Pirrie Park Manor can be adequately assessed on the basis of the submitted information and assessments.</p>
9.40	<p><u>Section Drawings</u></p> <p>Objections have been raised that the section drawings are inaccurate and do not show properties which are actually closer to the development including 2 Pirrie Park Manor and 39 Broughton Gardens. It is clear from the section drawing what properties the section is going through. The section drawings are read in conjunction with the other suite of drawings, which clearly show the relationship with both the properties referred to and an adequate assessment of any impacts can be carried out.</p>
9.41	<p><u>Site Visit</u></p> <p>A site visit has been carried out at the application site and at the neighbouring property of No 2 Pirrie Park Manor as requested by the owner. The necessary site visits have been carried out to allow officers' to make an informed recommendation on the application. In respect of No 39 Broughton Gardens, this property has a 1m high boundary wall with open views into the rear garden which allowed an adequate assessment of the potential impacts to be made.</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 and LA04/2018/1411/F, 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"> 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 use of hockey pitches hereby permitted shall be restricted to the use of school hockey and related summer camps. Reason: In the interests of amenity. 3. Prior to the first use of the pitch hereby approved the applicant shall submit a Site Management Plan (SMP) to Belfast city Council to be agreed in writing. The SMP shall

deal with general usage of the pitches including visitors and operation of equipment (lights and collapsible fencing)

Reason: In the interests of residential amenity.

4. The development hereby permitted shall be carried out in accordance with the approved landscaping plan Drawing Number No 07A published to the planning portal 23rd July 2020. 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.

5. The development hereby permitted shall be carried out and maintained in accordance with the Updated Landscape Management and Maintenance Plan (dated July 2020) prepared by Park Hood, published to the planning portal 23rd July 2020.

Reason: In the interests of biodiversity, amenity and character and appearance of the locality.

6. Prior to the use of the hockey pitch hereby permitted, the lighting scheme detailed in approved drawing 'Methody Hockey Pitches, Pirrie Park, Belfast. External Floodlighting Plot, Project: 1645, drawing: ESK02C Rev C, Prepared by A.H. design, Mechanical and Electrical Consultants.' Dated February 2020 shall be installed and the development maintained and operated in accordance with the approved details thereafter.

Reason: In the interests of the amenity of neighbouring properties.

7. Prior to the use of the hockey pitch hereby permitted, an Artificial Light Verification report shall be prepared by a suitably qualified contractor and submitted to and approved in writing by Belfast City Council. The report shall verify that all artificial floodlighting connected with the development has been installed in accordance with the approved scheme and is fully compliant with Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN0L:2011.

Reason: In the interests of the amenity of neighbouring properties.

8. The floodlights and associated hockey pitch hereby permitted shall not be operational outside the hours of 9am to 6pm Monday to Friday and 8am to 1pm on a Saturday and at no time on a Sunday.

Reason: In the interests of the amenity of neighbouring properties

9. Prior to use of the hereby permitted hockey pitch, the applicant shall construct and install a 1.8m high solid timber acoustic barrier as detailed within the approved Noise Impact Assessment, "Proposed Artificial Hockey Pitch, (Western Pitch) Pirrie Park, Belfast." Prepared by F.R. Mark and Associates Dated March 2020 and drawing no

01A published to the planning portal 23rd July 2020. The acoustic timber barrier shall be maintained and retained thereafter in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties.

10. Prior to the use of the hereby permitted hockey pitch, the applicant shall ensure the weldmesh fencing is constructed and installed in accordance with drawing no 01A published to the planning portal 23rd July 2020 and the Noise Impact Assessment dated March 2020 prepared by F.R Mark. The weldmesh fencing shall be fixed using resilient connections to reduce rattle and vibration upon impact. The weldmesh fencing shall be maintained and retained thereafter in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties.

11. Prior to the installation of the proprietary shock absorbing material to be installed in the backboards of the nets, a detailed specification of the proposed material to be used, shall be submitted to and approved in writing by Belfast City Council. The approved proprietary shock absorbing material shall be fitted to the backboards of the hockey nets prior to the use of the hereby permitted hockey pitch and shall be maintained and retained thereafter in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties.

12. Prior to the use of the approved Hockey Pitch upturned boards, covered in the impact resistant pitch material shall be placed around the perimeter to reduce the impact noise of balls hitting the mesh fence;

Reason: In the interests of the amenity of neighbouring properties.

13. No hoarding or signage shall be fitted to weldmesh fencing surrounding the hockey pitch which could result in impact sound from ball strike.

Reason: Protection of residential amenity.

14. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by Belfast City Council. The Management Plan shall provide for:

- i) the Broughton Gardens access shall be used for the duration of construction only;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in demolition and constructing the development;
- v) timing and management of site deliveries;
- vi) wheel washing facilities;
- vii) measures to control the emission of dust and dirt during construction;
- viii) measures to control noise and vibration during construction.

The Management Plan shall be implemented as approved and maintained for the duration of the construction works.

Reason: In the interests of public safety and amenity.

	<p>15. The development hereby permitted shall not commence until details of a long-term maintenance programme for the on-site drainage network have been submitted to and approved in writing by the Belfast City Council. The network shall be managed and maintained in accordance with the approved details once installed.</p> <p>Reason: To ensure future maintenance and to prevent increased risk of flooding</p>
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Notification to Department (if relevant): N/A	
Representations from Elected members: A meeting was held on the 30th January 2020 in the Council offices with local residents, elected representatives, the applicant and their agents and planning officers. Cllr de Faoite, Cllr Brian Smyth, Cllr Long and Christopher Stalford MLA attended on behalf of local residents	
Details of Neighbour Notification (all addresses) 1 Clanbrassil Terrace Holywood Down The Owner/Occupier, 1 Larkfield Avenue, Belfast, BT10 0LY The Owner/Occupier, 1 Pirrie Park Gardens,Belfast,Down,BT6 0AG 1 Thompson Manor Lisburn Antrim 1, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF 10 Sharman Dale Bangor Down 10, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF 103 Osborne Drive Belfast Antrim 11 Pirrie Park Manor, Belfast, BT6 0BF 112 Marlborough Park Central Belfast Antrim 12 Ascot Gardens Belfast Down 12 Kingsway Drive Belfast Down 12 St Johns Avenue Belfast Down 12, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF 14 Greer Park Avenue Belfast Down 142 Comber Road Hillsborough Down 15 Ballylintagh Lane Hillsborough Down 150 Ardenlee Avenue Belfast Down 160 Ballylesson Road Belfast Down 168B, UPPER MALONE ROAD, DUNMURRY, ANTRIM, Northern Ireland, BT17 9JZ 17, Sharman Park, Belfast, Antrim, Northern Ireland, BT9 5HJ 170 Sicily Park Belfast Antrim 19 Broughton Gardens,Belfast,Down,BT6 0BB 19, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF 190 Killynure Road Carryduff Down 2 College Heights Belfast Down 2 Pirrie Park Gardens,Belfast,Down,BT6 0AG 2 Pirrie Park Manor,Belfast,Down,BT6 0BF 2, College Heights, Belfast, Down, Northern Ireland, BT7 3LG 20 Ballygraftan Road Comber Down Laura McCallum 21 Broughton Gardens,Belfast,Down,BT6 0BB 21 Fort Road Ballylesson Down 217 Saintfield Road Ballylenaghan Upper Castlereagh	

22 Broughton Gardens,Belfast,Down,BT6 0BB
 23 Broughton Gardens,Belfast,Down,BT6 0BB
 24, Green Park Lane, Lisburn, Antrim, Northern Ireland, BT27 4EL
 25 Broughton Gardens,Belfast,Down,BT6 0BB
 25 Glendale Avenue Bangor Down
 26 Danesfort Park South Belfast Antrim
 26 Hanwood Farm Dundonald Down
 26, Danesfort Park South, Belfast, Antrim, Northern Ireland, BT9 7RG
 265 Orby Drive Belfast Down
 27 Broughton Gardens,Belfast,Down,BT6 0BB
 27, Ravenhill Park, Belfast, Down, Northern Ireland, BT6 0DE
 29 Broughton Gardens,Belfast,Down,BT6 0BB
 3 Glenview Heights Belfast Down
 3 Green Park Lisburn Antrim
 3 Pirrie Park Gardens,Belfast,Down,BT6 0AG
 3, Broughton Gardens, Belfast, Down, Northern Ireland, BT6 0BB
 30, Hampton Park, Belfast, Down, Northern Ireland, BT7 3JN
 31 Ardenlee Avenue,Belfast,Down,BT6 0AA
 31 Broughton Gardens,Belfast,Down,BT6 0BB
 31 Edenderry Cottages Belfast Down
 31 Wyncroft Crescent Lisburn BT28 2AT
 31, CANTRELL CLOSE, BELFAST, DOWN, Northern Ireland, BT6 8LQ
 310 PORTVIEW TRADE CENTRE, UNIT A1, NEWTOWNARDS ROAD, BELFAST,
 DOWN, Northern Ireland, BT4 1HE
 32 Adelaide Park Belfast Antrim
 33 Broughton Gardens,Belfast,Down,BT6 0BB
 33a ,Ardenlee Avenue,Belfast,Down,BT6 0AA
 35 Ardenlee Avenue,Belfast,Down,BT6 0AB
 35 Broughton Gardens,Belfast,Down,BT6 0BB
 35 Myrtlefield Park Belfast Antrim
 35 Orpen Road Belfast Antrim
 37 Ardenlee Avenue,Belfast,Down,BT6 0AB
 37 Broughton Gardens,Belfast,Down,BT6 0BB
 37 Demesne Park Holywood Down
 37 Ravenhill Park Belfast Down
 38 Ardenlee Avenue Belfast Down
 39 Ardenlee Avenue,Belfast,Down,BT6 0AB
 39 Broughton Gardens,Belfast,Down,BT6 0BB
 3rd Floor 22 Adelaide Street Belfast
 4 Cambourne Park Belfast Antrim
 4 Pirrie Park Gardens,Belfast,Down,BT6 0AG
 4 The Hermitage Dunmurry Dunmurry
 4 The Walled Garden Moira Down
 4, Cambourne Park, Belfast, Antrim, Northern Ireland, BT9 6RL
 4, Strathyre Park, Belfast, Antrim, Northern Ireland, BT10 0AZ
 4-10, May Street, Belfast, Antrim, Northern Ireland, BT1 4NJ
 40, The Cutts, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9HS
 41 Ardenlee Avenue,Belfast,Down,BT6 0AB
 42 Sans Souci Park Belfast Antrim
 43 Ardenlee Avenue,Belfast,Down,BT6 0AB

43 Glen Road Lisburn Down
 45 Ardenlee Avenue,Belfast,Down,BT6 0AB
 47 Ardenlee Avenue,Belfast,Down,BT6 0AB
 49 Alderwood Hill Belfast Down
 49 Ardenlee Avenue,Belfast,Down,BT6 0AB
 5 Harberton Park Malone Upper Belfast
 5 Lancedean Road Belfast Down
 5 Pirrie Park Gardens,Belfast,Down,BT6 0AG
 5, Harberton Park, Belfast, Malone Upper, Antrim, Northern Ireland, BT9 6TW
 51 Ardenlee Avenue,Belfast,Down,BT6 0AB
 53 Ardenlee Avenue,Belfast,Down,BT6 0AB
 55 Ardenlee Avenue,Belfast,Down,BT6 0AB
 57 Ardenlee Avenue,Belfast,Down,BT6 0AB
 59 Ardenlee Avenue,Belfast,Down,BT6 0AB
 6 Pirrie Park Gardens,Belfast,Down,BT6 0AG
 61 Ardenlee Avenue,Belfast,Down,BT6 0AB
 61 Bristow Park Belfast Antrim
 61 Dows Road Belfast Down
 63 Ardenlee Avenue,Belfast,Down,BT6 0AB
 65, Ardenlee Avenue, Belfast, Down, Northern Ireland, BT6 0AB
 66 Ardenlee Avenue Belfast Down
 67 Ardenlee Avenue,Belfast,Down,BT6 0AB
 67 Lynden Gate Portadown Armagh
 688 Ravenhill Road Belfast Down
 69 Ardenlee Avenue Ballynafoy Belfast
 7 Pirrie Park Gardens,Belfast,Down,BT6 0AG
 7 Windsor Park Belfast Antrim
 7, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
 71 Ardenlee Avenue,Belfast,Down,BT6 0AB
 73 Ardenlee Avenue,Belfast,Down,BT6 0AD
 74 Creevy Road Lisburn Down
 74a, Creevy Road, Lisburn, Down, Northern Ireland, BT27 6UL
 75 Ardenlee Avenue,Belfast,Down,BT6 0AD
 75, Flat 3, Palmerston Road, Belfast, Down, Northern Ireland, BT4 1QD
 8, Edenavaddy Road, Ballynahinch, Down, Northern Ireland, BT24 8JJ
 87 Malone Road Belfast Antrim
 9 Jordanstown Heights Newtownabbey Antrim
 9 Pirrie Park Manor, Belfast, BT6 0BF
 95 Greer Park Avenue Belfast Down
 Downey House School, 9 Pirrie Park Gardens,Belfast,Down,BT6 0AG
 Flat 1,33 Ardenlee Avenue,Belfast,Down,BT6 0AA
 Flat 2,33 Ardenlee Avenue,Belfast,Down,BT6 0AA
 Flat 3 75 Palmerston Road Belfast
 Flat 3,33 Ardenlee Avenue,Belfast,Down,BT6 0AA
 Fleming Mounstephen Planning, Unit A101, Portview Trade Centre, 310 Newtownards Road, Belfast, BT4 1HE
 Oakleigh 1 Purdys Lane Belfast

Committee Application

Development Management Report	
Application ID: LA04/2018/1411/F	Date of Committee: 18 th August 2020
Proposal: Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container	Location: East Pitch Downey House Pirrie Park Gardens Belfast
Referral Route: Director of Planning and Building Control – matters raised should be considered by planning committee	
Recommendation:	Approval
Applicant Name and Address: Methodist College Belfast 1 Malone Road Belfast BT9 6BY	Agent Name and Address: Doran Consulting 96-102 Great Victoria Street Belfast BT2 7BE
<p>Executive Summary: This application seeks full planning permission for the upgrade of an existing gravel pitch (known as east pitch) to a synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier and storage container. There is a related application for the same proposal at the adjoining west pitch under reference LA04/2020/0757/F.</p> <p>The proposed hours of operation are from 9am to 6pm Monday to Friday and 8am to 1pm on a Saturday. No use on a Sunday. The applicant has confirmed that the pitch is for the primary use of the school with only the occasional use of the pitches for Easter and summer camps as per the existing arrangements with Pirrie Park.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Principle of development - Design, Visual Amenity and Impact on character of locality - Landscaping / Ecology / Draft LLPA - Impact on residential amenity - Access, Movement and Parking - Flooding / Infrastructure Capacity <p>The application site is unzoned 'whiteland' within the settlement limits of the BUAP. In Draft BMAP 2015 the land is zoned as existing open space within the development limits. The proposal involves upgrade works to an existing hockey pitch, thus retaining its recreational use in accordance with Policy OS1 of PPS8 and paragraph 6.205 of the SPPS.</p> <p>238 representations have been received comprising of 118 objections from local residents, (51 objections to original and 67 to amended scheme) 115 letters of support from general public and 5 letters of support from school staff. These are considered in detail in the case officer report.</p> <p>Objections summarised as;</p> <ul style="list-style-type: none"> - Should be a major development, applicant has sought to avoid requirements of a major application; - Lack of EIA statement; 	

- Light spillage;
- Noise;
- Significant harm to visual amenity of residents and wider area;
- Daylight shading;
- Intensification, unknown baseline and fall-back position;
- Traffic congestion, parking and highway safety issues;
- Inappropriate planting;
- Impact on ecology;
- Drainage / Flooding;
- Lack of and inaccurate information;
- Health and safety concerns.

Representations of support, summarised;

- Current facilities are outdated, substandard and unsafe;
- Enhancement of girls' sporting activities;
- Physical and mental health benefits;
- There is adequate existing parking and access via Ardenlee Avenue;
- Will benefit children currently attending school, future generations and local community;
- Consider proposed mitigation will limit harm to neighbours;
- Positive aesthetic effect on the surrounding area.

DFI Roads, Rivers Agency, NI Water, DAERA, BCC Environmental Health and BCC Landscaping Section were all consulted and have offered no objection to the proposal.

The proposal would accord with one of the core planning principles of the SPPS to improve health and well-being through facilitating quality sport and outdoor recreational facilities which must also be balanced against the need to safeguard residential amenity.

It is acknowledged the proposed operational development including the floodlighting, fencing and container will change the outlook for neighbouring properties relative to what they currently experience. However, having regard to the neighbouring garden depths, the height of fencing that could be carried out under permitted development rights (2m) without requiring permission, the inclusion of collapsible ball stop netting, proposed native screening, the physical slim line nature of the floodlighting columns; it is considered that the scheme would not result in unacceptable harm to the visual amenity of neighbouring properties or cause unacceptable overshadowing.

Environmental Health was consulted in respect of amenity matters relating to noise and lighting. They have reviewed the detailed objections received and are content with the proposal.

Intensification of use has been raised by residents, whilst the proposal will undoubtedly make the pitches more attractive to play on, with more matches being played, given the restriction on the hours of operation with the predicted noise levels being reduced and within acceptable levels, it is not considered that the small degree of increased use would result in unacceptable harm to the amenity of neighbouring properties. There will be no play on the pitches in the weekday evenings after 6pm, on Saturday afternoons after 1 pm and at no time on Sundays.

All consultees have considered the proposed usage and cumulative impact of the two pitches operating together and are satisfied that the scheme will not result in unacceptable impacts.

Therefore, subject to the inclusion of mitigation measures outlined and covered in conditions 2 - 14, it is considered that the proposed development would not result in an unacceptable impact on the amenity of surrounding properties in accordance with Policies OS4, OS5 and OS7 of Planning Policy Statement 8 and the SPPS.

In relation to all other matters, the proposal is considered acceptable in terms of design, impact on character and appearance of the area including the draft LLPA, impact on highway safety, parking, access, flooding / drainage, landscaping and ecology.

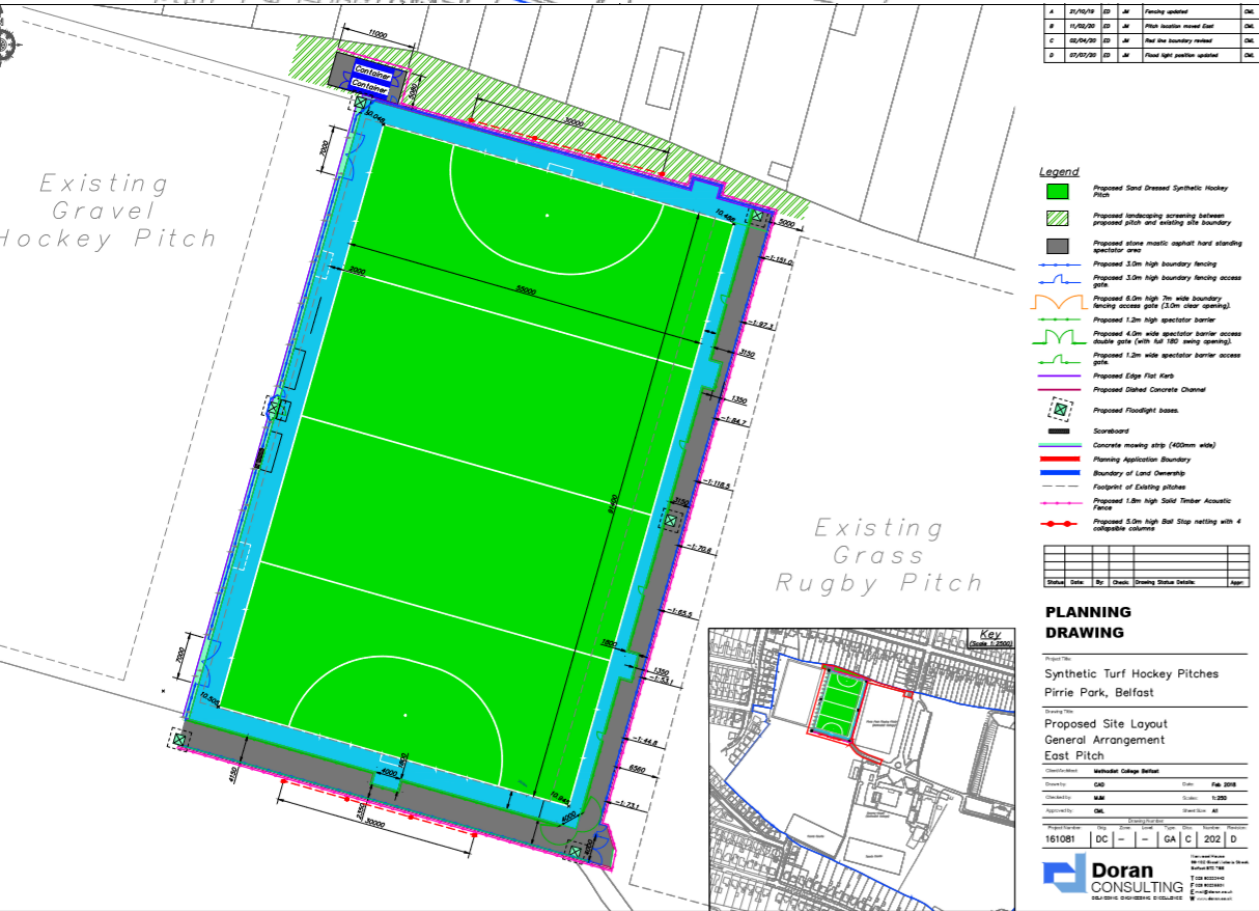
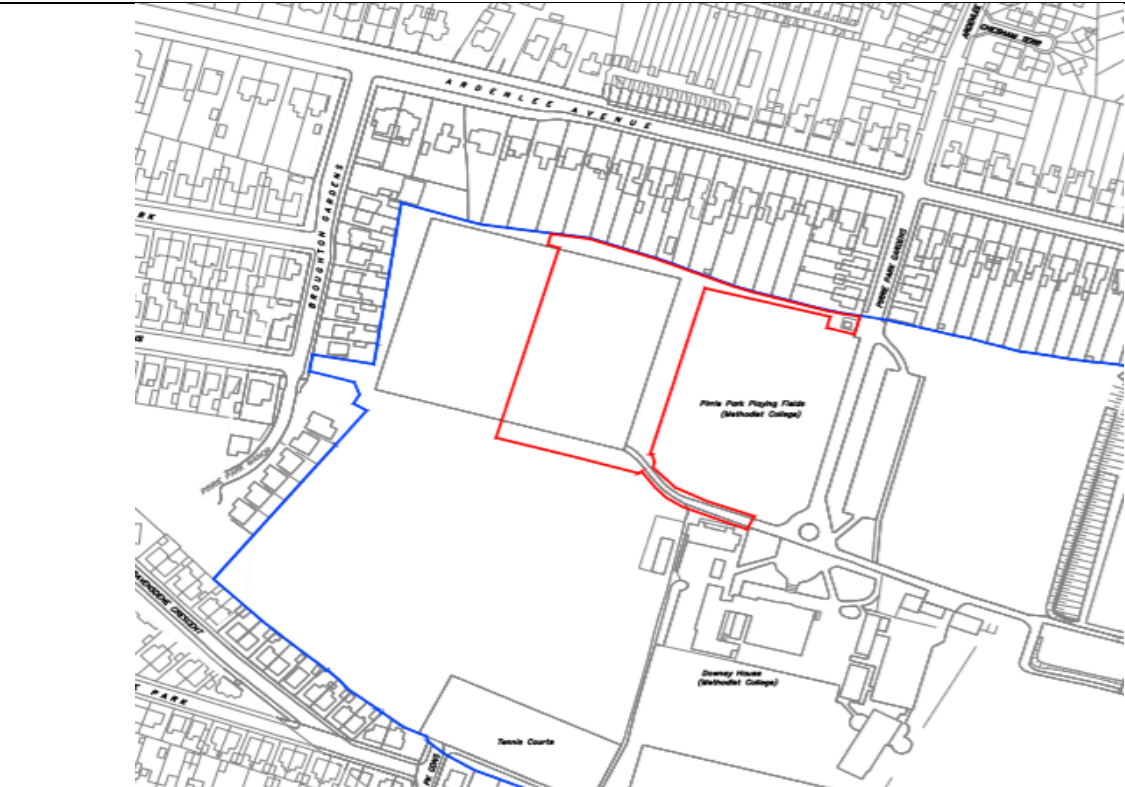
The proposal has been assessed against and is considered to comply with PPS2, PPS3, PPS8, PPS15, the SPPS and Draft BMAP 2015. Having regard to the development plan, relevant planning policies, and other material considerations including third party representations and application LA04/2020/0757/F, on balance, it is recommended that the proposal is approved.

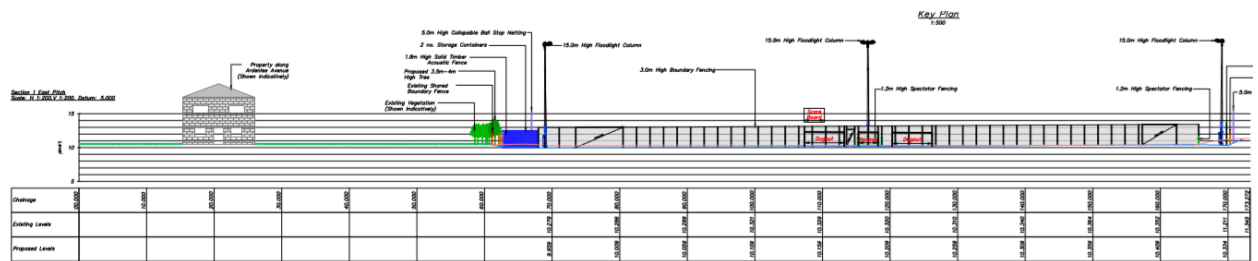
Recommendation – Approved subject to conditions

Having regard to the policy context and other material considerations, the proposal is considered acceptable and approval is recommended for the reasons set out. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

Case Officer Report

Site Location Plan





Characteristics of the Site and Area

1.0 Description of Proposed Development

This application seeks full planning permission for the upgrade of an existing gravel pitch to a synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier and storage container. These elements include;

- 6 x 15m floodlights
- 5m high ball stop netting with collapsible columns;
- 1.8m high timber acoustic fence;
- 3m high paladin perimeter fence;
- 1.2m high spectator fence;
- Storage container (2.75m height, 5.95m depth and 4.9m width).

The applicant has confirmed that the pitch is for the primary use of the school with only the occasional use of the pitches for Easter and summer camps as per the existing arrangements with Pirrie Park.

The proposed hours of operation are from 9am to 6pm Monday to Friday and 8am to 1pm on a Saturday. No use on a Sunday.

The applicant has also confirmed the following;

- There is 25 match days per year which run from September to Easter each year, in that period there would be approximately 25 Saturdays selected for matches for school hockey. There may be occasional matches that take place during the school week, but this is not a regular occurrence. Usually this would take place to catch up on any postponed matches in the season only.
- Saturday mornings are proposed to be the main days for play:
- The pitch will host on a Saturday with a maximum of 6 matches each in the period 9am – 1pm on Saturday; Teams turn up for the time slot for their scheduled match; a maximum 20-30 parents attend; 11 players in each with 3 reserves; 2 teams per match x 14 in a squad x 6 matches = 168 attendees maximum and children will leave when their match is complete. The applicant has stressed that not all these participants will be on the site at one time, this is the maximum over the course of the morning

This application has been amended over the application process with the following amendments;

- Movement of pitch a further 5.5metres eastwards from western boundary with Broughton Gardens;
- Re-siting of acoustic barrier;
- Collapsible ball stop nets;
- Landscaping screen;
- Removal of spectator stand.

2.0 Description of Site and Area

The application site comprises of an existing gravel hockey pitch (known as east pitch) which adjoins another gravel hockey pitch to the west located within the playing fields of Pirrie Park. The larger site contains Downey House Preparatory School and Preschool, the college house and playing fields for tennis, netball, hockey, basketball, football, cricket and rugby. The main vehicular access is via Pirrie Park Gardens which links into Ardenlee Avenue. There is a secondary access point from Broughton Gardens.

The western boundary of the site adjoins the rear gardens of the residential properties along Broughton Gardens / Pirrie Park Manor. The northern boundary adjoins the rear gardens of the residential properties along Ardenlee Avenue. A mix of close-boarded fencing, low walls, shrubs / hedges and trees defines these boundaries.

Planning Assessment of Policy and other Material Considerations	
3.0	Site History Relevant site history: West Pitch LA04/2018/1416/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container – Withdrawn 02.04.2020 LA04/2020/0757/F - Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container (AMENDED PLANS, ADDITIONAL INFORMATION) – Pending
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
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 ENV3 Local Landscape Policy Areas
4.2.3	Designation BT001 Metropolitan Development Limit
4.2.4	Designation BT144 Pirrie Park Local Landscape Policy Area (LLPA)
4.2.5	Designation Area of existing open space
4.2.6	Designation BT162/06 Community Greenway
	Draft BMAP 2015 (purported to be adopted)
4.2.7	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.2.8	Policy ENV1 Local Landscape Policy Area
4.2.9	Policy OS1 Community Greenways
4.2.9	Designation BT126 Pirrie Park Local Landscape Policy Area
4.2.10	Designation Existing area of open space
4.2.11	Designation BT147/07 Odyssey / Tullycarnet Park /Ormeau Park Community Greenway
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 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 15: (Revised) Planning and Flood Risk
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection
5.2	Rivers Agency – No objection, recommended condition
5.3	DAERA (Water Management Unit) – No objection, refers to standing advice on conditions
5.5	DAERA (Natural Environment Division) (NED) – No objection
5.7	NI Water – Advice
6.0	Non-Statutory Consultees Responses

6.1	BCC Environmental Health – No objection subject to conditions
6.2	BCC Landscaping Section – No objection, content that the proposals indicate a comprehensive landscaping scheme which enables the landscape and visual integration of the proposals, thereby mitigating any potential visual impact on adjacent properties. Landscape Section are content that the information provided in the Landscape Management and Maintenance Plan is acceptable in detail, providing establishment maintenance and long-term management of the landscape elements of the proposals.
7.0	Representations
7.1	<p>The amended plans and additional information was neighbour notified on the 26th May 2020. The period for comment was extended until the 26th June. It was re-advertised in the local press on the 29th May 2020.</p> <p>Subsequent amended landscaping plans and additional information was re-neighbour notified on the 23rd July 2020, the period for which expired on the 6th August 2020.</p> <p>A total of 118 letters of objection (51 to the original proposal) have been received from 35 properties along Ardenlee Avenue, Broughton Gardens, Pirrie Park Manor and Pirrie Park Gardens. A total of 67 objections were received as a result of the current amended scheme. The objections are summarised as;</p> <p>Technical Matters</p> <ol style="list-style-type: none"> 1. The development should be one planning application for a major development, by submitting as two separate applications, the applicant has sought to avoid statutory planning requirements for a major development; (Refer to paragraphs 9.1) 2. Insistence of the school that the pitches have to be sited side by side and includes a 400m running track spilt between the two pitches, clearly it is one scheme, community consultation carried out was for one scheme; (Refer to paragraphs 9.1) 3. Remains residents' understanding that one factor in the decision to spilt the project into two, was a recognition that the whole development may not be acceptable, but by splitting the applications retains the possibility of securing permission for one pitch; (Refer to paragraphs 9.1) 4. By splitting the applications, this has prejudiced the Council's and statutory consultees ability to properly consider the application as one project and reinforces the requirement for full consideration to be given to the legitimate concerns of residents; (Refer to paragraphs 9.1) 5. Measurement of the site area less than 1 hectare; (Refer to paragraphs 9.1) 6. Impact of Covid, residents have no access to hard copy drawings or reports, therefore unable to take part in the planning process; (Refer to paragraph 9.33) 7. Unacceptable deadline for neighbour notification period; (Refer to paragraph 9.32) 8. Inadequate planning statement; (Refer to paragraph 9.36) 9. Problems with P1 form, parts not answered correctly; (Refer to paragraph 9.37) 10. Incorrect building footprint of No 2 Pirrie Park Manor shown in the proposed plans and will therefore be more significantly impacted than claimed in the assessments; (Refer to paragraph 9.38) 11. Sections submitted are inaccurate and should be removed and consultees re-consulted; (Refer to paragraph 9.39) 12. Almost all of letters of support are from individuals who do not live in the locality and would therefore not be adversely affected by the development, greater weight should be given to local residents which border the site; (Clear breakdowns of the representations have been included in the officer report)

13. There are anomalies with the letters of support e.g. letters from people in the same household, no addresses; ***(Representations can be submitted from the same households and with no address, clear breakdowns of the representations have been included in the officer report)***
14. In the Carson Mc Dowell letter there is repeated claims that impacts on residents have been shown to be acceptable, this is not the case and is refuted; ***(As the author is now representing the school, their letter of support has been removed and placed under additional documentation as part of the school's submission)***
15. Lack of planners site visit into neighbouring gardens to view the hockey pitches to properly assess the extent, bulk and mass of the new proposals – requested consideration is not taken forward unless and until this has been carried out; ***(Refer to paragraph 9.40)***

Environmental Impact Statement

16. Objection to EIA determination and lack of Environmental Impact Statement; ***(Refer to paragraph 9.34)***
17. Failure to place this information on the planning portal; ***(Refer to paragraph 9.35)***

Access, Roads

18. In the formal consultation request to DFI Roads, there is no mention of the park and ride facility operated on Fridays and Saturdays which generates significant traffic; ***(Refer to paragraphs 9.27-9.29)***
19. No traffic information, impact study or modelling has been provided to inform on the potential traffic impacts of these applications; ***(Refer to paragraphs 9.27-9.29)***
20. Lack of information on access and construction phase – Broughton Gardens access is inappropriate for construction purposes and would pose a health and safety hazard with damage to the road and additional noise, pollution and dirt; ***(Refer to paragraphs 9.27-9.29)***
21. Previous extensive disruption when Broughton Gardens access was used; ***(Refer to paragraphs 9.27-9.29)***
22. Area already experiences heavy traffic levels with safety and parking difficulties, proposed development will lead to increased parking and congestion; ***(Refer to paragraphs 9.27-9.29)***
23. Applicant has continually stated that there will be no increase in traffic, this assessment of traffic and road impacts is inaccurate; ***(Refer to paragraphs 9.27-9.29)***
24. DFI Roads consultation response is inadequate, have not considered objections, they need to visit the site and consider increase in vehicle movements and personnel; ***(Refer to paragraphs 9.27-9.29)***

Residential Amenity

25. Refer to Environmental Health's response which states that the pitches are not for external hire, the Planning Statement states that the pitches maybe occasionally hired out – should these additional users not be considered, in addition to spectators? ***(Refer to paragraphs 9.18 – 9.26)***
26. Inadequate Noise Assessment – reliance on computer programme, missing information, failure to take into consideration cumulative impact with rest of Pirrie Park, unacceptable/unknown nature of the necessary acoustic barrier and other mitigation; ***(Refer to paragraphs 9.18 – 9.26)***
27. Increased noise from players / spectators; ***(Refer to paragraphs 9.18 – 9.26)***
28. Noise barrier unlikely to make any difference; ***(Refer to paragraphs 9.18 – 9.26)***
29. Light pollution, spillage into neighbouring properties; ***(Refer to paragraphs 9.18 – 9.26)***

30. Lack of information on the proposed lighting system and questions over the validity of lighting assessment; **(Refer to paragraphs 9.18 – 9.26)**
31. Noted that retractable floodlights have been proposed along Broughton Gardens, consider the same courtesy should be afforded to properties along Ardenlee Avenue; **(This was the decision of the applicant, the planning authority is required to assess the scheme as submitted)**
32. Inadequate separation distances to neighbouring properties; **(Refer to paragraphs 9.18 – 9.26)**
33. Scale, significant visual impact of 15m high floodlights, container and fencing over existing situation; **(Refer to paragraphs 9.5 – 9.13, 9.18 – 9.26)**
34. Sports England recommends a MUGA (floodlit) should be 12m and ideally at least 30m away from residences; this is for guidance only and each application is assessed on its own merits; **(this is for guidance only and each application is assessed on its own merits)**
35. No justification for fence heights, recent guidance from the Hockey Federation advises side boundary fencing shall be a minimum of 1 metre high; **(this is for guidance only and each application is assessed on its own merits)**
36. Close mesh fence and wooden noise barrier will create an overbearing 'prison' like atmosphere, hemming in houses and destroying their visual amenity; **(Refer to paragraphs 9.5 – 9.13, 9.18 – 9.26)**
37. Daylight shading of adjoining properties, need for technical daylighting appraisal; **(Refer to paragraphs 9.5 – 9.13, 9.18 – 9.26)**
38. Route taken by spectators when visiting the ground close proximity to neighbouring dwellings: **This is a matter that can be dealt with by the School through the management plan.**

Landscaping

39. Lack of design rigour with the proposed planting scheme with other major aspects of the scheme such as drainage, ball stop netting, and man access, questions the actual feasibility of the proposal; **(Refer to paragraphs 9.14 – 9.17)**
40. Lack of space for tree planting, inappropriate tree species and impact on neighbouring properties; **(Refer to paragraphs 9.14 – 9.17)**
41. Objections to rebuttal notes provided by Park Hood – it is clear there has been no attempt to co-ordinate landscape proposals with other services and elements of the scheme; **(Refer to paragraphs 9.14 – 9.17)**
42. Inadequate consultation response from BCC Landscaping, request that they consider all the detailed objections submitted; **(Refer to paragraphs 9.14 – 9.17)**
43. Proposed planting conflicts with existing field drain; **(Refer to paragraphs 9.14 – 9.17)**

Visual Impact, Impact on the surrounding area

44. Stunning and overwhelming visual impact presented by the illuminated pitch cube installation with associated floodlights and fencing; **(Refer to paragraphs 9.5 – 9.13)**
45. Not in keeping with local landscape policy area; **(Refer to paragraphs 9.5 – 9.13)**
46. Inappropriate, scale for the local area and townscape including Ravenhill Park Area of Townscape Character; **(Refer to paragraphs 9.5 – 9.13)**

Comparison with similar developments;

47. Other similar facilities in Belfast have much greater buffer zones e.g. Aquinas, Cregagh Youth and Community Centre, Queens Dub, Campbell College; **(Each application required to be assessed on its own merits)**

48. The development fails to take into account the precedent set by Cherryvale which provided adequate clearances from existing properties; **(Each application required to be assessed on its own merits)**

Intensification

49. Not against the current pitches being upgraded, however this level of intensification is not appropriate so close to existing properties;
50. Obvious intensification which has not been represented, 700 pupils redirected to the proposed site, facilities maybe hired out to third parties, additional hours of use and additional spectators; **(Refer to paragraphs 9.18-9.26, 9.27 – 9.29)**
51. Change from low key school use to round the clock use, planning application is likely to come along to allow change of times to late time use; **(There is restricted operating times and the application needs to be assessed on the basis of what has been applied for)**
52. If there is no change of usage, then all that is needed is a new playing surface with no fencing or floodlighting; **(The application is for operational development for the upgrade of the existing hockey pitches and is required to be assessed on what has been applied for)**
53. Questions whether full level of intensification is known, baseline for impacts of noise and traffic have been inadequately assessed due to an unsubstantiated claim that the school has an unrestricted use; **(Refer to paragraphs 9.18-9.26, 9.27 – 9.29)**
54. Claim of fall-back position has not been evidenced, no information presented on the level of use of the site in recent times given pitch conditions. Refer to Moorland and Owenvarragh Residents' Association Application [2014] NIQB 130 (Casement Park), critical any assessment is based upon a realistic baseline; **(Refer to paragraphs 9.18-9.26, 9.27 – 9.29)**

Ecology

55. Impact on local wildlife; **(Refer to paragraph 9.14-9.17)**
56. Lack of assessment in regards to priority species of birds, validity of the ecological assessments and the site visit carried out and its timing; **(Refer to paragraph 9.14-9.17)**

Drainage

57. Inadequate drainage assessment including lack of consideration to historical drainage problems, lack of information, questions over accuracy of calculations, flaws in design concept, siting of acoustic barrier over line of existing field drains, construction risks; **(Refer to paragraph 9.30-9.31)**
58. Failure of proposed artificial aquifer; **(Refer to paragraph 9.30-9.31)**
59. Little or no meaningful information on the detailed design and specification of the actual pitch construction, how can effective and proper consideration of these applications be given; **(Refer to paragraph 9.30-9.31)**
60. Request Rivers comment on critical points raised in objections; **(Refer to paragraph 9.30-9.31)**

Policy objections

61. Contrary to Policy NH5 of PPS2; **(Refer to assessment below)**
62. Contrary to Policy OS4, OS5 and OS7 of PPS8; **(Refer to assessment below)**
63. Contrary to Policy ENV1 of BMAP; **(Refer to assessment below)**

Future Use

64. Substantial costs to provide lighting and fencing does not make economic sense if the pitches are only to be restricted to the school and during the proposed hours of use; ***(The application is required to be assessed on what has been applied for, cost implications are a matter for the applicant)***
65. School has been considering alternative ideas for the future of the site, this proposal for international class hockey facility is the first steps in a significant change of use of the site towards a more commercial usage; ***(The proposal is not for an international hockey facility, it is for operational development relating to the upgrade of existing hockey pitches)***
66. The application requires consideration to the scope of acceptable uses that are available under Class D1 – this would allow for after school facilities, day centre and community centre activities, begs the question as to whether the usage of the facility is to be restricted only to children attending the school; ***(This is irrelevant. The proposal is not for a change of use, it is for operational development to upgrade existing hockey pitches. The usage of the pitches would be restricted by the recommended conditions).***

Other matters

67. No information on fencing, colour or finish; ***(The proposed fencing is green paladin fencing as shown in the example images provided and uploaded to the planning portal)***
68. Electrical supply to floodlights, no information provided; ***(This is not a planning matter)***
69. Impact of security / emergency lighting, no information provided; ***(This have not been proposed as part of this proposal)***
70. No information of on the method of irrigation for the pitches; ***(This is not a planning matter)***
71. No information on advertising hoardings, loudspeakers, cameras; ***(not relevant as not part of this application. Refer to condition 13)***
72. Increased security risk to local residents; ***(It not considered that the proposed development poses a security risk to adjoining residents from a planning perspective)***
73. Impractical maintenance areas; ***(This is not a planning matter, this is a matter for the applicant)***
74. No evidence of risk assessments for fencing and collapsible netting; ***(This is not a planning matter, this is a matter for the applicant)***
75. In the interests of good planning and transparency the Overall Development Plan for Pirrie Park which appears to include proposals for the laying of a multi sports surface to allow for general training, athletics and soccer all year round; ***(The application is required to be assessed on what has been applied for)***
76. Failure to give sufficient regard to relocation of the pitches to a more suitable or central position within the grounds or wider area; ***(The application is required to be assessed on what has been applied for)***
77. The school has other pitch options available to it in the wider area including Harlequins, Cherryvale; ***(The application is required to be assessed on what has been applied for)***
78. Lack of clarification as to whether the pitch is sand or rubber crumbed or a mixture of both. The use of rubber crumb has its own health and safety risks; ***(Planning permission have been sought for a sand dressed pitch as per the description of development and the agent has confirmed that no rubber crumb is to be used)***

79. To avoid further environmental problems, particularly those well publicised around micro plastics, it would seem logical and prudent that any proposed pitch project should include and be accompanied with a clear end-of-life plan; **(This is not a planning policy requirement)**

80. Potential damage to wall and tree at 39 Broughton Gardens, request if planning is granted that a condition is attached that wall and tree is subject to a photographic and dimensioned survey, and any damage made good by the school. **(This is a civil matter between the resident and the school and cannot be controlled by planning)**

A total of 114 representations of support have been received (8 of which are from the Ardenlee Avenue, Pirrie Park Gardens and Ravenhill Park), summarised as;

1. Current facilities are outdated, substandard and unsafe and are often unplayable in winter or in poor light;
2. Lack of existing hockey pitches provided by BCC;
3. Will benefit and enhance the profile of girls' sporting activities;
4. Proposed development of pitches will enhance the school's ability to;
 - Promote enthusiastic participation in sport part of a healthy lifestyle that contributes to the development and well-being of children;
 - Allows pupils to enjoy the facilities of sport, be they a novice or elite athlete;
 - Provides opportunities for pupils to experience individual and collective endeavour, achievement and excellence;
5. Proposed facilities will not only benefit children who currently attend the school, but also future generations and the local community;
6. A great investment in the health, both physical and mental, especially at a time when it has been compromised by Covid;
7. Living in an urban area comes with the benefit of close proximity to many public, private and commercial conveniences including local schools. In urban areas, it is inevitable that residential developments and schools will often be in close proximity to each other;
8. There are many other schools (e.g. Aquinas Diocesan Grammar) that enjoy facilities similar to those proposed here and are also in close proximity to residential properties;
9. Welcome proposed mitigation, I understand that MCB will only use the pitches for school use and only until 6.00 pm. I think that this voluntary restriction should limit any inconvenience to neighbours;
10. Understand concerns around floodlighting, however the use of LED floodlights ensures they are much less intrusive than older halogen floodlights, this is apparent in our highways which where LEDs are replacing older street lighting;
11. There is adequate existing parking and access via Ardenlee Avenue;
12. The proposed upgrade will have a positive aesthetic effect on the surrounding area;
13. The site is well suited and will not result in the loss of open space nor interfere with the enjoyment of the local amenity by residents in this area;
14. The cost of paying for Methody teams to access AstroTurf is enormous and access is difficult as there are so many teams all vying to play on superior pitches;
15. My children play hockey every week on these pitches and they are not in line with other schools.

A total of 5 representations received from staff of the school, summarised as:

1. Proposed development of pitches will enhance the school's ability to;

	<ul style="list-style-type: none"> - Promote enthusiastic participation in sport as part of a healthy lifestyle that contributes to the development and well-being of the whole child; - Allow pupils to enjoy the benefits of sport be they a novice or an elite athlete; - Provide opportunities for pupils to experience individual and collective endeavour, achievement and excellence; 2. Metal and physical health benefits; 3. Hockey facilities is not on par with rugby; 4. Bring facilities in line with other schools and clubs; 5. Building of these pitches will help us offer hockey to many more pupils throughout the school and in the wider community e.g. At present, we can have at least fourteen girls, and six boy's hockey teams available to play on a Saturday morning, but we do not have the space for them; 6. New pitches will dramatically improve the quality of games sessions in the future; <p>A meeting was held on the 30th January 2020 in the Council offices with local residents, elected representatives, the applicant and their agents and planning officers. Cllr de Faoite, Cllr Brian Smyth, Cllr Long and Christopher Stalford MLA attended on behalf of local residents.</p>
8.0	Other Material Considerations
8.1	DCAN 15 Parking Standards
9.0	Assessment
9.1	<p><u>Preliminary Matters</u></p> <p>The agent has advised Planning that the applicant and their agent undertook an informal public consultation event on the 30th November 2017 to provide local residents with an opportunity to view and discuss proposed works to upgrade the existing two hockey pitches together. Subsequently, the Council received two local planning applications one for each pitch separately under references LA04/2018/1411/F (east pitch) and LA04/2018/1416/F (west pitch) for proposed upgrade works to the pitches. Following the meeting held on the 30th January 2020 between local residents, elected representatives, the applicant and their agents and planning officers, the school revisited the scheme and proposed further amendments to seek to address concerns of local residents. A drop-in event was then carried out at Pirrie Park on 27th February 2020. Due to the proposed movement of the pitches, application LA04/2018/1416/F was withdrawn and a fresh application made under reference LA04/2020/0757/F for the west pitch and an amended package of information was submitted under the existing application LA04/2018/1411/F for the east pitch.</p> <p>Local residents have made detailed representations around the public consultation events that took place, splitting of the scheme into two separate applications, requirement for a major application and subsequent avoidance of statutory planning procedures for a major development.</p> <p>Each application is for operational development consisting of new ground cover, floodlighting, fencing and storage container on an existing hockey pitch. Each application can function independently of itself within its own planning unit (i.e. within the red line boundary). Each red line boundary is less than 1 hectare, West Pitch being 0.99 hectares and East Pitch being 0.88 hectares. Therefore, the planning authority must accept these applications as local developments, both of which are valid.</p> <p>Had the applications been submitted together as one, this would have amounted to a major development, which would have required formal pre-application community consultation and</p>

	<p>a pre-application consultation report submitted with the planning application. The planning authority cannot speak for the rationale of the applicant in submitting the scheme as two separate applications, however, it is noted that this approach has concerned local residents. Nonetheless, as explained above, each application is a valid local planning application and must be determined as such.</p> <p>These are two applications for two sites that sit side by side and they are required to be assessed on their own individual merits, in addition to any cumulative impacts of the both sites together.</p> <p>In respect of the issues raised around the two pitches being used together for summer athletics amounting to a major development. As set out above, the applicant has applied within the regulations for a local development on this site and the adjacent site. The application is not to change the use of the land it is for operational development on existing pitches and therefore, the applicant can continue to use the pitches for athletics as it does not constitute a material change of use.</p>
9.2	The proposal is considered to be in compliance with the development plan.
9.3	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Design, Visual Amenity and Impact on character of locality - Landscaping / Ecology / Draft LLPA - Impact on residential amenity - Access, Movement and Parking - Flooding / Infrastructure Capacity
9.4	<p><u>Principle of development</u></p> <p>The application site is unzoned 'whiteland' within the settlement limits of the BUAP. In draft BMAP 2015, the land is zoned as existing open space within the development limits. The proposal involves upgrade works to an existing hockey pitch, thus retaining its recreational use in accordance with Policy OS1 of PPS8 and paragraph 6.205 of the SPPS. In light of the above, the principle of development is acceptable subject to the material considerations as set out below.</p>
9.5	<p><u>Design, Visual Amenity and Impact on character of locality</u></p> <p>The application site is located within existing playing fields that are enclosed on the northern and western boundary by residential streets. Public views of the proposed operational development (fencing and floodlights) would be largely limited. Glimpses of the proposal may be viewed from the surrounding residential streets, namely Pirrie Park Manor, Broughton Gardens, Ardenlee Avenue, Pirrie Park Gardens, Ravensdene Park and Ravensdene Crescent, however, these views would be filtered by existing properties, proposed landscaping and separation distances. In addition, any associated light spill from the floodlights would be contained to the application site and adjoining rear gardens, within acceptable levels, as discussed in further detail in the residential amenity section below. The proposed operational development is akin to modern playing field facilities and for the reasons set out above is not considered individually or cumulatively with application LA04/2020/0757/F to adversely impact the character of the locality.</p>
9.6	<p>Issues have been raised that the proposal is of an inappropriate scale for the local townscape including Ravenhill Park Area of Townscape Character (ATC). The application site is not located within the draft Ravenhill Park ATC. Furthermore, it is located some distance from this draft designation i.e. minimum of 150 metres with intervening streets. The proposal would therefore have no impact on this draft ATC.</p>

9.7	The proposal includes two storage containers sited side by side along the northern boundary of the site (adjacent to the rear boundary of No 43 Ardenlee Avenue) measuring a total 2.75m in height, 5.95m in depth and 4.9m in width which would be of limited scale and massing. The containers would be 2m away from the rear boundary with No 43 at its closest point with the existing dwelling a further 30m away. Any views of this structure would be largely screened by the proposed 1.8m timber acoustic fence and landscaping. The design, scale and siting of the containers is therefore considered acceptable and will not prejudice the visual amenity of the neighbouring properties.
9.8	A 1.8m high timber acoustic fence has been proposed around the perimeter of the hockey pitch. At its closest points, it will be 1.3m away from the northern boundary with Ardenlee Avenue properties. The proposed acoustic fence would have no greater visual impact on the surrounding residential properties than a normal timber fence that is used to define residential gardens. In addition, it is important to note, that under Class A, Part 3 of the Schedule to the Planning (General Permitted Development) Order (NI) 2015, the school could erect a 2m high fence or wall without the need for planning permission.
9.9	A 3m high paladin perimeter fence is also proposed which would sit inside the acoustic fence. At its closest points, it will be 3m away from the northern boundary with Ardenlee Avenue properties. A paladin fence by its very nature has a lightweight appearance, which allows views through. This fence will also be viewed in the context of the proposed native planting buffer and the 1.8m timber acoustic fence, which would largely screen the structure. For these reasons, it is not considered that it would adversely impact the visual amenity of neighbouring properties.
9.10	With regards to the proposed 5m high ball stop netting with collapsible columns, this would only be temporary and would be taken down when not in use, therefore, a significant visual impact is not anticipated.
9.11	In relation to the proposed floodlighting columns, these consist of 6 x 15m floodlights, two of which would be located along the boundary with Ardenlee Avenue properties. A 15m high floodlight column is proposed 8m from the rear boundary of No 43 Ardenlee Avenue and the second column is 4.2m from the rear boundary with No 57 Ardenlee Avenue. Whilst it is noted that the lighting columns would be visible from the rear of these properties along Ardenlee Avenue, they have long gardens with increased separation distances from the floodlighting columns to their main rear facades starting from 26m. For these reasons and the physical slim line nature of the floodlighting columns, it is not considered that it would be so over dominant that it would adversely impact the visual amenity of these neighbouring properties to warrant refusal to the application.
9.12	For the residents of dwellings which bound the park at a greater distance, they will view all of the lighting and fencing together from the rear of their properties however, this is typical of the majority of playing fields in the city when brought up to a modern standard. The area is characterised by significant separation distances that will not result in an unacceptable visual impact.
9.13	The proposed development is therefore considered acceptable with regards to design, visual amenity and impact on the locality of the area and cumulatively with application LA04/2020/0757/F in accordance with bullet point 3 of Policy OS4 and criteria (ii) of Policy OS7 of PPS8 and the SPPS.
9.14	<u>Landscaping / Ecology / Draft LLPA</u> A landscaping buffer of native planting along the boundaries with Ardenlee Avenue, Broughton Gardens and Pirrie Park Manor has been incorporated to assist in the mitigation of the visual impacts of the proposal. A Landscape Management and Maintenance Plan has also been

	submitted to establish the maintenance and long-term management of the proposed landscaping. The Council's Landscaping Section was consulted and is content with the proposal.
9.15	Detailed objections have been received about a lack of design rigour with the proposed planting and other aspects of the scheme, in addition to inappropriate planting. Following this the applicant's landscaping consultant provided an updated Landscape Management and Maintenance Plan and Rebuttal Statement confirming that the proposed planting locations are appropriate, the plans clearly detail the planting mix which is suitable in achieving a native planting screen and a protective tree root barrier will be incorporated along the existing field drain to protect any drainage utilities. An amended landscaping plan was also provided removing one tree in front of the proposed container. The amended package and detailed objections have both been considered by the Council's Landscaping Section who has advised that the detailed objections have been addressed and they are content with the proposed landscaping. In regards to the issues raised in respect of health and safety matters associated with the operation of the collapsible ball stop netting; this is a separate maintenance matter for the school and not a matter for Planning.
9.16	A Biodiversity Checklist and Ecological Appraisal and Bat Activity Survey has been carried out on the site by a suitably qualified ecologist. Objections from local residents have also been received outlining issues in respect of the assessment of priority species of birds, validity of the assessments and the site visit carried out and its timing. The Natural Environment Division (NED) at DAERA (as the authoritative body on natural heritage) were consulted on the above and have no objection to the proposal. In relation to the objections received from local residents, NED have advised they are content that an appropriate assessment has been carried out and that bird species are unlikely to be significantly impacted as a result of the proposed development. Furthermore, NED are content that appropriate habitat exists within proximity to the pitches for birds. It is therefore considered that the proposal is not likely to result in unacceptable adverse harm to protected/ priority species or other natural heritage features in accordance with Policies NH2 and NH5 of PPS2, bullet point 2 of Policies OS4 and OS5 of PPS8 and the SPPS.
9.17	The site falls within the draft Pirrie Park LLPA in dBMAP with its features listed as an area of local amenity importance in the grounds of a preparatory school with playing pitches and linkages to Ormeau Park. It is also an area of local nature conservation with significant groups of deciduous and coniferous trees. As discussed above, the impact on visual amenity is considered acceptable. The proposal is upgrading facilities at these playing fields and the significant groups of existing trees remain unaffected. The nature conservation value of the site will also be enhanced through the new native planting buffer. Therefore, the proposal is not considered to adversely impact the Draft LLPA in accordance with Policy ENV1 of Draft BMAP and the SPPS.
9.18	<u>Impact on Residential Amenity</u> Issues have been raised by local residents in respect of daylight shading from the proposed acoustic fence, perimeter fencing and tree planting. As explained above in paragraph 9.7, the acoustic fence is 1.8m high which is akin to normal residential boundary enclosures, which will result in no unacceptable overshadowing of neighbouring properties. In addition, a 2m high boundary wall or fence can be erected under permitted development (PD) rights. The proposed 3m high paladin fence will sit 1.2m above this and is not a solid structure, allowing sunlight to penetrate through. In total therefore, the paladin fencing will sit 0.8m above the height of that permitted and as stated it is not a dense material but will allow light through. Furthermore, it is not positioned directly on the boundary but it is to be positioned 3m from the boundary at its closest point to the rear of residential gardens that border the application site; and not the main amenity area of the surrounding properties. The same applies to the

	proposed trees, there is sufficient space to accommodate these. For these reasons, no unacceptable overshadowing will occur.
9.19	<p><u>Lighting</u></p> <p>It is acknowledged that a large amount of local objection has been raised in respect of noise and light disturbance. A lighting assessment has been provided for the east pitch and a cumulative assessment of both the west and east pitches operating together has been carried out, using the Institute of Lighting Professionals Document – Guidance Notes for the Reduction of Obtrusive Light GN01:2011. This assessment demonstrates that there will be no vertical illuminance at ground or first floor level on any of the adjoining residential dwellings and the horizontal illuminance levels within the rear gardens will be low and within acceptable levels as specified in the GN01:2011 document. Furthermore, the school has confirmed that the floodlighting will not operate outside the hours of 09:00 – 18:00 hours Monday – Friday and 08:00 – 13:00 hours on a Saturday, which would further reduce the impact on adjoining properties. BCC Environmental Health (the relevant authority to comment on effects of floodlighting) have reviewed the lighting assessment and the detailed objections and have advised they have no objection to the proposal. Accordingly, it is concluded that the proposal will not detrimentally impact the amenity of neighbouring properties through light disturbance. Conditions have been recommended to adequately mitigate. (Conditions 7, 8, 9).</p>
9.20	<p><u>Noise</u></p> <p>A Cumulative Noise Assessment has been provided in support of the proposal to which local residents have raised detailed objections. A number of mitigation measures have been proposed to reduce the level and character of noise resulting from the proposed development. These include;</p> <ul style="list-style-type: none"> • 1.8m high timber acoustic fence with 15kg/m2 mass; • Resilient connections on the weldmesh fence panels (referred to as 3m paladin perimeter fencing); • Proprietary pads to the backboards of the nets; • Use of upturn boards covered in resistant material around pitch perimeter.
9.21	<p>These documents have been reviewed by BCC Environmental Health (the relevant authority to comment on effects of noise), who have advised that they have no objection and the noise levels at surrounding residential properties. In addition, noise levels will be slightly reduced from those currently experienced during the use of the two existing pitches together due to the introduction of the acoustic barrier. The presented noise levels are within the acceptable levels set out by the BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings, World Health Organisation – Guidelines for Community Noise and the Sport England guidance 'Artificial Grass Pitch (AGP), Planning Implications Document'.</p>
9.22	<p>Residents have raised the issue that the noise assessment should have included a cumulative assessment of the use of the pitches in combination with the use of the other pitches / sports facilities in Pirrie Park playing fields. However, the noise assessment demonstrates that the predicted noise levels will be lower than the existing situation with the current hockey pitches being in use, and therefore it would be unreasonable to request this.</p>
9.23	<p>It is also noted that local residents have raised concerns that the improved pitch surfaces with accompanying infrastructure will result in the extended use and intensification of the pitches. The application site is on existing hockey pitches which are used by the school and that use is currently unrestricted. The existing hockey pitch is currently used for training and junior hockey matches and athletics in the summer months, however it not fit for purpose for competitive schools hockey. The school has confirmed the following;</p> <ul style="list-style-type: none"> • There is 25 days per year which run from September to Easter each year, in that period there would be approximately 25 Saturdays selected for matches for school hockey.

	<p>There may be occasional matches that take place during the school week, but this is not a regular occurrence. Usually this would take place to catch up on any postponed matches in the season only.</p> <ul style="list-style-type: none"> • Saturday mornings are proposed to be the main day for play: • The pitch will host on a Saturday at the a maximum 6 matches each in the period 9am – 1pm on Saturday; Teams turn up for the time slot for their scheduled match; a maximum 20-30 parents attend; 11 players in each with 3 reserves; 2 teams per match x 14 in a squad x 6 matches = 168 attendees maximum and children will leave when their match is complete. The applicant has stressed that not all these participants will be on the site at one time, this is the maximum over the course of the morning
9.24	Therefore, it is anticipated that cumulatively if this pitch is approved with the adjoining west pitch the maximum number of matches on a Saturday would be 12 with a maximum 336 participants on the site during the period of 8am to 1pm. However, the school has explained that children only arrive for their designated match time and depart at the end of their match when complete.
9.25	It is accepted that Saturday mornings will be the busiest period for the pitches and when assessed cumulatively given the restriction on the hours of operation to 1pm, with the predicted noise levels being reduced and within acceptable levels, it is not considered that the degree of increased use would result in unacceptable harm to the amenity of neighbouring properties. There will be no play on the pitches in the weekday evenings after 6pm, on Saturday afternoons or Sundays.
9.26	Therefore, it is the acceptability of the proposed use within the limited hours of operation proposed that are key to the consideration. The response from Environmental Health, in respect of the matters outlined above in relation to noise and lighting raises no concerns or objections. Therefore subject to the inclusion of mitigation measures outlined (conditions 2 - 14), it is considered that the proposed development would not result in an unacceptable impact on the amenity of surrounding properties in accordance with Policies OS4, OS5 and OS7 of PPS8 and the SPPS.
9.27	<p><u>Access, Movement and Parking</u></p> <p>Local residents have raised concern over intensification and subsequent increase in traffic congestion and road safety issues for it users. The site is well contained, with its own car park, with the main access from Pirrie Park Gardens. The application site consists of an existing hockey pitch which is currently used by the school for training and junior hockey matches and athletics in the summer months.</p>
9.28	The current proposal is for the replacement of the existing hockey pitch with a newly upgraded modern pitch. It would be accessed via the existing Pirrie Park Gardens. In terms of any intensification, this would be minimal as it is restricted by the hours of operation until no later than 6pm Monday – Friday and 1pm on a Saturday with its prime use to be for the school. The school has also advised that the number of match days is typically 25 per year. DFI Roads were consulted and have offered no objection to the proposal taking into account previous concerns raised by local residents and a cumulative assessment with application LA04/2020/0757/F. Accordingly, the proposal is considered acceptable in terms of traffic, parking and access considerations and is therefore in accordance with Policy OS4 of PPS8 and relevant policy within PPS3.
9.29	The applicant has confirmed that the construction access is to be via Broughton Gardens. Local residents have raised health and safety concerns with this use of this access. This is an existing access point to the playing fields. In terms of any health and safety concerns associated with the use of this access, this is covered by separate environmental legislation.

	<p>A Construction Management Plan (Condition 15) has been recommended to minimise disruption to local residents.</p> <p><u>Flooding and Infrastructure Capacity</u></p> <p>9.30 The site does not lie in the fluvial or coast flood plain. The flood maps show an area of surface water flooding along the western boundary in the gardens of properties along Broughton Gardens. A detailed drainage assessment has been submitted in support of the application which also includes a cumulative assessment of both pitches together. Rivers Agency and NI Water have been consulted and have no objection to the proposal. Overall, the proposed drainage system provides an overall betterment in relation to the existing pitch drainage.</p> <p>9.31 Local residents have submitted detailed objections to the Drainage Assessment which have been considered by Rivers Agency. Additional information was provided by the applicant demonstrating that sufficient storage is available within the design to accommodate the 1 in 100 year storm event (including 20% allowance for climate change). Rivers have since been re-consulted on this and have advised that they have no objection to the proposal. As the drainage network will be unadopted by NI Water, a condition has been recommended to secure a long-term maintenance programme for its ongoing function (Condition 16). The proposal is therefore considered to be in accordance with Policy FLD3 of PPS15 and the SPPS.</p> <p><u>Other matters</u></p> <p><u>Neighbour Notification Period and Access to Drawings</u></p> <p>9.32 Due to an apparent delay in the post and subsequent receipt of neighbour notification letters, the neighbour notification period was extended by a further two weeks to give sufficient time for residents to make representations on both applications.</p> <p>9.33 A set of hard copy drawings were delivered to all residents who initially requested copies. In addition, a subsequent set of the amended drawings were also posted to these residents. There is no legal obligation to make hard copy plans available, planning applications are available to view through the Planning Portal, which is the same mechanism for local and major planning applications. Officers' are satisfied that sufficient time has been given and measures put in place to allow residents to fully participate in the planning application process and the statutory neighbour notification requirements have been fulfilled.</p> <p><u>EIA Screening</u></p> <p>9.34 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. The EIA screening has been carried out in accordance with the selection criteria set out in Schedule 3 of the regulations.</p> <p>9.35 The planning authority is required to keep a register of all screening opinions completed, which is held in hard copy in the Council offices. A copy of the screening opinion was also uploaded to the planning portal on the 15th April 2019.</p> <p><u>Inadequate planning statement</u></p> <p>9.36 There is no legislative requirements as to the content of a planning statement. There is sufficient information submitted to make an informed assessment of the application.</p> <p><u>Problems with P1 form</u></p> <p>9.37 The matters have been clarified in the additional assessments and documentation submitted by the agent.</p>
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9.38	<p><u>Relationship with No 2 Pirrie Park Manor</u></p> <p>The agent has provided an overlay of the newly constructed dwelling at No 2 Pirrie Park Manor over the footprint of the dwelling shown in the submitted plans. Whilst there is a minor discrepancy in the orientation and building footprint shown on the submitted drawings, the differences are negligible. Therefore, the impact on No 2 Pirrie Park Manor can be adequately assessed on the basis of the submitted information and assessments.</p>
9.39	<p><u>Section Drawings</u></p> <p>Objections have been raised that the section drawings are inaccurate and do not show properties which are actually closer to the development including 2 Pirrie Park Manor and 39 Broughton Gardens. It is clear from the section drawing what properties the section is going through. The section drawings are read in conjunction with the other suite of drawings, which clearly show the relationship with both the properties referred to and an adequate assessment of any impacts has been carried out.</p>
9.40	<p><u>Site Visit</u></p> <p>A site visit has been carried out at the application site and at the neighbouring property of No 2 Pirrie Park Manor as requested by the owner. The necessary site visits have been carried out to allow officers' to make an informed recommendation on the application. In respect of No 39 Broughton Gardens, this property has a 1m high boundary wall with open views into the rear garden which allowed an adequate assessment of the potential impacts to be made.</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"> 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 use of hockey pitches hereby permitted shall be restricted to the use of school hockey and related summer camps. Reason: In the interests of amenity. 3. Prior to the first use of the pitch hereby approved the applicant shall submit a Site Management Plan (SMP) to Belfast city Council to be agreed in writing. The SMP shall deal with general usage of the pitches including visitors and operation of equipment (lights and collapsible fencing). Reason: In the interests of residential amenity. 4. The development hereby permitted shall be carried out in accordance with the approved landscaping plan Drawing Number 09A published to the planning portal 23rd July 2020. 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.

5. The development hereby permitted shall be carried out and maintained in accordance with the Updated Landscape Management and Maintenance Plan (dated July 2020) prepared by Park Hood, published to the planning portal 23rd July 2020.

Reason: In the interests of biodiversity, amenity and character and appearance of the locality.

6. Prior to the use of the hockey pitch hereby permitted, the lighting scheme detailed in approved drawing 'Methody Hockey Pitches, Pirrie Park, Belfast. External Floodlighting Plot, Project: 1645, drawing: ESK02C Rev C, Prepared by A.H. design, Mechanical and Electrical Consultants.' Dated February 2020 shall be installed and the development maintained and operated in accordance with the approved details thereafter.

Reason: In the interests of the amenity of neighbouring properties.

7. Prior to the use of the hockey pitch hereby permitted, an Artificial Light Verification report shall be prepared by a suitably qualified contractor and submitted to and approved in writing by Belfast City Council. The report shall verify that all artificial floodlighting connected with the development has been installed in accordance with the approved scheme and is fully compliant with Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN0L:2011.

Reason: In the interests of the amenity of neighbouring properties.

8. The floodlights and associated hockey pitch hereby permitted shall not be operational outside the hours of 9am to 6pm Monday to Friday and 8am to 1pm on a Saturday and at no time on a Sunday.

Reason: In the interests of the amenity of neighbouring properties.

9. Prior to use of the hereby permitted hockey pitch, the applicant shall construct and install a 1.8m high solid timber acoustic barrier as detailed within the approved Noise Impact Assessment, "Proposed Artificial Hockey Pitch, (Western Pitch) Pirrie Park, Belfast." Prepared by F.R. Mark and Associates Dated March 2020 and drawing no 02C published to the planning portal 23rd July 2020. The acoustic timber barrier shall be maintained and retained thereafter in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties.

10. Prior to the use of the hereby permitted hockey pitch, the applicant shall ensure the weldmesh fencing (labelled as 3m high boundary fencing on drawing no 02C) is constructed and installed in accordance with drawing no 02C published to the planning portal 23rd July 2020 and the Noise Impact Assessment dated March 2020 prepared by F.R Mark. The weldmesh fencing shall be fixed using resilient connections to reduce rattle and vibration upon impact. The weldmesh fencing shall be maintained and retained thereafter in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties.

11. Prior to the installation of the proprietary shock absorbing material to be installed in the backboards of the nets, a detailed specification of the proposed material to be used, shall be submitted to and approved in writing by Belfast City Council. The approved proprietary shock absorbing material shall be fitted to the backboards of the hockey nets prior to the use of the hereby permitted hockey pitch and shall be maintained and retained thereafter in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties.

12. Prior to the use of the approved Hockey Pitch upturned boards, covered in the impact resistant pitch material shall be placed around the perimeter to reduce the impact noise of balls hitting the mesh fence;

Reason: In the interests of the amenity of neighbouring properties.

13. No hoarding or signage shall be fitted to weldmesh fencing surrounding the hockey pitch which could result in impact sound from ball strike;

Reason: Protection of residential amenity

14. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by Belfast City Council. The Management Plan shall provide for:

- i) the Broughton Gardens access shall be used for the duration of construction only;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in demolition and constructing the development;
- v) timing and management of site deliveries;
- vi) wheel washing facilities;
- vii) measures to control the emission of dust and dirt during construction;
- viii) measures to control noise and vibration during construction.

The Management Plan shall be implemented as approved and maintained for the duration of the construction works.

Reason: In the interests of public safety and amenity.

	<p>15. The development hereby permitted shall not commence until details of a long-term maintenance programme for the on-site drainage network have been submitted to and approved in writing by the Belfast City Council. The network shall be managed and maintained in accordance with the approved details once installed.</p> <p>Reason: To ensure future maintenance and to prevent increased risk of flooding.</p>

Notification to Department (if relevant): N/A

Representations from Elected members: A meeting was held on the 30th January 2020 in the Council offices with local residents, elected representatives, the applicant and their agents and planning officers. Cllr de Faoite, Cllr Brian Smyth, Cllr Long and Christopher Stalford MLA attended on behalf of local residents.

Details of Neighbour Notification (all addresses)

1 Clanbrassil Terrace Holywood Down
1 Pirrie Park Gardens, Belfast, Down, BT6 0AG,
1 Thompson Manor Lisburn Antrim
1, Larkfield Avenue, Belfast, Antrim, Northern Ireland, BT10 0LY
1, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
1, Randal Park, Belfast, Antrim, Northern Ireland, BT9 6JJ
1, Thompson Manor, Lisburn, Antrim, Northern Ireland, BT28 3GA
10 Sharman Dale Bangor Down
10, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
103 Osborne Drive Belfast Antrim
11, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
112 Marlborough Park Central Belfast Antrim
12 Ascot Gardens Belfast Down
12 Kingsway Drive Belfast Down
12 St Johns Avenue Belfast Down
12, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
12, St Johns Avenue, Belfast, Down, Northern Ireland, BT7 3JE
14 Greer Park Avenue Belfast Down
142 Comber Road Hillsborough Down
150 Ardenlee Avenue Belfast Down
160 Ballylesson Road Belfast Down
168b Upper Malone Road Dunmurry
17, Sharman Park, Belfast, Antrim, Northern Ireland, BT9 5HJ
19 Broughton Gardens, Belfast, BT7 0BB
19, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
190 Killynure Road Carryduff Down
2 College Heights Belfast Down
2 Pirrie Park Gardens, Belfast, Down, BT6 0AG,
2, College Heights, Belfast, Down, Northern Ireland, BT7 3LG
2, PIRRIE PARK MANOR, BELFAST, DOWN, Northern Ireland, BT6 0BF
2, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
20 Ballygraffan Road Comber Down
21 Broughton Gardens, Belfast, Down, BT6 0BB,
21 Fort Road Ballylesson Down

217 Saintfield Road Ballylenaghan Upper Castlereagh
 22 Broughton Gardens, Belfast, BT7 0BB
 23, Broughton Gardens, Belfast, Down, Northern Ireland, BT6 0BB
 24 Green Park Lane Lisburn Antrim
 25 Broughton Gardens,Belfast,Down,BT6 0BB,
 25 Glendale Avenue Bangor Down
 26 Danesfort Park South Belfast Antrim
 26 Hanwood Farm Dundonald Down
 265 Orby Drive Belfast Down
 27 Broughton Gardens,Belfast,Down,BT6 0BB,
 27, Ravenhill Park, Belfast, Down, Northern Ireland, BT6 0DE
 29 Broughton Gardens,Belfast,Down,BT6 0BB,
 3 Green Park Lisburn Antrim
 3 Pirrie Park Gardens,Belfast,Down,BT6 0AG,
 3, Broughton Gardens, Belfast, Down, Northern Ireland, BT6 0BB
 3, Green Park, Lisburn, Antrim, Northern Ireland, BT27 4DW
 3, Pirrie Park Gardens, Belfast, Down, Northern Ireland, BT6 0AG
 30, Hampton Park, Belfast, Down, Northern Ireland, BT7 3JN
 31 Broughton Gardens,Belfast,Down,BT6 0BB,
 31 Edenderry Cottages Belfast Down
 31 Wyncroft Crescent Lisburn BT28 2AT
 31, CANTRELL CLOSE, BELFAST, DOWN, Northern Ireland, BT6 8LQ
 310 PORTVIEW TRADE CENTRE, UNIT A1, NEWTOWNARDS ROAD, BELFAST,
 DOWN, Northern Ireland, BT4 1HE
 32 Adelaide Park Belfast Antrim
 33 Broughton Gardens,Belfast,Down,BT6 0BB,
 33, Broughton Gardens, Belfast, Down, Northern Ireland, BT6 0BB
 33a ,Ardenlee Avenue,Belfast,Down,BT6 0AA,
 35 Ardenlee Avenue,Belfast,Down,BT6 0AB,
 35 Broughton Gardens,Belfast,Down,BT6 0BB,
 35 Myrtlefield Park Belfast Antrim
 35 Orpen Road Belfast Antrim
 37 Ardenlee Avenue,Belfast,Down,BT6 0AB,
 37 Broughton Gardens,Belfast,Down,BT6 0BB,
 37 Demesne Park Holywood Down
 37 Ravenhill Park Belfast Down
 37, Broughton Gardens, Belfast, Down, Northern Ireland, BT6 0BB
 37, Demesne Park, Holywood, Down, Northern Ireland, BT18 9NE
 37, Ravenhill Park, Belfast, Down, Northern Ireland, BT6 0DG
 38, Ardenlee Avenue, Belfast, Down, Northern Ireland, BT6 0AA
 39 Ardenlee Avenue,Belfast,Down,BT6 0AB,
 39 Broughton Gardens,Belfast,Down,BT6 0BB,
 39, Broughton Gardens, Belfast, Down, Northern Ireland, BT6 0BB
 3rd Floor 22 Adelaide Street Belfast
 Murray House, Office 1st Floor, Murray Street, Belfast, Antrim, Northern Ireland, BT1 6DN
 4 Cambourne Park Belfast Antrim
 4 Pirrie Park Gardens,Belfast,Down,BT6 0AG,
 4 The Hermitage Dunmurry Dunmurry
 4 The Walled Garden Moira Down
 4, Strathyre Park, Belfast, Antrim, Northern Ireland, BT10 0AZ

4-10, May Street, Belfast, Antrim, Northern Ireland, BT1 4NJ
 41 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 42 Sans Souci Park Belfast Antrim
 43 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 43 Glen Road Lisburn Down
 45 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 47 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 49 Alderwood Hill Belfast Down
 49 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 5 Harberton Park Malone Upper Belfast
 5 Lancedean Road Belfast Down
 5 Pirrie Park Gardens, Belfast, Down, BT6 0AG,
 51 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 53 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 55 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 57 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 59 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 6 Pirrie Park Gardens, Belfast, Down, BT6 0AG,
 6, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
 61 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 61 Bristow Park Belfast Antrim
 61, Ardenlee Avenue, Belfast, Down, Northern Ireland, BT6 0AB
 62 Sicily Park Belfast Antrim
 63 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 65 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 66 Ardenlee Avenue Belfast Down
 67 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 67 Lynden Gate Portadown Armagh
 688 Ravenhill Road Belfast Down
 69 Ardenlee Avenue Ballynafof Belfast
 7 Pirrie Park Manor Belfast Down
 7 Windsor Park Belfast Antrim
 7, Knightsbridge Park, Belfast, Stranmillis, Antrim, Northern Ireland, BT9 5EH
 71 Ardenlee Avenue, Belfast, Down, BT6 0AB,
 73 Ardenlee Avenue, Belfast, Down, BT6 0AD,
 74a, Creevy Road, Lisburn, Down, Northern Ireland, BT27 6UL
 75 Ardenlee Avenue, Belfast, Down, BT6 0AD,
 75, Flat 3, Palmerston Road, Belfast, Down, Northern Ireland, BT4 1QD
 8 Edenavaddy Road Ballynahinch Down
 87 Malone Road Belfast Antrim
 9 Jordanstown Heights Newtownabbey Antrim
 9, Pirrie Park Manor, Belfast, Down, Northern Ireland, BT6 0BF
 95 Greer Park Avenue Belfast Down
 Downey House School, 9 Pirrie Park Gardens, Belfast, Down, BT6 0AG,
 Flat 1, 33 Ardenlee Avenue, Belfast, BT6 0AA
 Flat 2, 33 Ardenlee Avenue, Belfast, BT6 0AA
 Flat 3 75 Palmerston Road Belfast
 Flat 3, 33 Ardenlee Avenue, Belfast, BT6 0AA
 Oakleigh 1 Purdys Lane Belfast
 Unit A101 Portview Trade Centre 310 Newtownards Road

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 18 th August 2020	
Application ID: LA04/2019/1540/F	
Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. Weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. Accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works.	Location: Lands to the northwest of existing Belfast City Council Waste Transfer Station (2a Dargan Road Belfast BT3 9JU).
Referral Route: Council has an estate in the application site.	
Recommendation:	Approval
Applicant Name and Address: Dargan Road Biogas Limited Energia Group 62 Newforge Lane Belfast BT9 5NF	Agent Name and Address: Clyde Shanks 5 Oxford Street Belfast BT1 3LA
Executive Summary: This application seeks the erection of a Centralised Anaerobic Digestion (CAD) plant and associated works. The site is un-zoned "white land" within the Belfast Area Urban Plan (BUAP) 2001. It is located within the development limits of Belfast in the draft Belfast Metropolitan Area Plan 2015 (dBMAP 2015) with a number of relevant zonings: <ul style="list-style-type: none"> • Within BHA 05 Mixed Use Site North Foreshore • Within close proximity to a National Designated Site (Inner Belfast Lough Area of Special Scientific Interest); • Within close proximity to two European Designated Sites – Belfast Lough Special Protection Area (SPA) and Belfast Lough Open SPA; • Within close proximity to an International Designated Site Belfast Lough Ramsar Site <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of the proposed use at this location; • Renewable energy and environmental sustainability; • Economic impact; • Design and layout; • Landscape and visual assessment; • Landscaping; 	

- Amenity;
- Environmental Health (Noise, vibration, air quality, odour, artificial light, and land contamination);
- Traffic, access and parking;
- Drainage, Flooding and Infrastructure Capacity;
- Natural Heritage and Conservation;
- Renewable Energy Policy; and
- Waste policy.

DfI Roads, BCC Environmental Health, NIEA, Shared Environmental Services, Rivers Agency, NI Water, Belfast City Airport, were all consulted in addition to the Council's Tree Officer, City and Neighbourhood Services Landscape team and Environmental Health. Their responses are detailed in the main body of the report. There were no objections from consultees.

Two representations have been received. Issues raised include concerns about traffic and access, visual impact, noise and odour, compatibility with existing and potential future uses, and nuisance from vermin and birds.

An Environmental Statement (ES) was submitted as part of the application in line with the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. This has assessed the environmental impacts of the proposal and has been taken into account in the consideration of the application.

The application has also been considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Services 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.

Consultees confirm that the proposal will not harm visual landscape, amenity, human health, traffic or the adjacent protected areas.

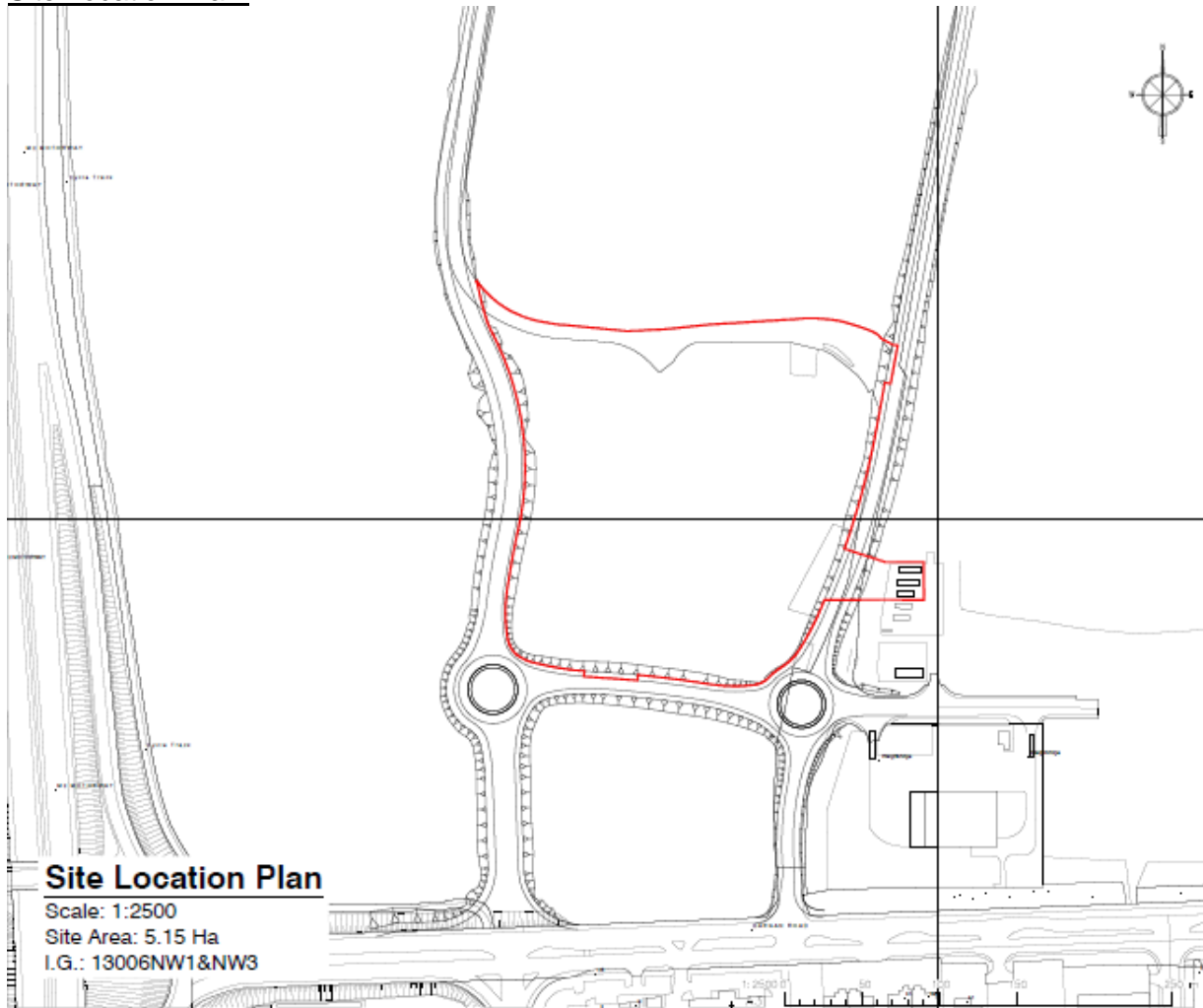
The proposed development is estimated to represent an investment of £40m, generate in excess of 350 construction jobs and 22 operational jobs. It comprises waste recycling which will help generate renewable energy in line with sustainability objectives.

Given the overall size of the site within North Foreshore and the industrial / commercial nature of the immediate surrounding context it is considered that the design, scale and layout of the proposed scheme are considered to be acceptable. The proposed development is consistent with the existing character of the Harbour Estate and no significant landscape impacts have been identified.

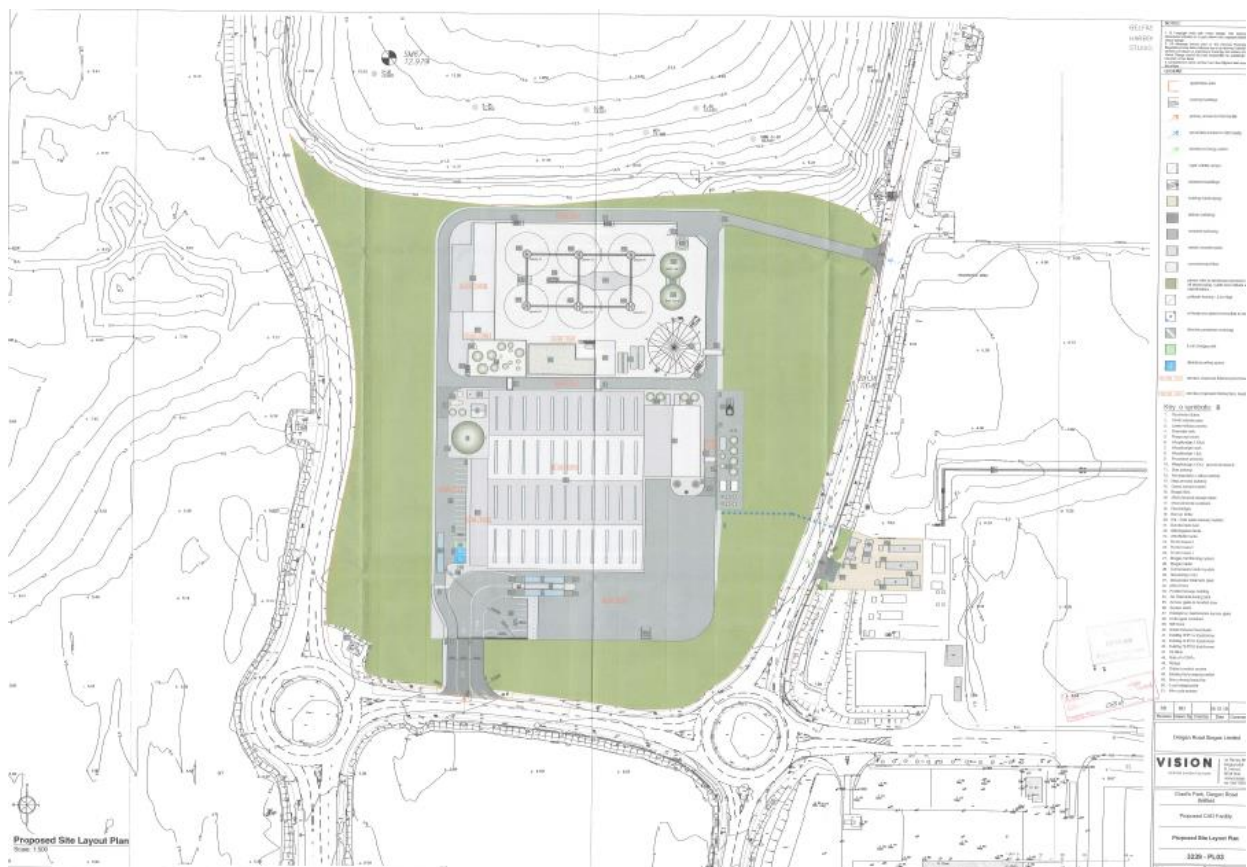
Recommendation:

Having regard to the Development Plan and other material considerations, including consideration of the issues raised through representations, the proposal 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 the wording of conditions.

Case Officer Report

Site Location Plan:

Site Layout:



1.0	Description of Proposed Development
1.1	The proposal is for a Centralised Anaerobic Digestion (CAD) plant to include a bundled tank farm, (6no. digester tanks, 2no. buffer tanks, 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. Weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. Accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works.
1.2	The proposed CAD facility has been designed to generate up to 4.1MW per annum of renewable electricity (the installed capacity of the existing three CHP engines) from up to 99,999 tonnes per annum of organic feedstock. The facility has been primarily designed to process two main feedstock types: 1. Organic fine fraction of Municipal Solid Waste (MSW) i.e. food waste; and 2. Source Separated Organic (SSO) Waste i.e. brown bin (food/garden) waste. In order to meet the Quality Protocol standards and to fulfil the requirements of the Animal By Products Regulations (ABPR), the facility is designed to process each feedstock type in two physically separated process lines to ensure no cross-contamination can occur between MSW and SSO waste streams. The plant will accept up to 49,999.5 tonnes per annum per process line. It is expected that each process line will

	produce between 5-8,000 tonnes per annum of output (i.e. digestate). This volume will vary depending on the quality of the input feedstock. The volume of output is significantly reduced by way of pre-treatment (screening out of unsuitable materials) and drying post the AD process. Following the completion of digestate treatment, the output from the MSW organic fines process line will be disposed of as waste, for example in landfill. The output from the SSO process line will be recycled as a marketable fertiliser product. The proposed CAD will accept the EWC (European Waste Catalogue) Codes: as set out in the Environmental Statement, appendix 3.1 and MSW organic fines (EWC code 19 12 12).
2.0	Characteristics of the Site and Area
2.1	The application site is located to the north of Dargan Road on reclaimed lands that are part of the North Foreshore of Belfast, otherwise referred to as 'Giant's Park'. The site was a former landfill site accepting domestic, industrial, commercial, construction, demolition and hazardous waste. Belfast City Council commenced operations in 1958 and this continued until March 2007 when the site was capped and landscaped as part of a wider restorative and remedial works. Giant's Park is now the largest regeneration site in Belfast comprising 138 hectares (340 acres).
2.2	With £9m overall investment to-date from this programme, Invest Northern Ireland and the European Regional Development Fund (ERDF), the internal road network of the site, installation of services, street lighting and landscaping works have been instigated. A landfill gas collection system has also been installed across the northern portion of the Giant's Park site. To the northeast of the application site, Belfast Harbour Film Studios opened in 2017 comprising the following development: two film studios and sound stages of approximately 3,065sqm (33,000 sq.) each; two workshop buildings of approximately 1,021sqm (11,000 sq.) each; and a three-storey 3,437sqm (37,000sq.ft.) office and production building. The Planning Committee recently resolved to grant planning permission for the second phase of the development of the film studio site.
2.3	As a landowner, Belfast City Council has agreed initial proposals to regenerate part of the wider site into a major visitor attraction for the city. The planned investment by Giant's Park Belfast Limited (GPBL), which has not yet entered the planning process and is proposed to be located to the north and west of the proposed site, will create four development 'hubs' – a welcome hub, leisure and sports innovation hub, adventure hub and theme park hub. In September 2018, Belfast City Council also approved the lease of two sites within Giant's Park one of which being the proposed application site, the other a £27m investment to develop a data centre to support the digital economy.
2.4	The application site, circa 5.11ha, is located on low-lying ground adjacent to Belfast Lough with levels of approximately +6m to +8m and the core of the site having a very flat and open character. Levels rise to the north where the landscape has a more undulating profile across the wider North Foreshore lands.
2.5	While not located within any environmental or landscape designations, the application site is adjacent to a number of important national, European and international designated sites as follows: Inner Belfast Lough ASSI which is declared under the Environment Order (Northern Ireland) 2002; Belfast Lough SPA and Belfast Lough Open Water SPA, both of which are designated under the EC Birds Directive (79/409/EEC on the conservation of wild birds); and Belfast Lough Ramsar Site which is designated under the Ramsar Convention.
2.6	As described above, Belfast Harbour Film Studios is located to the northeast of the site. Dargan Road Waste Transfer Station located to the southeast of the site is licensed to accept up to 165,000 tonnes per annum of non-hazardous waste. To the north of the Waste Transfer Station, is an existing CHP engine compound installed as part of a landfill gas management system. This landfill gas management system originally comprised five

2.7	<p>CHP engines. Over time as the supply of landfill gas has depleted only two CHP engines are now used to generate electricity from the remaining landfill gas. The landfill gas collected by the application site will remain the property of Belfast City Council for combustion in the remaining two CHP engines. The three engines acquired by DRBL in 2017 will be utilised to generate heat and electricity from the biogas generated by the proposed CAD facility. Dargan Road to the south provides access to several commercial and industrial facilities.</p> <p>The road is the main access to Belfast Port and connects to the M2 at the Fortwilliam Roundabout (Junction 1). It was upgraded in 2009 to a 4-lane / dual-carriageway as part of the road improvement works related to the new VT4 terminal at the end of West Bank Road within the Belfast Harbour Estate. The nearest residential areas or properties are located >500 metres from the application site in the Fortwilliam area to the west with the NI Railway line and M2 Motorway located in the intervening landscape. The centre of Belfast City (the City Hall), is located 3.9km to the south of the site.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Full details of all historical applications are provided at Annex A. Of particular relevance to this site are the following:
3.2	<p>Ref ID: LA04/2019/0433/DETEI (EIA determination) Proposal: Proposed centralised anaerobic digestion (CAD) plant to power existing combined and heat power (CHP) engines and to utilise existing service road infrastructure. Address: Lands at Giant's Park, Dargan Road, North Foreshore, Belfast, Decision: Environmental Statement required Decision Date: 7th March 2019</p>
3.3	<p>Ref ID: LA04/2018/2166/DETEI (EIA determination) Proposal: Proposed centralised anaerobic digestion (CAD) plant to power existing combined and heat power (CHP) engines and to utilise existing service road infrastructure. Address: Lands at, Giants Park, Dargan Road, North Foreshore, Belfast. Decision: Responded under LA04/2019/0433/DETEIA letter (Screening and Scoping response) Decision Date: 7th March 2019</p>
3.4	<p>Ref ID: LA04/2020/0474/F Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works (Phase 2). Address: Lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park). Decision: Planning Committee resolved to grant permission in July 2020</p>
3.5	<p>Ref ID: LA04/2015/1605/F Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3 No stand-alone transformer compounds, security hut and proposed headwall (amended description) (Phase 1) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan Decision: Permission Granted Decision Date: 25.02.2016</p>

3.6	<p>Ref ID: Z/2014/1279/F</p> <p>Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works</p> <p>Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast.</p> <p>Decision: Permission Granted</p> <p>Decision Date: 24.04.2015</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015)</p> <p>Draft Belfast Metropolitan Plan 2004</p> <p>Belfast Harbour Local Plan 1990 – 2005</p>
4.2	<p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for N. Ireland (SPSS)</p> <p>Planning Policy Statement 2 (PPS 2) – Planning and Nature Conservation</p> <p>Planning Policy Statement 3 (PPS 3) - Access, Movement and Parking</p> <p>Planning Policy Statement 4 (PPS 4) – Planning and Economic Development</p> <p>Planning Policy Statement 11: Planning and Waste Management</p> <p>Planning Policy Statement 13: Transportation and Land Use</p> <p>Planning Policy Statement 15 (Revised) (PPS 15) - Planning and Flood Risk</p> <p>Planning Policy Statement 18: Renewable Energy</p>
4.3	<p>Other material considerations</p> <p>Supplementary Planning Guidance on Anaerobic Digesters Anaerobic Digesters - Planning Guidance Note: Northern Ireland Environment Agency (2012)</p>
5.0	<p>Statutory Consultee Responses</p> <p>DFI Roads – No objection</p> <p>NI Water – No objection</p> <p>Rivers Agency – No objection</p> <p>NIEA-Marine and Fisheries Division – No objection</p> <p>NIEA Water Management Unit – No objection</p> <p>NIEA Land, Soil, and Air – No objection</p> <p>NIEA Natural Environment Division – No objection</p> <p>Shared Environmental Services – No objection</p> <p>Belfast City Airport – No objection</p>
6.0	<p>Non-Statutory Consultee Responses</p> <p>Environmental Health BCC – No objection subject to conditions and informatives</p> <p>Tree Officer BCC – content that the landscaping proposals are appropriate subject to condition</p> <p>City and Neighbourhood Landscape Team BCC – No objection</p>
7.0	Representations
7.1	<p>The application has been neighbour notified and advertised in the local press. Two objections to the proposal have been received from Carlin Planning Ltd on behalf of Giants Park Belfast Limited (GPBL) and from Turleys on behalf of Belfast Harbour. These representations are summarised below with an officer commentary on each of the main points. The substantive issues raised by objectors are also dealt with in the main assessment section of this Committee report.</p>

	<u>GPBL</u>
7.2	<p>GPBL say that they are the preferred bidder for the development of 250 acres of land at North Foreshore. This will be a major leisure-led mixed use development involving significant investment of around £170m and will be a major tourism destination. The Giant's Park proposal will include the following phases:</p> <ul style="list-style-type: none"> • Phase 1 – hotel; petrol filling station; and fast food • Phase 2 – indoor leisure; golf entertainment facility; food and beverage; and hotel • Phase 3 – 200 acre active entertainment park • Phase 4 – R&D park
7.3	<p>The site is immediately adjacent the proposed CAD facility. GPBL have significant concerns that the proposed CAD facility could impact on deliverability and success of a leisure-based development. The proposal is contrary to planning policies and should be refused. The specific concerns are summarised below.</p>
7.4	<p>Risk to the delivery of GPBL's proposals – the proposal would create a serious risk to delivery of the future major leisure and tourism proposal. The Environmental Statement should consider the GPBL scheme as a sensitive receptor. The leisure park proposals would result in considerable environmental and economic benefits. There is also a risk that the proposed CAD facility would be incompatible with proposed adjacent employment land.</p> <p><i>Officer response:</i> the GPBL proposals have not entered the planning process and there are no live planning applications for the scheme. Accordingly, Members are advised that minimal consideration can be given to this issue at this time.</p>
7.5	<p>Access and HGV traffic movements – the proposed access to the CAD facility is within 30m of the access to the leisure park. HGVs present the risk of odour, noise, pests (vermin and birds), dirt and dust. The HGVs will also have an adverse visual impact. It will be difficult to enforce HGVs use of the second spine road access. The proposed access should be moved to the east instead. The proposal will prejudice safety and the convenience of road users contrary to policy.</p> <p><i>Officer response:</i> Members are advised that they must determine the application before it. DFI Roads have considered the application and have no objections to the proposal. There is no objection to the proposal from the Council's Environmental Health team.</p>
7.6	<p>Visual impact – the proposal would have an overbearing visual impact. The site is the most prominent part of the North Foreshore site. The proposed AD tanks are similar in height to a 7 storey building. The proposal is not visually compatible with a leisure and tourism scheme.</p> <p><i>Officer response:</i> the Council's Landscaping team have assessed the application, including the accompanying Landscape Impact Visual Assessment, and have no objection.</p>
7.7	<p>Noise and odour – the Environmental Statement fails to assess the impact of the proposal on the proposed leisure park. Noise can be generated by the building plant and vehicle movements. Concerns about odour from HGVs carrying bio-gradable waste.</p> <p><i>Officer response:</i> the Environmental Statement is not required to consider proposals which are speculative and have not entered the planning process. The Council's Environmental Health team offer no objection to the proposal in relation to noise or odour impacts.</p>
7.8	<p>Nuisance: vermin and birds – there is risk of leakage from HGVs which may attract vermin and birds. The Environmental Statement does not adequately deal with these</p>

	<p>issues. Whilst these issues can be mitigated, they cannot be totally eradicated. It is crucial to protect the nearby European and Nationally designated sites.</p> <p><i>Officer response:</i> the ecological impacts of the proposal have been considered by NIEA and SES who offer no objection to the proposal.</p> <p><u>Belfast Harbour</u></p>
7.9	<p>Belfast Harbour is the owner of the adjacent Film Studios complex which is located within the North Foreshore, immediately to the east of the application site. They refer to the significant level of investment of approximately £45m and job creation for Phase 2 of the film studios, including 250 jobs during construction and 1,000 creative jobs when occupied.</p>
7.10	<p>Belfast Harbour is concerned that the proposed CAD facility would be incompatible with the film studios. The existing complex is an economic generator with the potential for further economic contribution.</p>
7.11	<p>Noise – the applicant's Noise Assessment considers the impact on the film studios. It concludes that the majority of noise nuisance will be during construction and noise will be perceptible over short term and temporary duration. Concerns about the impact of noise including on filming. The unique characteristics of the site should be reconsidered. Construction is expected to last around 20 months. The application does not specifically address noise from piling.</p> <p><i>Officer response:</i> The Council's Environmental Health team offer no objection to the proposal in relation to noise or other environmental impacts.</p>
7.12	<p>Environmental and ecological impacts – given that the proposal is EIA development, the Council should be satisfied that it is appropriate to condition mitigation in the form of a final Construction Environmental Management Plan and Site Drainage Plan.</p> <p><i>Officer response:</i> the environmental and ecological impacts of the proposal have been considered by NIEA, SES and other consultees who offer no objection to the proposal. It is considered appropriate to deal with these matters by condition.</p>
7.13	<p>Future expansion of the film studios – concerns about compatibility.</p> <p><i>Officer response:</i> there are no technical objections from consultees and the uses are considered compatible.</p>
7.14	<p>Process – the Environmental Statement does not address issues relating to archaeology, overshadowing, daylight, sunlight and wind despite it being requested as part of the Council's EIA scoping. It would have been expected that additional ground gas and land contamination information should have been dealt with in an Environmental Statement Addendum. The Addendum makes no reference to a third party representation dated 01 October or the environmental issues raised in it. The Environmental Statement Addendum was not accompanied by a Non-Technical Summary.</p> <p><i>Officer response:</i> it is considered that the Environmental Statement and Environmental Statement Addendum satisfactorily deal with the likely environmental effects of the proposed development. The third party representation was from GPBL; as stated earlier, the GPBL proposals have not entered the planning process and there are no live planning applications for the scheme. Accordingly, there is no requirement for the Environmental Statement to deal with specific impacts on those proposals. The Environmental Statement was accompanied by a Non-Technical Summary as required by the Regulations.</p>

8.0	<u>Environmental Impact Assessment</u>
8.1	An Environmental Statement (ES) was submitted as part of the application in line with the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. This assessed the environmental impacts of the proposal. The submission of the ES followed screening and scoping decisions by Belfast City Council dated 07 March 2019 confirming that any future planning application for a proposal of this nature required an accompanying ES as the proposal would likely have significant environmental effects on protected sites in the area. The screening and scoping for this proposal was assessed under LA04/2018/2166/DETEIA & LA04/2019/0433/DETEIA.
	<u>Assessment</u>
9.0	<p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> • Development Plan Context; • The principle of the proposal at this location; • General overview of the development; • Renewable energy and environmental sustainability • The Economic Principles and impacts of the proposal; • Design and layout; • Landscape and Visual Impact; • Landscaping; • Impact on amenity; • Impact on Environmental Health (Noise, Vibration, Air Quality, Odour, Artificial lighting and Land Contamination); • Access, parking and transport; • Flood risk, Drainage and Infrastructure capacity; • Natural Heritage and Conservation -Impact on ecology; • Impact on material assets; • Renewable Energy Policy; and • Waste Planning Policy.
9.1	<u>Development Plan Context</u>
9.2	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.3	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
9.4	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), BMAP 2015 is considered to hold significant weight.
9.5	The site is un-zoned “white land” within the Belfast Area Urban Plan (BUAP) 2001. Within draft BMAP 2004 the site falls within zoning BHA 07 Employment/Industry North Foreshore. Following the publication of the Planning Appeals Commission’s (PAC) report (independent examination) it was recommended that Zoning BHA07 and Zoning BHA19 be deleted from the Plan and replaced by a new mixed use site zoning BHA05. This was then incorporated under Zoning BHA 05 of draft BMAP 2015. The Key Site Requirements

	(KSR's) are broadly similar to those as set out in dBMAP 2004. The KSR for both plans are referred to under Sections 10.2 to 10.11.
9.6	The site is within close proximity to a National Designated Site (Inner Belfast Lough Area of Special Scientific Interest); 2No European Designated Sites (Belfast Lough Special Protection Area (SPA) and Belfast Lough Open SPA; and an International Designated Site Belfast Lough Ramsar Site.
9.7	The North Foreshore was operated as a landfill site between 1973 and 2007 and the 340 acre site was developed on areas progressively claimed from the sea northward from Dargan Road. In 1981 Belfast City Council ceased landfill operations on the southern section of the site. Waste Landfill tipping continued in the northern section of the site until March 2007. The application site is located in the central southern portion of the North Foreshore site. The land is currently not in use however it is immediately adjacent to the existing film studios complex known as Phase I.
10.0	<u>The principle of the proposed use at this location</u>
10.1	The site is located within the development limits of BUAP, draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004) and draft Belfast Metropolitan Area Plan 2015 (dBMAP 2015). The presumption is therefore in favour of development subject to the planning considerations discussed below. The site is within Zoning BHA 07 Employment/Industry for North Foreshore in the draft BMAP 2004 and is within the mixed use site North Foreshore Zoning BHA 05 in draft BMAP 2015. Both zonings list a number of KSRs. Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), BMAP 2015 is considered to hold significant weight. A review of KSRs for both draft development plans follows.
	Draft BMAP 2004 – Key Site Requirements for Zoning BHA 07 Employment/Industry North Foreshore
10.2	The first KSR states that development at this location shall only include uses including Light Industrial, General Industrial, Special Industrial, Storage and Distribution, Park and ride and Waste Management facilities. It is considered that an Anaerobic Digester Facility is a waste management facility and as such it complies with identified uses considered to be suitable at this location.
10.3	The second KSR requires development of the site to be permitted only in accordance with an overall comprehensive masterplan to be agreed with the Department. The Comprehensive Master Plan was agreed by DOE Planning Service under reference Z/2008/2289/Q by correspondence dated 15 January 2010. This Masterplan recommended waste management facilities in the area. The Masterplan also promoted economic development on the site. It is considered that the proposal complies with the overall aspiration of the Masterplan to seek the regeneration and development of this site and wider North Foreshore land.
10.4	The third KSR states that access shall be from Dargan Road. The access arrangements and principal internal road network for North Foreshore have been granted planning permission (Z/2014/1279/F) and are constructed and in operation. The proposal will tie into this existing network.
10.5	The fourth KSR states that a Transport Assessment agreed with Transport NI (Now DfI Roads) shall be required. A scoping study, service management plan, travel plan, transport assessment form and transport statement have all been submitted in support of this application. DfI Roads have no objections based on the information submitted to support the application.

10.6	The fifth KSR states that development proposals shall be required to provide appropriate protection of habitat biodiversity in the adjacent international and national designated natural heritage sites. A landscape and visual impact assessment; environmental statement including a section on the assessment of the likely significant ecological impacts associated with the proposal, shadow habitat regulation assessment and outline construction phase environmental management plan have been submitted in support of the application. NIEA and Shared Environmental Services have been consulted and confirmed that they have no objections based on the information submitted subject to appropriate conditions.
10.7	The sixth KSR requires buildings to exhibit variety in their elevational treatment and heights. The nature of the proposal gives rise to different sizes and heights between different components of the proposal. The industrial nature of the use is evident from its design. There is no objection from the Council's Landscaping team.
10.8	The seventh and eighth KSR's require a comprehensive landscaping scheme including retention of vegetation on the site and a detailed planting plan and programme of works as well as long-term landscape management proposals. The proposal was accompanied by a comprehensive landscaping scheme. This was assessed by BCC Tree Officer and BCC City and Neighbourhood Landscape Team and found to be acceptable. These consultees have no objections subject to conditions.
	Draft BMAP 2015 – Key Site Requirements for Zoning BHA 05 Mixed Use North Foreshore
10.9	The PAC report (independent examination) recommended that Zoning BHA07 and Proposal BHA19 be deleted from the Plan and replaced by a new mixed use zoning BHA05. The Key Site Requirements (KSR's) are broadly similar to those in the draft 2004 plan. One of the key differences was that at the PAC inquiry, it was agreed by the parties that recycling should be included.
10.10	<p>The proposal is compliant with the KSRs stipulated within the draft BMAP 2015 zoning BHA 05 mixed use site-North Foreshore insofar as the proposed development:</p> <ul style="list-style-type: none"> • Is a 'sui generis' waste management use at this location. This use comprises elements of waste management and recycling; • Is broadly compliant with the comprehensive masterplan for Giant's Park; • Will provide appropriate protection of habitat biodiversity as considered in the Environmental Statement (chapters 6 'Air Quality and Odour' and 11 'Ecology'); • Will be accessed from existing road infrastructure from Dargan Road; • Does not require any road improvements based on predicted additional traffic identified within Chapter 10 'Transportation' of the accompanying Environmental Statement; and • The proposal is accompanied by a comprehensive landscaping scheme which will be conditioned.
10.11	The proposal is considered compatible with the adjacent uses identified within the Development Plan zonings and the wider comprehensive masterplan for Giant's Park. Given the location of the site within the development limits and compliance with the key site requirements it is therefore considered that the proposed use is acceptable in principle, having regard to local planning policy and the presumption is therefore in favour of development subject to planning and environmental considerations detailed below.
	RDS 2035
10.12	Policy RG5 relates to the delivery of a sustainable and secure energy supply. It states that decision makers will have to balance impacts against the benefits from a secure renewable

	<p>energy stream, and the potential for cleaner air and energy for industry and transportation. There will need to be a significant increase in all types of renewable electricity installations and renewable heat installations, including a wide range of renewable resources for electricity generation both onshore and offshore to meet the Region's needs. In addition to the carbon benefits, increased use of micro-generation plays an important part in diversifying our energy mix and ensuring security of energy supply. It can allow energy to be produced and consumed locally, help alleviate fuel poverty (especially in off-gas network areas) and play a part in meeting renewable energy targets.</p>
10.13	<p>SPPS</p> <p>The Strategic Planning Policy Statement (SPPS) sets out five core planning principles including improving health and well-being; creating and enhancing shared space; supporting sustainable economic growth; supporting good design and positive place making; and preserving and improving the built and natural environment. With regards to renewable energy, the SPPS reiterates the policy criteria contained within Policy Re1 of PPS 18 and states that: <i>'the wider environmental, economic and social benefits of all the proposals for renewable energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted'</i>. With regards to waste management, the aim of the SPPS is to <i>'support wider government policy focused on the sustainable management of waste, and a move towards resource efficiency'</i>. It is therefore considered that the proposal is also compliant with strategic planning policy.</p>
10.14	<p>General Overview of the development</p> <p>This site offers an opportunity for a strategically located CAD facility in the North Foreshore, a significant regeneration site in Belfast that is promoted as Belfast's future 'Cleantech Hub' to attract interest from environmental, renewables and low carbon sectors amongst other mixed uses. Wider existing uses within the Giant's Park site include the Belfast Harbour Film Studios to the northeast and Belfast City Council Waste Transfer Station located to the southeast of the site. To the north of the Waste Transfer Station, is an existing CHP engine compound installed as part of a landfill gas management system. This landfill gas management system originally comprised five CHP engines. Over time as the supply of landfill gas has depleted only two CHP engines are now used to generate electricity from the remaining landfill gas. The other three CHP engines (4.1MW) were decommissioned and acquired by DRBL in 2017. With this spare grid capacity available, DBRL have looked to alternative renewable solutions to create biogas in making best use of the existing engines. Anaerobic Digestion (AD) is a sustainable form of renewable energy production through a naturally occurring process in which micro-organisms break down biodegradable material, in the absence of oxygen in an enclosed system. The process produces a methane-rich biogas and compost-like material, known as 'digestate'. The biogas is converted via a CHP engine into renewable heat and electricity.</p>
10.15	<p>Environmental Health do not have in principle concerns regarding the compatibility of the proposed CAD facility with the proposed adjacent uses zoned under Policy BHA 05 of BMAP 2015, or the approved masterplan, in respect of land contamination, ambient air quality, odour, noise impacts or lighting. It also confirms that the CAD facility is to be licensed and regulated by NIEA under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.</p>
10.16	<p>Representations from GPBL highlighted concerns regarding whether future GPBL proposals have been adequately assessed as a sensitive receptor in the ES and whether this proposal will impact on the delivery of future uses by GPBL. These proposals are at an early stage and have not yet entered the planning process. As such minimal weight can be attributed to this issue at this time.</p>

11.0	<u>Renewable energy and environmental sustainability</u>
11.1	<p>Anaerobic Digestion (AD) is a technology that delivers a number of energy and environmental benefits including: the generation of renewable energy and valuable fertiliser from local organic waste material; contribution to renewable energy targets and reduction in reliance on fossil fuels; and reduction in greenhouse gas emissions and pathogens. These are material planning considerations as set out within strategic guidance under Policy RG 9 (Reduce our carbon footprint and facilitate mitigation and adaption to climate change whilst improving air quality) and Policy RG10 (Manage our waste sustainably) of the RDS. The RDS also strives to deliver a sustainable and secure energy supply under Policy RG 5. Furthering sustainable development is at the heart of the SPPS with particular reference to renewable energy under paragraphs 6.214-6.218 and 6.306-6.309 as well as renewable energy policy within PPS 18. The Programme for Government contains a target for a reduction in greenhouse gas emissions by at least 35% on 1990 levels by 2025. The current NI Strategic Energy Framework target is for 40% of electricity consumption to be met by renewable generation by 2030. A significant benefit of the proposed development is that it will contribute to the redevelopment of this former landfill site whilst also contributing to renewable energy targets, reducing the amount of biodegradable waste sent to landfill and reducing greenhouse gas emissions. The development of the CAD facility at this location also has the potential to attract other industrial / business uses to the North Foreshore who seek to avail of the renewable energy (electricity and heat) sources that the facility will generate.</p>
12.0	<u>The Economic Principles and impacts of the Proposal</u>
12.1	<p>Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. Large scale investment proposals with job creation potential should be given particular priority. The project represents a significant capital investment in the local economy (estimated construction cost of £40m) and the creation of c. 354 indirect/direct jobs during construction and c. 22 operational jobs.</p>
12.2	<p>PPS 4: Planning and Economic Development sets out planning policies for economic development uses, recognising the key role the planning system has in achieving a vibrant economy. It is considered that the proposal is consistent and complies with the overall aspiration of the mixed use zoning in draft BMAP 2015, approved masterplan and Policy PED 7 Retention of zoned land and economic development uses in that it is considered to be an exceptional sui generis use.</p>
12.3	<p>The proposal is in accordance with the area plan zoning and meets the KSRs set out for the zoning as previously set out. It is also considered that given the expansive nature and size of zoning BHA05, there is sufficient industrial land for redevelopment of other economic land uses. It is therefore considered that the proposal is acceptable having regard to PPS4 and Policy PED7.</p>
13.0	<u>Design and layout</u>
13.1	<p>The proposed development will comprise the following: 6no. digester tanks; 2no. buffer tanks; 1no. storage tank; Pump rooms associated with bunded tank farm; Biogas holder; Biogas conditioning system; Temperature control system; Waste Water Treatment Plant (WWTP); Motor Circuit Control Room building; Hot/Cold Water Recovery System; Feedstock reception and digestate treatment building; Product Storage Building; Odour control system; Emergency biogas flare; Back up boiler; Administration/office building; Car parking; 3no. weighbridges; Fire water tank and pump house; Pipelines to existing CHP engines; Switchgear container; NIE kiosk; Waste Exhaust Heat Boiler; Security fencing; Landscaping / earth bunding; and 3no. Accesses to existing Giant's Park service road infrastructure.</p>

13.2	The scale and massing of the buildings proposed are primarily influenced by the function of the use. The main processing building with an area of 5,740m ² is the largest building on the site by floor space. This building has a maximum height of 14m. Tanks on the site measure up to a maximum 21m in height. The tallest component of the site is the odour control stack measuring 33m in height. The neighbouring film studio measures approximately 24m in height which highlights the local character of the area. The materials used on the proposal range from wall and roof cladding on the main building to light grey/blue metal cladding tanks and plant. These materials fit the industrial nature of the proposal and are supported by the Council's Landscape team.
13.3	Given the overall size of the site within North Foreshore and the industrial / commercial nature of the immediate surrounding context, the design and layout of the proposed scheme is considered to be acceptable.
14.0	<u>Landscape and Visual Impact</u>
14.1	A Landscape and Visual Assessment (LVIA) was submitted in support of the application. The Council's Landscape Planning and Development Team reviewed the LVIA as well as associated planting and landscaping proposals. They are content with the methodology and assessment and note that the proposal can be effectively absorbed into the existing setting without causing any adverse or unacceptable effects.
14.2	The proposed development will constitute a significant alteration to the application site setting and will be a notable addition to the North Foreshore / Giant's Park. The taller parts of the AD Plant will be visible in glimpse views from incidental locations on Dargan Road and Edgewater Road but, in general the effects will be of a slight and non-significant nature given the site context.
14.3	Beyond the application site area, the effects on landscape character and visual amenity very quickly dissipate in magnitude of effect and significance on account of the nature of the baseline character and limited visual envelope.
14.4	<i>Predicted Landscape Character and Visual Impacts (Construction and Operation)</i> BCC's Landscape Planning & Development Team agree that there will be substantial effects during the construction and operational periods and that there will be slight to negligible effect on this part of the city due to the existing industrial, commercial character. Viewed from the east (Viewpoint 2) and west (Viewpoints 3 & 4) of the supporting information it is considered that the proposed development would be identifiable in association with Belfast Harbour Film Studios and the recent infrastructure works. As such, it is not visually out of character within the wider landscape. The development will produce recognisable new elements in the landscape but not dominant components in the wider view, and does not constitute a considerable alteration of the landscape character. Given that the proposed development is located next to an existing large scale development (Belfast Harbour Studios) it is unlikely to result in a significant additional impact on landscape character or visual amenity. The scale is appropriate in the context of the receiving landscape and is compatible when considered with the existing adjacent development and the wider landscape character. BCC's Landscape Planning & Development Team also agree with the assessment that there will be neutral effects from the four viewpoints identified in the LVIA report.
14.5	<i>Description of Proposed Mitigation Measures</i> BCC's Landscape Planning & Development Team supports the selection of the non-reflective cladding materials and grey colour choices for the buildings. They welcome the use of Adventura Grey RAL 7000 for the proposed chemical tanks to reduce the potential visual impact of the proposed development. They have commented that they are content that the Proposed Landscape Works submitted has sufficient detail on species, specification and densities and are supportive of the planting proposals as presented.

	<p>The proposal is therefore considered appropriate in landscape and visual terms and can be effectively absorbed into the existing setting without causing any adverse or unacceptable effects.</p>
14.6	<p><i>Landscaping</i></p> <p>The existing trees on the site were only planted within the past few years and as such have not had time to establish. The retention of these trees will be conditioned as it will assist integration and add value to the amenity of the site / area. Proposed new planting includes a mixed species of hornbeam, willow and Scot's Pine, extra heavy standard at the time of planting. These species are deemed acceptable as they are the same species used in the wider area as part of planning approval ref. Z/2014/1279/F (Access road infrastructure). The proposed landscaping seeks to create mounding throughout the site which will help break up the landscaping and assist screening / integration. These mounds will vary in height from 1m to 2m from ground level. Groups of trees will be planted on top to create a woodland. The proposed access roads / hard surfaces into the site will have an impact on several existing trees, necessitating their removal. New hard surfaces to the north of the site will also impact existing gorse and shrub. It is considered that between the proposed landscaping and further conditioning that adequate landscaping will help to lessen the visual impact of the proposal.</p>
15.0	<p><u>Impact on Amenity and Environmental Health</u></p>
15.1	<p>Paragraphs 4.11 and 4.12 of the SPPS states there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when managing development. Assessments of wider human health effects on the nearby population during both the construction and operational phases of the development have been considered in the ES. The development has taken wider health considerations into account through the design process and the effects on wider human health are therefore anticipated to be negligible. The nearest residential properties are located >500 metres from the application site in the Fortwilliam area to the west. The adjacent film studio is approximately 150 metres from the closest building on the proposed site. Due to separation distances of at least 150m there is unlikely to be any issues with overshadowing with existing neighbouring uses including the adjacent Film studio. It was considered that there was no requirement for a shadow analysis or sunlight report. A Noise & Vibration report, an Air Quality Impact Assessment, an Odour Impact Assessment, and an Artificial Lighting Assessment have been submitted in support of the planning application.</p>
15.2	<p><i>Noise and Vibration</i></p> <p>The submitted noise report concluded that there are no likely significant noise impacts associated with the proposed development. Piling activities may be required in closer proximity to the Belfast Film Studio complex. EHO have offered conditions to mitigate against any adverse impact on the studio during the construction phase of the proposal. EHO have commented that they have no concern regarding construction and operational phase noise impacts of the proposed Anaerobic Digestion development. The impacts of the construction and operation phases are therefore concluded to be negative.</p>
15.3	<p><i>Air Quality and Odour</i></p> <p>Air quality impact has been assessed on the basis of construction and operational impacts. In terms of construction dust impacts EHO have recommended a condition requiring a dust management plan to be submitted.</p>
15.4	<p>With regard to odour impact, the applicants have advised that the purpose of the Anaerobic Digestion plant is to produce biogas to be combusted in adjacent generators in order to generate commercial electricity for the grid and for onsite use. They have consequently advised that the biogas will be stored in a closed loop system and that the reception area of the plant will be maintained under a negative pressure, with all air extracted through a three</p>

	<p>stage odour control system, discharging at a height of 30m to atmosphere. Ammonia is to be emitted via this stack at a maximum concentration of 10mg m^{-3} and odour at a maximum concentration of $1,000\text{ ou}_e\text{ m}^{-3}$. EHO have expressed no concerns regarding odour impact from operation of the proposed Anaerobic Digestion plant at relevant human health receptor locations. In addition, it is understood that the proposed Anaerobic Digestion plant will be subject to permitting by the Northern Ireland Environment Agency under the Pollution Prevention and Control (Industrial Emissions) NI 2013 Regulations. In addition to this EHO have no concerns regarding air quality impact</p>
15.5	<p>Artificial Lighting</p> <p>An Artificial Lighting Assessment was submitted, principally to demonstrate that the proposed development has been considered to minimise vertical light leakage, and thereby avoiding glare to aircraft operating from George Best Belfast City Airport. The Assessment has however, also considered the impacts of artificial lighting on adjacent sensitive receptors during construction and operational phases of the proposed development. The Artificial Lighting Report concluded that the lighting for the proposed development can be accommodated without detriment and will not result in a significant adverse impact, rather providing modern controlled lighting technologies that will contain and control light spill and will be negligible (long term) to the surrounding environment. EHO offers no objections to the proposed artificial lighting associated with the proposal.</p>
15.6	<p>Contaminated Land and Ground Conditions</p> <p>The nature of the site as a landfill location naturally gives rise to concerns regarding contamination and human health. The Council's Environmental Health Department (BCC: EH) as well as NIEA: Land and Groundwater Regulation Unit (NIEA: LRU) were consulted.</p>
15.7	<p>A Preliminary Risk Assessment (PRA), Generic Quantitative Risk Assessment (GQRA) and Remediation Strategy reports were submitted in support of the application. Following review of these documents, both consultees were content to recommend conditions.</p>
15.8	<p>The conditions will require a detailed remediation strategy which must demonstrate how the identified pollutant linkages on the site are to be demonstrably broken so that they no longer pose a potential risk to human health. The details will include the capping systems to be installed, gas protection measures to be installed in all buildings requiring gas protection, hydrocarbon vapour protection membrane to be installed in all buildings requiring protection, the gas abstraction system to be installed on the development site and how the proposed remedial works are to be verified. A verification report will also be required.</p>
15.9	<p>Outline Construction Environmental Management Plan</p> <p>An OCEMP was submitted as part of the Environmental Statement. This contains details of the environmental monitoring and mitigating measures to be implemented during construction works to minimise the effects of the site operations on relevant receptors. The OCEMP will address other general environmental management issues at the proposed development site and at the council's North Foreshore, Giants Park. Some of these issues may be of relevance to the council's Waste Management Licence for the former Dargan Road Landfill site that has been conferred under the Waste Management Licensing Regulations (Northern Ireland) 2003. The 'final' CEMP should therefore also have regard to environmental management recommendations detailed within the council's North Foreshore Developer's Guidance Note and supporting documents. EHO have requested conditions to this effect.</p>
16.0	<p>Access, parking and transport</p>
16.1	<p>The proposal has been assessed against PPS 3 and PPS13. In assessing the proposal DFI Roads considered the following documents: a Transport Assessment Form, Transport section within the environmental statement, a Travel Plan and a Service Management Plan. They offer no objection to the proposal.</p>

16.2	Transport impacts of the proposed development therefore relate primarily to the delivery of waste feedstock (up to 99,999 tonnes per annum) and transportation of digestate (up to 16,000 tonnes per annum). Ancillary traffic movements will also include chemical delivery, the removal of screened material and daily staff movements. In the vicinity of the site access Dargan Road is a dual carriageway is approximately 30.2m wide (in total) with two through lanes in each direction, right turn lanes, central reservation and footways. The access to the public road currently serves a film studio complex and a waste transfer station. The traffic generation from these uses has been identified and is already on the local road network. The access forms a priority junction with Dargan Road. The access is 7.3m in width to facilitate the regular arrival and departure of HGVs. The access is gated, and whilst usually open the gates are placed 22m from the edge of the running carriageway, so that a waiting vehicle does not obstruct through traffic. The existing site access is designed to safely accommodate the large vehicles associated with the current and proposed vehicles on the site. Verges/footways facilitate visibility splays in excess of 4.5 x 90m in both directions.
16.3	The plant will consume 99,999t of organic feedstock annually. Waste will be sourced from the wider Belfast area. The worst case scenario is that all vehicles carrying feedstock will arrive full and leave the site empty, therefore there will be 32 HGV arrivals and 32 HGV departures per day associated with the delivery of feedstock. The approach routes for these vehicles will be along Dargan Road, to or from the Fortwilliam junction of the M2. The output is digestate pellets or material to otherwise be disposed of at landfill or recycled. Assuming the maximum 16,000t output equates to 5 loads per day. Again a conservative average load of 10t is assumed. The worst case scenario is that all vehicles arriving to the site to remove digestate pellets or material to landfill arrive empty and leave the site full, therefore there will be 5 HGV arrivals and 5 HGV departures per day. This equates to a total of approximately 74 HGV journeys per day.
16.4	DFI Roads finds the information submitted in support of the application to be acceptable subject to conditions. Having regard to the above and technical response from DFI Roads, it is considered that subject to conditions which are set out below the scheme is acceptable and in accordance with the relevant sections of PPS 3.
17.0	<u>Flood Risk, Drainage & Infrastructure capacity</u>
17.1	PPS15: Planning and Flood Risk seeks to minimise and manage flood risk to people, property and the environment. The site is located outside the 1 in 100 year river flood plain and 1 in 200 year coastal flood plain. The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains. Given that the site area exceeds 1 hectare Policy FLD 3: Development and Surface Water Flood Risk Outside Flood Plains of PPS 15 is relevant. A Drainage Assessment has been submitted in support of the application
17.2	The proposed development is not considered to be at risk of fluvial flooding during a 1 in 100 year fluvial flood event. The proposed development will increase the rate and volume of surface water runoff from the applicant site. A storm drainage system will discharge this increased rate and volume of surface water runoff directly into the sea. Discharging directly into the sea has no adverse flooding issues because additional flow will not cause sea levels to increase. The impacts of the construction and operation phases are therefore concluded to be negative (slight). There will be no impact upon or from the proposed development in the context of pluvial flooding. There will be no contamination from sediment loading or chemical spills due to engineered solutions.
17.3	Rivers Agency raised no objection to the proposal subject to informatics. Northern Ireland Water Ltd has been consulted on the proposal and confirmed that the waste water treatment works (WWTW) has available capacity to accept the additional load. NIEA: Water Management Unit also has no objection to the proposal. Having had regard to the

	above it is considered that the proposal would not have a significant impact on flood risk, drainage and the sewerage system. The proposed scheme is therefore considered acceptable in accordance with Policy FLD 3 of PPS 15 and the SPPS with respect to flood risk, drainage, sewerage and climate change.
18.0	<u>Natural Heritage and Conservation – Impact on ecology</u>
18.1	As set out above the application site is within 7.5 km of Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA, Maidens SAC, Bellevue ASSI & Craigantlet Woods ASSI (hereafter referred to as designated sites) which are of international and national importance and are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002.
18.2	PPS2 sets out planning policies for the conservation, protection and enhancement of our natural heritage. Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites as these are afforded the highest protection.
18.3	The ES provides an assessment of the likely significant ecological impacts associated with the proposal during the construction and operational phases. Detailed surveys were undertaken at the application site in relation to protected habitats, badger, otter, lizard, avifauna and marine mammals. No evidence of badger, otter, lizard or marine mammals was observed. Bird activity on the site was extremely low and as such no significant direct impacts upon local avifauna are predicted. Indirect impacts on avifauna include potential disturbance during construction of the proposed development by way of noise (piling activity) and artificial lighting. The bird surveys carried out in respect of this proposal have indicated that the application site is not utilised by foraging and/or roosting shorebirds.
18.4	Natural Environment Division (NIEA: NED), Marine and Fisheries Division (NIEA: MFD, Water Management Unit (NIEA:WMU), Land, Soil and Air Pollution Prevention and Control team NIEA and Shared Environmental Services (SES) have considered the impacts of the proposal on designated sites.
18.5	Natural Environment Division has considered the impacts of the proposal, as per the application, on the designated sites and, on the basis of the information provided to date can confirm that the proposal, is in line with DAERA's operational protocol on nitrogen emissions. NIEA NED is content that the proposed development is unlikely to significantly impact bats, otters, badgers or smooth newts and is content that the site does not support priority habitat. Given the response from NIEA NED and SES it is considered that the proposal therefore complies with the relevant policy requirements of PPS 2.
18.6	NIEA: Marine and Fisheries Division have provided informatives regarding marine life and protections.
18.7	NIEA: WMU have highlighted that they have no objection to the proposal because NIW have indicated that the WWTW in the area is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its consent to discharge.
18.8	NIEA: Land, Soil and Air Pollution Prevention and control team have requested a planning condition to state that no digestate from the facility is to be land spread. However, this would be outside the control of the planning permission and a matter for the relevant licensing authority.
18.9	SES have no objections to the proposal.

18.10	Having regard to PPS 2, it is considered that the proposal meets the requirements of the relevant policies as outlined above.
18.11	<p><i>Habitats Regulation Assessment (HRA)</i></p> <p>This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service 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. Shared Environmental Service concluded that having considered the nature, scale, timing, duration and location of the project it is concluded that, provided mitigation is conditioned, the proposal will not have an adverse effect on site integrity of any European site.</p>
18.12	NIEA Marine and Fisheries Division has considered the impacts of the proposal and on the basis of the information provided is content with the proposal. They have commented that provided appropriate air, land and water pollution prevention measures are implemented during construction and operation, the proposal is unlikely to have a significant impact on marine protected areas.
19.0	<u>Impact on material assets</u>
19.1	<p>The ES examines the potential impacts on utility infrastructure (electricity, gas and water) and airport safeguarding including lighting impact as a result of the proposed development. During the construction phase, the ES confirms that the services installed to-date at Giant's Park are designed to accommodate development of the wider site and therefore no mitigation is required in relation to electricity import, sewer connection or water supply. In relation to airport safeguarding, the applicant will undergo an approval process with BCA in advance of any crane operation on site. As such, the residual impact of the proposed development during the construction phase is considered to be neutral. During the operational phase, the proposed development will be self-sufficient in relation to electricity consumption. Similarly, water consumption will also be minimal give the proposed rainwater harvesting arrangements. The proposed drainage system to be installed will ensure water quality prior to discharge to the existing storm sewer which is confirmed to have sufficient capacity. The proposal will also connect to the existing foul sewer located on-site. Airport safeguarding has been considered in relation to bird attractants, use of lighting, reflective surfaces and obstacle lighting and mitigation by way of design of the proposed facility will ensure the proposed development will not impact on the operations of BCA. Belfast City Airport and NI Water offered no objections to the proposal.</p>
20.0	<u>Assessment against PPS 18 Renewable Energy Planning Policy</u>
20.1	<p>Planning Policy Statement 18 is also a material consideration. Policy RE1 seeks to ensure that the proposed development will not result in an unacceptable adverse impact on:</p> <ul style="list-style-type: none"> a. public safety, human health, or residential amenity; b. visual amenity and landscape character; c. biodiversity, nature conservation or built heritage interests; d. local natural resources, such as air quality or water quality; and e. public access to the countryside.
20.2	<p>In terms of criterion (a) the site is located within a former landfill site, centrally located to potential feedstock sources and key transport corridors. The site is located in the existing industrial context of Belfast Harbour with a waste transfer station located to the south east of the site. The management of the proposed CAD facility will require 22 full-time job positions. The risk of associated with such a proposal has also been considered in terms of the required plant. An emergency fire water tank, fire pump house and temperature control system is proposed. Given the limited number of staff and the imposition of mitigating measures it is considered that the proposal complies insofar as public safety is concerned.</p>

	In terms of noise, the industrial nature of the wider area lends itself to having high background noise levels.
20.3	The distance from sensitive receptors ensures that 'public safety, human health, or residential amenity' will not be prejudiced. The nearest residential receptor is located > 500 metres from the application site in the Fortwilliam area to the west with the NI railway line and M2 motorway located in the intervening landscape. A Noise Impact Assessment (NIA) indicates that there will be no unacceptable impact to these residential properties given the separation distance, a view shared by Belfast City Council's Environmental Health unit.
20.4	In terms criteria (b) and (c) the site has not been designated as having any landscape value by the Area Plan. It is not within an Area of Outstanding Natural Beauty (AONB), Area of Outstanding High Scenic Value (AOHSV) or a Local Landscape Policy Area (LLPA). The site is not located within but is adjacent to a number of ecological designations which were considered in the Environment Statement and have been adequately assessed. There are no known built heritage interests located within the site or within 500m due to it being a former landfill. There are no objections from NIEA or SES.
20.5	In terms of criteria (d) the proposed abatement systems and design of the CAD facility will ensure that there will be no impact on 'local natural resources, such as air quality or water quality' and in terms of criteria e public access to the countryside will not be impacted given the site's location in an industrial area.
20.6	In terms of criteria (e) Public access to the countryside will not be impacted given the site's location in an industrial area.
21.0	<u>Waste – Assessment against PPS 11 'Planning and Waste Management'</u>
21.1	<p>Planning Policy Statement 11: Planning and Waste Management is a material consideration. This policy document sets out the Department's planning policies for the development of Waste Management Facilities. It seeks to ensure the highest standards so that waste can be dealt with in a way, which minimises impacts on the environment. The particular policy relevant to a proposal of this nature is Policy WM2 'Waste Collection and Treatment Facilities'. Policy WM2 must be considered in light of Policy WM1 'Environmental Impact of a Waste Management Facility'. Policy WM1 states that proposals for the development of a waste management facility will be subject to a thorough examination of environmental effects and will only be permitted where it can be demonstrated that a number of criteria are met.</p> <ul style="list-style-type: none"> • The proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment; as per the above consideration of PPS 18 Policy RE1, detailed assessments have been undertaken as part of the Environmental Statement to demonstrate that the proposal will not result in demonstrable harm to human health or the environment. Following consultation, NIEA and Environmental Health offer no objection regarding the impact of the proposal on human health or the environment. • The proposal is designed to be compatible with the character of the surrounding area and adjacent land uses; as required by Policy WM2 of PPS 11, the site complies with a number of the locational criteria as it is located within an existing industrial area adjacent to compatible uses. There would be no harm to the wider landscape. • The visual impact of the waste management facility, including the final landform of landfilling or land raising operations, is acceptable in the landscape and the development will not have an unacceptable visual impact on any area designated for its landscape quality; as per the above consideration, the proposal will not give rise to unacceptable visual impact.

	<ul style="list-style-type: none"> the access to the site and the nature and frequency of associated traffic movements will not prejudice the safety and convenience of road users or constitute a nuisance to neighbouring residents by virtue of noise, dirt and dust; the public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated; adequate arrangements shall be provided within the site for the parking, servicing and circulation of vehicles; wherever practicable the use of alternative transport modes, in particular, rail and water, has been considered; The proposed access to the site and the nature/frequency of associated traffic movements will not prejudice the safety and convenience of road users nor constitute a nuisance. Adequate arrangements are proposed for parking, servicing and circulation of vehicles. A comprehensive travel plan was submitted with the proposal. The proposal is located within an established industrial area, the location benefits from existing public transport services and proximity to the national cycling network. The development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests; as per the above consideration of PPS 18 Policy RE 1, there are no known built heritage interests or archaeological constraints located within the site or within 500m due to it being a former landfill.
21.2	<p>The types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures; the processes are such that there will be no environmental risk. All waste feedstock will be handled internally within the main processing building and any process effluent will be contained and treated within the proposed WWTP. NIEA will be responsible for regulating the site and the licensing process will require the application to demonstrate that any associated environmental impacts will be acceptable. NIEA are content with the detail of the proposal.</p> <ul style="list-style-type: none"> It is therefore concluded that the proposal will not pose serious environmental risk to air, water or soil resources that cannot be controlled by mitigating measures. The proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere; the site is not located within the floodplain and the proposed development will not cause or exacerbate flooding elsewhere. Rivers Agency offered no objections to the proposal. the proposal avoids (as far as is practicable) the permanent loss of the best and most versatile agricultural land; the proposal will not result in the loss of versatile agricultural land as it is located on a former landfill site In the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site. No landfilling is proposed.
21.3	The proposal therefore satisfies the criteria of Policy WM1.
21.4	<p><i>Policy WM2 – Waste Collection and Treatment Facilities</i></p> <p>Policy WM 2 states that proposals for the development of a waste collection or treatment facility will be permitted where certain criteria are met. Within the context of Policy WM2 this proposal is assessed as follows:</p> <p>Criteria A: there is a need for the facility as established through the WMS and the relevant WMP. The proposal is consistent with the wider aims of waste management policy (established through the WMS and WMP) insofar as AD moves waste up from the hierarchy from disposal to recycling and recovery, diverting organic waste from landfill.</p> <p>Criteria B: the proposed facility is the Best Practicable Environmental Option (BPEO). BPEO is no longer a material planning consideration as per the then DoE ministerial statement in October 2013. This followed the publication of the revised Waste Management Strategy 'Delivering Resource Efficiency'.</p>

<p>21.5</p> <p>22.0</p> <p>22.1</p>	<p>Criteria C: the proposed facility should comply with a locational criteria. This proposal meets this as it is located within an industrial/port area which has a character appropriate to the development and it brings previously contaminated land back into productive use.</p> <p>Criteria D: Requires that the proposal's location relates closely to and benefits from easy access to key transport corridors, that the processing of waste is within a purposed built building which can handle the waste appropriately and the facility will not result in an unacceptable adverse environmental impact. The proposal fulfils all of the above as previously highlighted. Accordingly, the proposal meets the criteria of Policy WM2.</p> <p>Supplementary guidance document titled 'Anaerobic Digesters'</p> <p>The Supplementary Planning Guidance (SPG) document titled Anaerobic Digesters provides additional advice and guidance specific to Anaerobic Digestion (AD) to complement the background information already set out in the Best Practice Guidance to PPS 18. The information set out in this SPG should be read in conjunction with both PPS18 and its associated Best Practice Guidance. It has been drawn up taking account of similar material available for other parts of the UK and the Republic of Ireland. This guidance document sets out the key planning issues, some of which are more relevant given its location with the development limits. Whilst only in draft with a clear caveat that state 'When published in final form, this SPG will be a material consideration in the determination of planning applications for AD development', it still offers assistance and guidance on the key issues to be considered. Care has been taken to ensure that the proposed EWC codes, layout of the site, processes and associated digestate will not prejudice or adversely impact either human health or the natural environment.</p> <p>Conclusion</p> <p>Impacts of acknowledged importance such as sustainability, visual and landscape impact, amenity, drainage and flood risk, contamination, nature conservation and impact on the road network are all considered acceptable subject to appropriate conditions detailed below. It is also considered that the proposal would result in wider environmental and economic benefits and job creation opportunities and that these factors lend weight in favour of the proposal. The proposal is considered acceptable having regard to the Development Plan, draft BMAP 2015 and other relevant material considerations.</p>
<p>23.0</p>	<p>Summary of Recommendation:</p> <p>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 subject to no new substantive planning issues being raised by third parties.</p>
<p>24.0</p>	<p>Recommended Conditions (provisional)</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: Prior to commencement of development, the applicant shall submit to and have approved in writing by the Planning Authority, a Detailed Remediation Strategy. This Remediation Strategy must be based on the capping, landfill gas extraction infrastructure and building protection measures proposals contained within the RPS Group Plc reports entitled 'Remedial Strategy Report, Dargan Road Biogas Ltd, Bioenergy (AD) Plant, Giant's Park, Belfast' (dated December 2019 and referenced IBR1061 version 5) and 'Dargan Road Biogas Ltd, Gas Extraction System, Bioenergy Anaerobic Digestion (AD) Plant' (dated December 2019 and referenced IBR1061 version 8) and the letter from RPS</p>

dated 24th February 2020 and referenced 'IBR1061, Dargan Road Biogas Limited, Centralised Anaerobic Digestion (CAD) Plant - Planning Application Ref: LA04/2019/1540/F'. The Detailed Remediation 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, this Detailed Remediation Strategy must provide final detail on:

- The capping systems to be installed.
 - The gas protection measures to be installed in all buildings requiring gas protection, which must be compliant with BS 8485:2015+A1:2019 and Belfast City Council's North Foreshore Developer's Guidance Note.
 - The hydrocarbon vapour protection membrane to be installed in all buildings requiring protection.
 - The gas abstraction system to be installed on the development site.
 - How the proposed remedial works are to be verified.
- All construction thereafter must be in accordance with the approved Remediation Strategy.

The development shall not be carried out unless 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 operation of the development, a Verification Report shall be submitted to and agreed in writing by the Planning Authority. 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 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 by the Planning Authority in writing, prior to the development being operated. 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: No site preparation or construction works shall commence on site unless a Dust Management Plan has been submitted to and approved in writing by the Planning Authority. This Plan must outline the methods to be employed to minimise any dust impacts associated with site preparation and construction works, demonstrating the use of 'best practicable means'. The plan must have due regard to the IAQM Guidance on the Assessment of dust from demolition and construction 2014. All site preparation and construction works thereafter must be carried out in accordance with the approved Dust Management Plan.

Reason: Protection of human health and amenity of nearby premises.6: No site preparation or construction works shall commence on site unless a Construction Noise and Vibration Management Plan has been submitted to and approved in writing by the Planning

Authority. This Plan must outline the methods to be employed to minimise any noise and vibration impacts associated with site preparation and construction works, demonstrating the use of 'best practicable means'. The plan must have regard to BS 5228:2009+A1:2014 Parts 1 and 2 Code of practice for Noise and vibration on construction and open sites, and demonstrate that site preparatory and constructions works will achieve the BS5228 'ABC method' Category A noise threshold value for daytime and Saturdays at relevant sensitive receptors. All site preparation and construction works thereafter must be carried out in accordance with the approved Noise and Vibration Management Plan.

Reason: Protection of human health and amenity of nearby premises.

7: Notwithstanding the submitted details, no site preparation or construction works shall commence on site unless a final Construction Environmental Management Plan and site drainage plan has been submitted to and approved in writing by the Planning Authority. This Plan must outline the methods to be employed to minimise any environmental impacts during site preparation and construction works, demonstrating the use of 'best practicable means'. All site preparation and construction works thereafter must be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: Protection of human health and the environment and amenity of nearby premises and to ensure that the appointed contractor is cognisant of all mitigation and avoidance measures required to protect all watercourses and the marine environment ensuring that there is no adverse effect on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA.

8: The development hereby approved not be permitted to accept waste from EWC code 02 01 06.

Reason: To ensure that there is no adverse effect on site integrity of any European designated site.

9: No development should take place on-site until the method of sewage disposal has been submitted to and approved in writing by the Council.

Reason: To ensure a practical solution to sewage disposal is possible at this site.

10: No development shall commence on site until details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Planning Authority. The development shall not be carried out unless in accordance with the approved details.

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

11: The development hereby permitted shall not become operational until the vehicular accesses have been constructed in accordance with the approved Drawing No. 03A 'Proposed Site Layout Plan' bearing the Belfast City Council Planning Office date stamp 20 December 2019. The access shall be constructed and marked to the satisfaction of DfI Roads.

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

12: The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 03A

'Proposed Site Layout Plan' bearing the Belfast City Council Planning Office date stamp 20 December 2019 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.

13: A minimum of 8 No. secure cycle parking spaces shall be provided and permanently retained within the development for use by staff and visitors to the development.

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

14: The development hereby permitted shall operate in accordance with the Travel Plan contained within Appendix 4.1 of the Environmental Statement Addendum published by the Belfast City Council Planning Office on 15 January 2020. The Travel Plan will be provided to the Site Operator as a separate, stand-alone, document. The Site Operator will provide their employees with access to 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.

15: The development hereby permitted shall operate in accordance with the Service Management Plan contained within Appendix 4.2 of the Environmental Statement Addendum published by the Belfast City Council Planning Office on 15 January 2020. The Service Management Plan will be provided to the Site Operator as a separate, stand-alone, document.

Reason: In the interests of road safety and traffic progression.

16: The development hereby permitted shall be constructed in accordance with paragraph 6.7 of the Drainage Assessment dated June 2019.

Reason: To enable DfI Rivers to review the applicants proposed surface water infrastructure at the detailed design stage of this planning application.

17: Prior to the commencement of any works hereby approved, an Arboricultural Impact Assessment (in accordance with BS: 5837:2012) shall be submitted and agreed in writing by the Council. This will identify, evaluate and mitigate where appropriate the extent of direct and indirect impacts on existing trees that may arise as a result of any site layout proposal. The development shall incorporate any recommendations made therein.

Reason: To ensure minimal impact from the development on existing trees to be retained.

18: All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or proposed trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Planning Authority.

Reason: In the interests of visual amenity.

19: No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread, nor shall arboricultural work or tree surgery take place or any

	<p>retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998, 2010. Recommendations for Tree Work.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>20. If any retained tree is removed, uprooted or destroyed or dies, another tree or trees shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified by the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>21. Prior to any work commencing, protective barriers (fencing) and ground protection shall be erected / installed as specified in British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' (section 6.2) on all trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p> <p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p> <p>22: All soft landscaping works shall be carried out in accordance with the details on stamped approved drawing no 17A, bearing the Council's date stamp 20th December 2019. The works shall be carried out prior to the occupation of the development hereby approved or before the end of the first planting season after occupation, whatever is sooner, and shall be permanently retained thereafter. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a similar species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>23: The development hereby permitted shall be constructed and finished in accordance with the approved details including the annotated finished colours for buildings and tanks.</p> <p>Reason: In the interests of visual amenity.</p>
25.0	<p>Representations from Elected Representatives (if relevant) N/A</p>
26.0	<p>Referral to DfI (if relevant) N/A</p>

ANNEX	
Date Valid	26th June 2019
Date First Advertised	2nd August 2019
Date Last Advertised	26th June 2020
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 1 Gullivers Road,Belfast,Antrim,BT3 9JU The Owner/Occupier, 11 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 13 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 13 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 15 Dargan Road,Belfast,Antrim, The Owner/Occupier, 15 Dargan Road,Belfast,Antrim,BT3 9LS The Owner/Occupier, 3 Dargan Road,Belfast,Antrim,BT3 9JZ The Owner/Occupier, 42-44 ,Duncrue Crescent,Belfast,Antrim,BT3 9BW The Owner/Occupier, 5 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 7 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 9 Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, 9 Gullivers Drive,Belfast,Antrim,BT3 9HW The Owner/Occupier, Dargan Road,Belfast,Antrim, Forsyth House, Cormac Square,Belfast,BT2 8LA The Owner/Occupier, Unit 1,38-40 M2 Trade Centre,Duncrue Crescent,Belfast,Antrim,BT3 9BW The Owner/Occupier, Unit 2 ,Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, Unit 2 ,Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, Unit 2,38-40 M2 Trade Centre,Duncrue Crescent,Belfast,Antrim,BT3 9BW The Owner/Occupier, Unit 3 ,Dargan Road,Belfast,Antrim,BT3 9LZ The Owner/Occupier, Unit 3,38-40 M2 Trade Centre,Duncrue Crescent,Belfast,Antrim,BT3 9BW	

The Owner/Occupier, Unit 4,38-40 M2 Trade Centre,Duncrue Crescent,Belfast,Antrim,BT3 9BW The Owner/Occupier, Unit 5,38-40 M2 Trade Centre,Duncrue Crescent,Belfast,Antrim,BT3 9BW	
Date of Last Neighbour Notification	3-3-20
Date of EIA Determination	
ES Requested	Yes
Appendix A Planning History Ref ID: LA04/2018/2166/DETEI Proposal: Proposed centralised anaerobic digestion (CAD) plant to power existing combined and heat power (CHP) engines and to utilise existing service road infrastructure. Address: Lands at, Giants Park, Dargan Road, North Foreshore, Belfast. Decision: Decision Date: Ref ID: LA04/2017/1337/DC Proposal: Discharge of condition 23 planning application LA04/2015/1605/F Address: Land approximately 300m north of Dargan Road (North of Belfast City Council waste Management Facility) adjacent to Belfast Lough Belfast (within wider Belfast City Council lands known as North Foreshore/Giants park with access from Dargan R Decision: AL Decision Date: Ref ID: LA04/2017/1300/DC Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No. stand-alone transformer compounds, security hut and proposed headwall (amended description) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park with access from Dargan Decision: AL Decision Date: Ref ID: LA04/2019/0409/DETEI Proposal: EIA scoping report Address: Giants Park, Former Dargan Road Landfill Site, Belfast. Decision: NRES Decision Date:	

Ref ID: LA04/2019/1612/PAN

Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing & access from existing internal access road, landscaping and associated site works.

Address: Lands immediately north & south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park).,

Decision: PANACC

Decision Date:

Ref ID: LA04/2019/1700/PAD

Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing and access from existing internal access road, landscaping and associated works.

Address: Lands immediately north and south of existing film studios, north of Dargan Road, Belfast, (within wider Belfast City Council lands known as North Foreshore/Giants Park).,

Decision:

Decision Date:

Ref ID: LA04/2019/0433/DETEI

Proposal: Proposed centralised anaerobic digestion (CAD) plant to power existing combined and heat power (CHP) engines and to utilise existing service road infrastructure.

Address: Lands at Giant's Park, Dargan Road, North Foreshore, Belfast,

Decision: RES

Decision Date:

Ref ID: LA04/2019/1540/F

Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. Weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. Accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works.

Address: Lands to the northwest of existing Belfast City Council Waste Transfer Station, (2a Dargan Road, Belfast, BT3 9JU).

Decision:

Decision Date:

Ref ID: LA04/2016/0694/DC

Proposal: Discharge of condition 19 LA04/2015/1605/F

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility).

Decision: AL

Decision Date:

Ref ID: LA04/2016/0471/DC

Proposal: Discharge of condition - LA04/2015/1605/F

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park with access from Dargan

Decision: AL

Decision Date:

Ref ID: LA04/2016/0844/DC

Proposal: Discharge of conditions 9,12 and 22 - LA04/2015/1605/F

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast,

Decision: AL

Decision Date:

Ref ID: LA04/2018/2564/DETEI

Proposal: EIA screening and scoping request for a proposed centralised Anaerobic Digestion (CAD) Plant to power existing combined and heat power (CHP) engines and to utilise existing service road infrastructure.

Address: Lands at Giants Park, Dargan Road, North Foreshore, Belfast.

Decision:

Decision Date:

Ref ID: Z/2007/0313/E

Proposal: World class public park and an eco-business park incorporating limited provision for commercial waste facilities

Address: North Foreshore, Belfast

Decision:

Decision Date:

Ref ID: Z/2000/0051/F

Proposal: Provision of essential interim capacity for disposal of controlled (including special) waste at the Dargan Road (North Foreshore) Landfill Site by revision and elevation of the surface profile to complete the planned final closure of the site.

Address: Belfast City Council Landfill Site, Dargan Road, Belfast.

Decision:

Decision Date: 14.05.2001

Ref ID: Z/2005/1473/F

Proposal: Application to vary condition 1 of Z/2000/0051/F (the permission hereby granted shall be for a limited period of 5 years only from the date of the permission) to

provide a 1 year time extension to allow completion of the development to approved levels.

Address: Belfast City Council Landfill Site, Dargan Road, Belfast.

Decision:

Decision Date: 22.12.2005

Ref ID: Z/2014/1279/F

Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works

Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast,

Decision: PG

Decision Date: 24.04.2015

Ref ID: Z/2005/0714/E

Proposal: Construction of Waste Transfer Station

Address: Dargan Road, Belfast

Decision:

Decision Date: 10.10.2005

Ref ID: Z/2004/1294/F

Proposal: Application to infill land with excavation and demolition materials for land reclamation purposes

Address: Belfast City Council Land, North Foreshore, Dargan Road, Belfast.

Decision:

Decision Date: 08.02.2005

Ref ID: LA04/2015/1085/PAD

Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows;

Production (37,450 sq ft.)

Stage 01 & stage 02 (66,000 sq ft.)

Stage 03 (45,000 sq ft.)

Workshop 01, 02 & 03 (46,170 sq ft.)

Address: Land approximately 300m north of Dargan Road (north of Belfast City council waste Management Facility), adjacent to Belfast Lough, Belfast (Within wider Belfast City Council lands known as North Foreshore/Giants Park),

Decision:

Decision Date:

Ref ID: LA04/2015/0982/PAN

Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows;

Production (37,450 sq ft.)

Stage 01 & stage 02 (66,000 sq ft.)

Stage 03 (45,000 sq ft.)

Workshop 01, 02 & 03 (46,170 sq ft.)

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility), adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park),
Decision: PANACC
Decision Date:

Ref ID: Z/2010/1178/F
Proposal: Provision of management system for landfill gas, comprising capping, and installation of gas abstraction wells and pipework. Surface-water drainage and foul sewerage. Provision of services.
Address: North Foreshore Site, Dargan Road, Belfast, BT3 9JU,
Decision: PG
Decision Date: 30.08.2013

Ref ID: Z/2006/1545/F
Proposal: Provision of management system for landfill gas, comprising capping, installation of gas abstraction wells and pipework (gas to be drawn off to be flared at a nearby existing facility), surface-water drainage, site access road and foul sewerage.
Address: Dargan Road Landfill Site, Dargan Road, Belfast.
Decision:
Decision Date: 30.08.2007

Ref ID: Z/1997/2340
Proposal: Provision of storage and processing area for the
Composting of garden waste.
Address: DARGAN ROAD LANDFILL SITE, LAND NORTH EAST OF JUNCTION OF DARGAN ROAD AND DUNCRUE ROAD, BELFAST BT3
Decision:
Decision Date:

Ref ID: LA04/2015/1605/F
Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description)
Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan
Decision: PG
Decision Date: 25.02.2016

Ref ID: Z/2008/0228/F
Proposal: Management System for landfill gas, comprising capping, installation of gas abstraction, wells and pipework (gas to be drawn off to be flared at a nearby existing facility), and site access. Landscaping.
Address: North Foreshore Site, Dargan Road, Belfast
Decision:

Decision Date: 26.03.2009

Ref ID: LA04/2015/0930/PAD

Proposal: Proposed installation of 2.5 megawatt (MW) photovoltaic (PV) Solar Park with associated infrastructure on lands located at Giants Park, North Foreshore, Belfast

Address: Lands at the former Dargan Road Landfill Site, to the north of Dargan Road, Belfast, BT3 9JU,

Decision:

Decision Date:

Ref ID: Z/1994/2135

Proposal: Erection of building to be used as waste management plant

Address: LANDFILL SITE,DARGAN ROAD OPPOSITE JUNCTION WITH DARGAN CRESCENT BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2014/0907/PREAPP

Proposal: BCC propose to develop the former Dargan Road landfill site into an environmental resource recovery park and public open space.

The proposals include for the development of an eco-business park, known as the North Foreshore development waste management facilities industrial warehousing, office space and R&D activities.

The public space Giants Park, will allow for public access to the remainder of the site for a range of recreational activities. With the view to realising these developments a planning application is to be submitted to facilitate the construction of the main access roads into the proposed site, the installation of services and the placing of hard-core fill over 19.95ha.

Address: Dargan Road Landfill, Dargan Road, Belfast,

Decision: EOL

Decision Date:

Ref ID: LA04/2015/0739/F

Proposal: Application for removal of Condition No. 5 of Z/2014/1279/F relating to the signalised junction.

Address: Lands of the former Dargan Road land fill site to the north of Dargan Road, Belfast,

Decision: PG

Decision Date: 27.06.2016

Ref ID: LA04/2015/0940/DC

Proposal: Application for Discharge of Condition No.2 of Planning Approval Z/2014/1279/F relating to the Construction Environmental Management Plan.

Address: Lands of the former Dargan Road land fill site to the north of Dargan Road, Belfast,

Decision: AL

Decision Date:
Drawing Numbers and Title
Notification to Department (if relevant) Date of Notification to Department: N/A Response of Department: N/A

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 18 th August 2020	
Application ID: LA04/2020/0010/F	
Proposal: Aquarium, car parking and associated infrastructure.	Location: Lands to the South East of Titanic Hotel North East of Bell's Theorem Crescent and South West of Hamilton Road Belfast
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: ReefLive Ltd 151 South Croxted Road London SE21 8AX	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>This application seeks full permission for an Aquarium on lands at Queen's Road. The proposal will include landscaping, car parking and public realm in addition to the Aquarium building.</p> <p>The site is on un-zoned (white land) within the Harbour Area in the Belfast Area Urban Plan (BUAP) 2001. It is located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP) with within BHA01 mixed use development zoning. The site is also located within Phase 2 of the Titanic Quarter as identified in the overall development framework for the area. The site is:</p> <ul style="list-style-type: none"> - Within an Area of Mineral Constraint - Adjacent to a National Designated Site (Inner Belfast Lough Area of Special Scientific Interest); - Adjacent to two European Designated Sites – Belfast Lough Special Protection Area (SPA) and Belfast Lough Open SPA; - Adjacent to an International Designated Site Belfast Lough Ramsar Site - Adjacent to BHA10 Local Landscape Policy Area (LLPA) <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of the proposed use at this location • Scale, massing and design • Traffic, movement and parking • Landscape and visual assessment • Amenity and public realm • Habitat Regulations Assessment • Drainage and Flooding • Contaminated Land • Pre-Application Community Consultation Report • Economic benefits • Developer contributions 	

DfI Roads, Environmental Health, NIEA, Shared Environmental Services, Rivers Agency, NI Water, Historic Environment Division were all consulted in addition to the Council's Economic Development team, Tree Officer and City & Neighbourhood Services Landscape team. Their responses are detailed in the main body of the report. Consultees have no objections subject to conditions and confirm that the proposal will not adversely impact on amenity, human health, traffic or the adjacent listed building.

Thirteen representations were received. Ten letters of objection raised issues including traffic and travel, the impact on heritage both listed buildings and monuments, flooding, the technical capability of the proposed building to accommodate the proposed tanks, landscaping, the differences between the PAN and submitted application, the potential negative impact on the Portaferry aquarium and foul water sewage capacity. All the issues raised are considered in Section 7.0 of this report.

There were also three letters of support received welcoming inward investment, the educational potential of an aquarium, increased tourism and aiding economic recovery following the pandemic. The agent provided numerous documents of environmental clarification and the design was amended at the Council's request. All those whom made representations were re-notified on 30th June. As of the date of this paper, no further objections were received.

The submitted Pre-Application Community Consultation Report demonstrates 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 this Major application.

This application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service 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.

The proposed development is estimated to represent a construction cost of £10.4m and is estimated to generate approximately 80-100 jobs during construction and 51 full time jobs once operational.

Recommendation:

Having regard to the Development Plan and other material considerations, including the issues raised by the representation, the proposal is considered and approval of planning permission is recommended with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

3D Visuals:



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Full planning permission is sought for a purpose-built aquarium and surrounding associated works.
1.2	<p>The proposal will comprise a 2 storey building of 2,858 sq. m floorspace comprising the following:</p> <ul style="list-style-type: none"> - Ground Floor with a ticketing area; a small retail area, a café with external seating area, a Coral Reef Ocean tank, ancillary office and staff areas; exhibition areas; • an outdoor seating area for the aquarium café; - yard/circulation space; - a one way vehicular access system with access provided via the existing access point at Hamilton Road and egress provided via a new vehicular access point onto Queens Road; - A mezzanine floor with a servicing zone for the operation of the aquarium, an area for a tour of the Life Support equipment as a separate attraction; - A first floor with the majority of the exhibition spaces which will include 5 zones (Ireland, Deep Ocean 6, Azores, Pacific, Arctic) and an education room; - Roof with plant and machinery; - Parking and public realm
1.3	The function of the building heavily impacts on its form as the requirements for temperature controlled tanks and live aquarium displays that recreate international marine environments accompanied by digital, audio-visual and augmented reality all rely heavily on artificial lighting which restricted the need for window openings across all facades.
1.4	<p>The overall design and form can be summarised as:</p> <ul style="list-style-type: none"> - A ground floor which on the western front elevation and northern side elevation contains the most vibrancy, glazing and light. Whilst the front elevation is entirely articulated with the entrance and café, the side elevation on Hamilton Road contains a combination of glazed permeable sections and backlit coral relief. The proposed overhang along these two elevations will provide areas of shelter and a transition between the external public realm and internal visitor attraction. At night these glazed sections will also be illuminated. - The ground floor eastern elevation is a service zone for the building, enclosed by a decorative planted wall. The ground floor southern elevation runs alongside the parking area and this elevation has been enlivened by the use of backlit coral relief. - The composition of the upper floors takes the form of faceted projecting triangles of contrasting materials with a number of opportunities taken to cut in narrow triangular sections of glazing within bays to serve those internal ancillary rooms which do not form part of the visitor experience and are not sensitive to daylight penetration. Visually these faceted triangular sections will read as an extension of the splayed V shaped column structure at ground floor level.
1.5	In addition to the building above there are areas of public realm and landscaping.
2.0	Description of Site and Area
2.1	The area of the site is 1.4 hectares and currently comprises a surface level carpark.
2.2	The site is immediately bounded by Queens Road to the west and Hamilton Road to the north. There is a brownfield site to the east and there is some surface level parking and a single-storey detached restaurant building to the south.

2.3	The western and northern boundaries are characterised by low walling and hedging whilst the eastern boundary has 2.2m palisade fencing.
2.4	The listed Titanic Hotel is immediately to the west and other land use in the wider area includes the Titanic Museum, the We Are Vertigo leisure facility and the Belfast Metropolitan College. The Exhibition Centre, Film Studios and businesses and apartments that were constructed as part of Titanic Quarter are also in the locality.
2.5	Levels are relatively flat throughout.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Full details of all historical applications are provided at Annex A. Of particular relevance to this site are the following:
3.2	Ref ID: LA04/2015/0057/F Proposal: Temporary exhibition centre, access arrangements, service and surface car parking and associated works Address: Land Opposite Titanic Studios (The 'Paint Hall') and East of Queens Road, Belfast, Decision: Temporary Permission Granted Decision Date: 08.07.2015
3.3	Ref ID: LA04/2016/0096/F Proposal: Amended Proposal to include additional internal ground floor dining and plant areas. Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to listed former Harland & Wolff Headquarters Building and to provide 36no. additional bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and associated access and site works. Address: Former Harland And Wolff Headquarters Building and Drawing Offices, Queens Road, Belfast, BT3 9DU, Decision: Permission Granted Decision Date: 17.05.2017
3.4	Ref ID: LA04/2016/0097/LBC Proposal: Amendment to listed building consent application Z/2014/1580/LBC for refurbishment, part restoration, change of use and extension to the listed former Harland & Wolff Headquarters to provide 36no. additional bedrooms (120No. in total) in a new annex. including service area, covered terrace, ancillary uses and site works, and including the retention and repair of historic decorative features, upgrade of windows, external structural works and cleaning, removal of internal partitioning, installation of new heritage roof lights, external and internal works including re-use of materials and installation of new materials (brickwork, cladding and joinery works). Address: Former Harland and Wolff Headquarters and Drawing Offices, Queens Road, Belfast, BT3 9DU, Decision: Consent Granted Decision Date: 25.05.2017
3.5	Ref ID: LA04/2016/1482/F Proposal: Temporary inflatable exhibition structure with associated surface car parking. Address: Site adjacent to, 7 Queens Road, Belfast BT3 9DT (Opposite 2 Queens Road Belfast), Decision: Permission Granted Decision Date: 20.06.2017

3.6	<p>Ref ID: LA04/2019/1636/F</p> <p>Proposal: 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.</p> <p>Address: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast.,</p> <p>Decision: Permission Granted</p> <p>Decision Date: 27.02.2020</p>
3.7	<p>Ref ID: LA04/2019/1783/PAN</p> <p>Proposal: Proposed aquarium and associated sea intake/outfall infrastructure.</p> <p>Address: Lands to the south east of Titanic Hotel, north east of Bell's Theorem Crescent and south west of Hamilton Road extending across Queens Road, Olympic Way and to meet Queens Island Wharf and the River Lagan.,</p> <p>Decision: PAN Acceptable</p> <p>Decision Date: 01.08.2019</p>
3.8	<p>Ref ID: Z/2007/0298/F</p> <p>Proposal: College campus and ancillary uses including beauty salon, hairdressing salon, bar & restaurant together with access road, basement (& perimeter) car parking of 329 spaces, provision of new junction, upgrading of Queen's Road & associated site works.</p> <p>Address: Land east of Queen's Road and Hamilton Graving Dock, Queen's Island, Belfast</p> <p>Decision: Permission Granted</p> <p>Decision Date: 15.02.2008</p>
3.9	<p>Ref ID: Z/2007/1867/RM</p> <p>Proposal: Erection of hotel (123 no. bedrooms), including bar and restaurant facilities, car parking and associated site works. (Amended Plans).</p> <p>Address: Land at Queens Road, adjacent to Abercorn Basin and junction of Sydenham Road and Old Channel Road, Belfast.</p> <p>Decision: Permission Granted</p> <p>Decision Date: 22.04.2008</p>
3.10	<p>Ref ID: Z/2008/1428/RM</p> <p>Proposal: Erection of Titanic Signature Building comprising cultural, assembly/leisure (Classes D1/D2), cafe/restaurant and ancillary retail uses (Class A1), a basement carpark, creation of Memorial Place public Realm and associated landscaping and site works.</p> <p>Address: Lands adjacent to listed former Harland & Wolff Headquarters and Drawing Offices and (including) west of Queen's Road, Queen's Island, Belfast.</p> <p>Decision: Permission Granted</p> <p>Decision Date: 05.12.2008</p>
3.11	<p>Ref ID: Z/2013/1509/F</p> <p>Proposal: Film studios (2no), film production workshops, ancillary film production uses, installation of photovoltaic array, provision of car parking and access and undertake ancillary site works including re-location of sub-station</p> <p>Address: Land East of Queen's Road and Northern Ireland Science Park, south of channel commercial park and west of Musgrave Channel Road, Queens Road, Queen's Island, Belfast,</p> <p>Decision: Permission Granted</p> <p>Decision Date: 12.08.2014</p>
3.12	<p>Ref ID: Z/2014/0173/F</p> <p>Proposal: Change of use from bank to restaurant with take away facility</p> <p>Address: Site adjacent to 7, Queens Road, Belfast (opposite 2, Queen's Road, Belfast) BT3 9DT,</p>

<p>3.13</p> <p>3.14</p>	<p>Decision: Permission Granted Decision Date: 27.04.2015</p> <p>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: Permission Granted Decision Date: 06.11.2014</p> <p>Ref ID: Z/2014/1555/F Proposal: Conversion refurbishment, restoration, extension and minor demolition of the former Harland And Wolf Headquarters building and drawing offices for use as 84 bedroom boutique hotel with heritage related tourist/event facilities, and other ancillary accommodation including plant and storage areas, communal areas together with associated access and site works. Tourist facilities to include guided tours. Address: Former Harland and Wolf Headquarters Building and Drawing Offices, Queens Road, Queens Island, Belfast, BT3 9DU, Decision: Permission Granted Decision Date: 08.07.2015</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004 Developer Contribution Framework (2020)</p>
<p>4.2</p>	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland (SPSS) Planning Policy Statement 2 (PPS 2) – Planning and Nature Conservation Planning Policy Statement 3 (PPS 3) - Access, Movement and Parking Planning Policy Statement 4 (PPS 4) – Planning and Economic Development Planning Policy Statement 6 (PPS 6) – Planning, Archaeology and the Built Heritage Planning Policy Statement 13 (PPS 13): Transportation and Land Use Planning Policy Statement 15 (Revised) (PPS 15) - Planning and Flood Risk Planning Policy Statement 16 (PPS 16): Tourism</p>
<p>5.0</p>	<p>Statutory Consultees Transport NI – no objection subject to conditions and informatives Rivers Agency – no objection subject to informatives NIEA Water Management Unit – no objection subject to conditions and informatives NIEA Land, Soil, and Air – no objection subject to conditions and informatives NIEA Natural Environment Division – no objection conditions and informatives NIW – No objection subject to receipt of further information on water usage Shared Environmental Services - no objection subject to conditions and informatives Historic Environment Division - no objection subject to conditions and informatives</p>
<p>6.0</p>	<p>Non-Statutory Consultees Environmental Health BCC – no objection subject to conditions and informatives Tree Officer BCC – content that the landscaping proposals are appropriate subject to condition City and Neighbourhood Landscape Team BCC – no objection Economic Unit – No objections</p>

7.0	Representations
7.1	13 representations have been received.
7.2	<p>3 letters of support were received from the Belfast Chamber, Hospitality Ulster and the NI Science Festival. These letters stated the following reasons for support:</p> <ol style="list-style-type: none"> 1. The boost to tourism 2. Inward investment and job creation 3. The educational potential of an aquarium 4. The assistance in economic recovery with regards to the pandemic
7.3	<p>10 letters of objections were received raising a number of issues:</p> <ol style="list-style-type: none"> 1. Traffic congestion, movement and parking 2. Water capacity and foul sewage capacity 3. Lack of consultation with NI Science Park 4. Differences between the PAN and submitted application 5. Issues of invasive micro-organisms which may enter the water environment 6. Design and impact on the listed building 7. The absence of an Archaeological Impact Assessment 8. Flooding and whether exception test a) or b) applies 9. Insufficient landscaping 10. The engineering capabilities in terms of the building and proposed tanks 11. The impact of this aquarium on Exploris
7.4	<p>The issues of objection have been considered as follows:</p> <ol style="list-style-type: none"> 1. DfI Roads are the competent authority dealing with traffic, access and parking matters and they have stated in their response that 'Following detailed consideration of the submitted Transport Assessment and further supporting information DfI Roads considers the impact of the development falls within previously agreed parameters and that the impact on the surrounding network is acceptable and have no objections. 2. NI Water were re-consulted with the objections and additional information provided by the agent. NIW confirm that there is 'an extensive public water distribution network within the Belfast Harbour Estate' which 'serviced many thousands of employees' in the shipyards in the 1960s and have no objections in principle to the proposed development. NIW state that the applicant should undertake a full water assessment at the earliest opportunity. Whilst this is standing advice and not a requirement of planning, the agent has pointed out that the shadow Habitats Regulation Assessment contains the water usage information on page 35 and NIW have been re-consulted with this information. NI Water have requested further information in relation to water usage but have advised that this is a resolvable issue and that they have no objections in principle. NIW have confirmed that there is storm sewer and foul sewer infrastructure within the vicinity which is owned by Belfast Harbour Commissioners. The Applicant will need to obtain permission to discharge to this foul sewer. 3. Appropriate Pre-Community Consultation was undertaken in line with legislative requirements. 4. The red line for the PAN and full applications differs in that the submitted red line was somewhat reduced as initially, the proposal included a seawater intake pipe and this has now been omitted. The Council does not view this as a significant or material change to the application and indeed, it is expected that following pre-application consultation that descriptions and parameters may be subject to change. Case law has confirmed that an application description does not have to slavishly follow that which was used during PAN as this would remove potential for the applicant to amend proposals having garnered information and opinions through the PAN process.

	<p>5. NIEA and Shared Environmental Services were consulted and neither had objections to the proposal subject to appropriate conditions, informatives and standing advice. Both consultees requested a condition pertaining to the ultraviolet (UV) methods of treatment for the discharge of used seawater to ensure levels of treatment are adequate to remove marine non-native species from discharge water.</p> <p>6. The design of the building has been amended following discourse with the Council and HED. Objectors were notified of the amendments and no further objections were received.</p> <p>7. An Archaeological Impact Assessment was received and HED were consulted. HED have no objections subject to conditions.</p> <p>8. In relation to PPS15 flooding issues, the applicant has stated exception test b) applies (new development within undefended floodplain areas) whereas the Council considers that exception test a) (which refers to previously developed land) applies. DfI Rivers have agreed with this assessment, and following consideration of the Addendum Flood Risk and Drainage Assessment, they have no objections.</p> <p>9. The Council requested additional landscaping details. This was provided and both the BCC Tree Officer and BCC Landscape Planning and Development Team have no objections subject to conditions.</p> <p>10. The proposal will require full Building Control consent which will assess the structural issues referred to by the objector.</p> <p>11. The Applicant has stated that they intend to work with Exploris for multi-ticketing and that the proposed exhibits will complement rather than compete with Exploris. Nonetheless, competition between premises would not be a material planning consideration.</p>
8.0	Environmental Impact Assessment
8.1 8.1.1	Upon receipt of the application, an EIA screening assessment was carried out which was informed by PAD consultation responses and all submitted information for the full application. Having taken into account all relevant considerations, including the nature of the proposal and site location, it was determined that an Environmental Statement was not required.
9.0	<u>ASSESSMENT</u>
9.1 9.1.2	<u>Development Plan</u> Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
9.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.

9.1.4	Draft BMAP identifies a 91.11 ha site (Zoning BHA 01) for mixed use development called Titanic Quarter. There is a requirement that development of the site be permitted in accordance with an overall comprehensive masterplan for Titanic Quarter. The Titanic Quarter is divided up in to 7 zones with the application site being located in Zone B. The amended Zoning BHA 01 Titanic Quarter states that the 7 zones shall be incorporated into the overall masterplan for Titanic Quarter and sets out criteria for each of the 7 zones.
9.1.5	Within Zone B light industrial uses and dwelling houses are acceptable land uses and it is stated that building heights shall be a minimum of 2 storeys and a maximum of 4 storeys with a landmark building of up to 10 storeys 'will be appropriate'. The height of the proposal meets this criteria. The aquarium use is considered to be appropriate for this sustainable site adjacent to existing leisure and tourism uses in the area including a hotel, museum and exhibition centre.
9.2	<u>The principle of the proposed use at this location</u>
9.2.1	The site is located within the development limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
9.2.2	The proposal is to be sited on an underutilised brownfield site which is currently used as a surface level car park. The redevelopment of this site with a sustainable land use is appropriate and welcomed. The proposed use is considered appropriate in its context as outlined in Para 9.1 above.
9.3	<u>Economic Principles and impacts of the Proposal</u>
9.3.1	Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities.
9.3.2	The application was supported by an Employability and Skills Assessment (ESA) which was considered by the Council's Economic Development team. The ESA estimates that the estimated construction cost will be £10.416 million and will generate 80-100 jobs. It is also estimated that there will be an opportunity for two student placements and a number of apprenticeships.
9.3.3	Once operational, it is anticipated that the proposal will generate 51 new jobs (FTE). It is also intended to create places for two student placements on an on-going basis and in due course, 2-3 apprenticeships
9.3.4	Given the uncertain economic climate, the Economic Development Team view that it is unlikely that the development will give rise to skills or labour shortages within this sector. Therefore no Employability and skills related Developer Contributions Section 76 clauses were be required for this phase of the development.
9.3.5	In terms of the operational phase of the development, it is unlikely that skills shortages will be experienced in the retail or hospitality industries, the job creation is not of a scale that would impact on skills shortages in existing sectors or the labour market. Therefore no Employability and skills related Developer Contributions Section 76 clauses was required for this phase of the development.
9.4	<u>Scale, Massing and Design</u>

9.4.1	<p>The massing of the proposal is moderate in comparison to the surrounding area. The Urban Design Officer notes that 'The grade B+ listed Titanic Hotel has provided much of the context with respect to the scale, height and massing of the proposed scheme. While the height of the Aquarium has been raised marginally in more recent design iterations, so as to provide an extended parapet in an effort to conceal the proposed rooftop plant behind, its upper parapet height equates to the upper parapet of the Titanic Hotel (18.10m AOD) directly opposite. It is noted that the proposed roof top plant on the Aquarium rises by a further 0.7m to a maximum building height of 18.80m AOD, however this has been deliberately set back from all four elevations of the building and will not be visible from street level. It is noted that the more recent 3F mansard addition to the Titanic Hotel rises above its parapet and would therefore exceed the height of the proposed Aquarium by around 2.2m, which accords with the general scale and heights of buildings increasing as you move west towards Titanic Belfast'.</p>
9.4.2	<p>The design of the proposal has evolved throughout the PAD and application processes. The Urban Design Officer notes that 'the listed Titanic Hotel has also played a role in relation to the articulation of the building. The primary structural grid of the Aquarium (9.0m) allows for secondary bay widths of 4.5m which equates approximately to the 4.35m bay widths of the listed building, with the undulating form of the facades nodding towards the finer detail of the drawing office building'.</p>
9.4.3	<p>The design of the building has been heavily influenced by the form of the use as an aquarium however a number of amendments to the design have been made to offset the lack of fenestration:</p> <ul style="list-style-type: none"> - Backlit laser cut coral relief along the side elevations - Creative lighting throughout the scheme - The provision of a mix of aluminium sinusoidal panels and rock panels with window glazing replacing rock panel sections at intervals where ancillary rooms are located - A final colour selection for the rock panels which will pick up on the sandstone of the Titanic Hotel opposite (warm muted copper tone). The final RAL colour will be conditioned to ensure appropriate consultation prior to construction.
9.4.4	<p>The scale, height and massing of the proposed building is considered appropriate to its context. The design evolution has delivered a proposal which is appropriate to the context especially with regards to the listed building.</p>
9.5	<p><u>Landscape and Visual Impact</u></p>
9.5.1	<p>The landscape proposals initially contained bitmac which was considered of insufficient quality by the Council. The agent provided some further clarification on this point:</p> <p><i>"<...> we acknowledge that bitmac finish is not a permanent finish to the footpath at Queen's road and Hamilton Road. As discussed, there are wider public realm proposals being developed up to and in the vicinity of this proposal and works involving the future upgrade/widening of Queen's Road. It follows that finishes to the footpaths would be temporary and sacrificial. It is therefore recommended that a condition is attached to the permission such that the finishes/materials of the footpath are agreed and implemented within three years of practical completion. Both Titanic Quarter Limited and Belfast Harbour Commissioners, in conjunction with reefLIVE have agreed in principal to this approach."</i></p>
9.5.2	<p>The Council considered the request for the approach as outlined above and it was decided that this would be acceptable on the following basis:</p> <ol style="list-style-type: none"> 1) That full interim and permanent landscaping plans be submitted for consideration 2) That the condition require full implementation of the permanent landscaping proposals within 3 years of operation

9.5.3	Both the Council's Landscape Planning and Development Team and Tree Officer reviewed the planting and landscaping proposals. They are content with the proposals and the landscape planting and management plans will be conditioned accordingly.
9.6	<u>Natural Heritage and Conservation</u>
9.6.1	There are a number of important designations in the surrounding/wider area including: <ul style="list-style-type: none"> - Inner Belfast Lough Area of Special Scientific Interest (ASSI); - Belfast Lough Special Protection Area (SPA); - Belfast Open Water Special Protection Area (SPA); - East Coast Marine pSPA; and - Belfast Lough Ramsar Site
9.6.2	These designations are of international and national importance and are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002.
9.6.3	PPS 2: Natural Heritage sets out planning policies for the conservation, protection and enhancement of our natural heritage. Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites as these are afforded the highest protection. Policies NH1, NH2, NH3, NH4 and NH5 apply.
9.6.4	Natural Environment Division (NIEA: NED), Coastal Development (NIEA: CD), Water Management Unit (NIEA:WMU) and Shared Environmental Services (SES) have considered the impacts of the proposal on designated sites.
9.6.5	NIEA: NED states that it has no concerns regarding the impacts of the proposal on designated or other natural heritage interests.
9.6.6	NIEA: CD has provided informatives regarding marine life and protections as well as a condition regarding the Ultraviolet (UV) methods of treatment for the discharge of used seawater.
9.6.7	NIEA: WMU has requested a Construction Environmental Management Plan.
9.6.8	SES has requested conditions regarding a final Construction Environmental Management Plan (CEMP) and a biosecurity plan detailing the UV methods of treatment for the discharge of used seawater. Subject to these mitigations, SES considers that the nature, scale, timing, duration and location of the project will not have an adverse effect on the site integrity of any European site.
9.6.9	Having regard to PPS 2, it is considered that the proposal meets the requirements of the relevant policies as outlined above.
9.7	<u>Contaminated Land</u>
9.7.1	The application is supported by a Phase 1 contaminated land report as well as a GQRA. The Environmental Health Service and NIEA Air, Land and Soil have reviewed these documents and have no objections subject to conditions.
9.8	<u>Habitats Regulation Assessment (HRA)</u>
9.8.1	This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

9.8.2	SES has stated that having considered the submitted Shadow HRA and the nature, scale, timing, duration and location of the project, it is concluded that, provided mitigation is conditioned as requested, the proposal will not have an adverse effect on site integrity of any European site. This is subject to two conditions regarding a final Construction Environmental Management Plan (CEMP) and a biosecurity plan detailing the UV methods of treatment for the discharge of used seawater
9.8.3	NIEA: CD also confirmed that it was content with the Shadow HRA which has been undertaken provided there was a condition regarding the UV methods of treatment for the discharge of used seawater.
9.9	<u>Traffic, Movement and Parking</u>
9.9.1	The proposal has been assessed against PPS 3 and PPS13. In assessing the proposal DfI Roads considered the following documents: Transport Statement, Transport Assessment, Transport Assessment Form, and a Travel Plan.
9.9.2	In their initial response, DfI Roads stated that 'The information from the Transport Assessment and from other aquarium sites in the UK and Ireland is being considered within the Department in the context of the daily trip generation and how the daily trips from this application contributes to the daily trip totals as they relate to the trigger point for infrastructure improvements given the infrastructure phasing in the current Transport Master Plan.' The initial response notes that access and parking provision is acceptable, the travel plan is acceptable and that provision must be made for secure cycle parking.
9.9.3	Following the submission of further information, in their second response DfI Roads stated "In light of the limited data available on aquariums of this size and to ensure a robust assessment DfI Roads would wish to see the Technical Note reflect a sensitivity test which includes an increase of 25% in the final trip rates". This information was provided and DfI Roads were re-consulted. In their final response they state 'Following detailed consideration of the submitted Transport Assessment and further supporting information, DfI Roads considers the impact of the development falls within previously agreed parameters and that the impact on the surrounding network is acceptable and that, therefore, the application is acceptable'. DfI Roads has no objections subject to conditions and informatives.
9.10	<u>Noise and Vibration</u>
9.10.1	The Environmental Health Service raised concern with the submitted Noise Impact Assessment with regards to potential construction noise impacts. As a result the agent provided a second document with clarification and further details. The Environmental Health Officer is content that this can be covered by the requirement of a Verification Report demonstrating that the Rating Level (dB LA _r) of sound from all combined plant and equipment associated with the development does not exceed daytime and night-time background sound levels of 54 dB LA ₉₀ and 50 dB LA ₉₀ respectively at sound sensitive premises when determined in accordance with the assessment methodology outlined in BS4142:2014+A1:2019. In addition, they have requested a Construction Environmental Management Plan (CEMP), including a Noise Management Plan (NMP). Both the verification report and the CEMP and NMP are reflected in the recommended conditions.
9.11	<u>Air Quality</u>
9.11.1	An Outline Construction Environmental Management Plan (oCEMP) was submitted in support of the application. Further information was requested by BCC: EH with regards to air quality. Following submission of this information, BCC: EH has confirmed that this can

	be covered by a condition requiring full CEMP (also required by NIEA). In addition they have requested a condition to require submission of the technical specification of the proposed combustion plant including emission rates and flue termination heights and a further condition requiring compliance with the submitted Dust Management Plan.
9.12	<u>Artificial Lighting</u>
9.12.1	A Lighting Strategy and Report was submitted in support of the application. Further information was requested by BCC: EH and additional design information was provided. Having considered the additional information, BCC: EH are content and no lighting conditions are required.
9.12.2	HED have requested a condition regarding lighting in order to ensure the proposals are not detrimental to the listed building.
9.13	<u>Flood Risk and Drainage</u>
9.13.1	PPS15: Planning and Flood Risk seeks to minimise and manage flood risk to people, property and the environment. The site is located outside the 1 in 100 year river flood plain and 1 in 200 year coastal flood plain. The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is partly affected by the coastal floodplain. Exception (b) applies as the land was previously developed.
9.13.2	Given that the site area exceeds 1ha, Policy FLD 3: Development and Surface Water Flood Risk Outside Flood Plains of PPS 15 applies. A Flood Risk and Drainage Assessment and further addendum was submitted in support of the application.
9.13.3	DfI Rivers were consulted and were content with the submitted information.
9.13.4	Northern Ireland Water (NIW) has been consulted on the proposal and confirmed that there is water and sewerage infrastructure in place, owned by Belfast Harbour Commissioners, to serve the development. However, NI Water has sought further detail water requirements but have no objection in principle. NIEA: WMU has no objection to the proposal subject to a condition for a final detailed CEMP.
9.14	<u>Amenity</u>
9.14.1	Paragraphs 4.11 and 4.12 of the SPPS states there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when managing development.
9.14.2	There are no residential units in the vicinity however the Titanic Hotel is immediately opposite the site.
9.14.3	Noise, air quality and lighting are all considered earlier in the report and BCC: EH has no objections subject to conditions.
9.15	<u>The impact of the proposal on nearby Listed Buildings</u>
9.15.1	Policy BH11 of Planning Policy Statement 6 (PPS6) relates to development affecting the setting of a listed building and is a material consideration as the Grade B+ Listed Building – Harland and Wolff Drawing Office (Titanic Hotel) is immediately opposite the site. The proposal is assessed against Policy BH11 as follows:
9.15.2	(a) The detailed design respects the listed building in terms of scale, height, massing and alignment;

	<p>The height of the building has been designed to be cognitive of the important features of the Titanic Hotel building. The height of the proposed building matches the upper height of the parapet of the Titanic Hotel building. The design has been negotiated to move away from its more industrial ethos in the original submission to using warmer tones more reflective of the listed building. HED were consulted and are content that the proposals satisfy the policy requirements of Policy BH11 and Para 6.12 of the SPPS.</p> <p>The Urban Design Officer notes that ‘the listed Titanic Hotel has also played a role in relation to the articulation of the building. The primary structural grid of the Aquarium (9.0m) allows for secondary bay widths of 4.5m which equates approximately to the 4.35m bay widths of the listed building, with the undulating form of the facades nodding towards the finer detail of the drawing office building’.</p>
9.15.3	<p>(b) The works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and</p> <p>The building materials have been amended to be more reflective of the character and tones of the listed building. The Urban Design Officer notes that the design has been influenced by the listed building in terms of rhythm and that the height is subservient to the listed building.</p>
9.15.4	<p>(c) The nature of the use proposed respects the character of the setting of the building</p> <p>The use as an aquarium will respect the character or setting of the listed building and is considered to be complementary to tourism uses in the locality.</p>
9.16	<u>Archaeology</u>
9.16.1	<p>Policy BH3 of Planning Policy Statement 6 (PPS6) relates to the requirements for Archaeological Assessment and Evaluation. An Archaeological Impact Assessment was submitted in support of the application. HED were consulted and noted that the AIA did not include their requirement for a structural engineer’s report to assess the potential impact of construction works upon Hamilton Dock and the Building Dock.</p>
9.16.2	<p>The agent subsequently provided additional clarification information and HED was re-consulted. HED advised by email that this matter can be dealt with by a negative condition which would ensure that the necessary details will be submitted and agreed prior to the commencement of works. A similar approach was followed for the planning permission for the Titanic Hotel. Delegated authority is sought for the final wording of this condition once the formal response from HED is received.</p>
9.17	<u>Pre-Community Consultation</u>
9.17.1	<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 applicants for planning permission to consult the community in advance of submitting an application.</p>
9.17.2	<p>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.</p> <p>LA04/2019/1783/PAN was submitted to the Council on 17th July 2019 and was deemed to be acceptable on 1st August 2019.</p>
9.17.3	<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 (PACC) to accompany the</p>

	planning application. A PACC Report has been submitted in support of this application which includes details of the public event, stakeholder meetings, social media campaigns, newspaper advertising, telephone hotline, leaflets and consultation website.
9.17.4	In total, more than 130 individuals took part by engaging with the project team, completing feedback forms or email contact. The consultation webpage had a total of 2,004 webpage views with 1326 user sessions. Feedback was strongly in favour of an aquarium in this location and in favour its design and layout. There were comments raised regarding parking and access, affordability of the experience for local people, the impact the proposal may have on Exploris, the design and outside space and animal welfare.
9.17.5	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.
9.18	<u>Developer Contributions</u>
9.18.1	Para 5.69 of the SPPS states that “Planning authorities can require developers to bear the costs of work required to facilitate their development proposals”.
9.18.2	The Developer Contributions Framework published by Belfast City Council in January 2020 sets out the circumstances whereby mitigation or management of the impacts of new development is required.
9.18.3	In the circumstances of the current site, it is not deemed necessary for the applicant to make a developer contribution as the landscaping, access arrangements and public realm are sufficient and appropriate to the proposal. The Economic Unit assessed the information provided by the applicant and are content that the job creation through construction and operation will support local people and operate without the requirement for a Section 76 agreement regarding employability and skills.
9.19	<u>Statutory Consultation</u>
9.19.1	The proposal was advertised on 17 th January 2020.
9.19.2	Neighbours/objectors were notified on 14 th January 2020 and 30 th June 2020.
9.19.3	13 no representations were received and the issues raised are considered in detail above.
9.20	<u>Conclusion</u>
9.20.1	The proposal would have an acceptable impact on the landscape, traffic, surrounding land-uses and wider environment. It is considered that the proposal would result in wider economic benefit and job creation opportunities.
9.20.2	Having regard to the Development Plan and relevant material considerations, the proposal is considered acceptable and planning permission is recommended.
10.0	Summary of Recommendation:
10.1	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 subject to no new substantive planning issues being raised by third parties.

11.0	Conditions
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>No construction of the development hereby permitted shall commence unless full details of all lighting proposals has been submitted to and approved in writing by the Council.</p> <p>Reason: To respect the character of the setting of the building and ensure the proposal is compliant with Policy BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.</p>
11.3	<p>No construction of the development hereby permitted shall commence unless a Biosecurity Plan detailing UV treatment methods proposed has been submitted to and approved in writing by the Council.</p> <p>Reason: to minimise the impact of the proposal on marine habitats and species.</p>
11.4	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan detailing all Pollution Prevention measures has been submitted to and approved in writing by the Council. NIEA Water Management Unit require the CEMP 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. All construction and development thereafter must be in accordance with the approved Final Construction Environmental Management Plan.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p>
11.5	<p>No construction of the development hereby permitted shall commence unless a suitable Groundwater Monitoring Plan has been provided to include monitoring prior, during and post development to identify any potential unacceptable risks to health and the water environment from unforeseen contamination disturbed by the development. All construction and development thereafter must be in accordance with the approved Groundwater Monitoring Plan.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.6	<p>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 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.7	<p>After completing the remediation works under Condition 11.6; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report must be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the</p>

	<p>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 must 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.</p>
11.8	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use. The development hereby approved shall not become operational unless a Verification Report has been submitted to and approved in writing by the Council which demonstrates that all required remedial measures have been incorporated within the proposal. This report must demonstrate that the remediation measures outlined in the RPS Ireland Ltd report entitled 'Belfast Aquarium, Titanic Quarter, Generic Quantitative Risk Assessment (GQRA), ReefLive Ltd' (dated December 2019 and referenced IBR1180) have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:</p> <p>The development has been provided with gas protection measures commensurate with the Characteristic Situation 2 classification of the site in line with BS 8485:2015+A1:2019. Gas protection measures must be verified in line with the requirements of CIRIA C735.</p> <p>Reason: Protection of human health.</p>
11.9	<p>Dust management measures, detailed within the Dust Management Plan, Appendix D of the Air Quality Impact Assessment, Belfast Aquarium, Titanic Quarter (December 2019) shall be implemented throughout the duration of the construction phase of the development.</p> <p>Reason: Protection of amenity.</p>
11.10	<p>No construction of the development hereby permitted shall commence unless the technical specification of the proposed combustion plant including emission rates and flue termination heights has been submitted to and approved in writing by the Council. The provided information must demonstrate that the proposal is to include low NOx gas boilers (4x120kW) as indicated within Air Quality Impact Assessment, Belfast Aquarium, Titanic Quarter (December 2019). Moreover, a location and height of a flue of the proposed boilers shall provide adequate dispersion of the emissions.</p> <p>Reason: Protection of Human Health</p>
11.11	<p>No construction of the development hereby permitted shall commence unless a detailed Construction Environmental Management Plan (CEMP), including a Noise Management Plan (NMP), has been submitted to and agreed in writing by Council. The Noise Management Plan shall pay regard to BS 5228:2009+A1:2014 Noise and Vibration Control on Construction and Open sites. The Plan shall be implemented as agreed.</p> <p>Reason: Protection of amenity.</p>
11.12	<p>The development hereby approved shall not become operational unless a Noise Verification Report has been submitted to and approved in writing by the Council. The Report shall demonstrate that the Rating Level (dB LA_r) of sound from all combined plant and equipment associated with the development does not exceed daytime and night-time background sound levels of 54 dB LA₉₀ and 50 dB LA₉₀ respectively at sound sensitive premises when determined in accordance with the assessment methodology outlined in</p>

	<p>BS4142:2014+A1:2019 - Methods for rating and assessing industrial and commercial sound. The Rating Levels (dB LAr) shall be maintained at that level, or below, thereafter.</p> <p>Reason: Protection of residential amenity</p>
11.13	<p>The development hereby approved shall not become operational unless a Verification Report has been submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RPS Ireland Ltd report entitled 'Belfast Aquarium, Titanic Quarter, Generic Quantitative Risk Assessment (GQRA), ReefLive Ltd' (dated December 2019 and referenced IBR1180) have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that: The development has been provided with gas protection measures commensurate with the Characteristic Situation 2 classification of the site in line with BS 8485:2015+A1:2019. Gas protection measures must be verified in line with the requirements of CIRIA C735.</p> <p>Reason: Protection of human health.</p>
11.14	<p>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.</p> <p>Reason: Protection of human health.</p>
11.15	<p>All soft landscaping works shall be carried out in accordance with the approved details on the Interim Landscaping Plan, Drawing Number 23A, published by the Council on 3rd August 2020. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.16	<p>All soft landscaping works shall be carried out in accordance with the approved details on the Long Term Landscaping Plan, Drawing Number 24, published by the Council on 3rd August 2020. The works shall be completed within 3 years of the operation of the development unless otherwise agreed in writing by the Council.</p> <p>Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.17	<p>The development hereby approved shall not become operational unless all boundary treatments have been carried out in accordance with the approved details - Proposed</p>

	<p>Boundary Treatments, Drawing No 26 published by the Council on 3rd August 2020 and shall be permanently retained thereafter.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.18	<p>The approved Landscape Management and Maintenance Plan, published by the Council on 29th June 2020, shall be implemented in full. Any changes or alterations to the approved landscape management arrangements must be submitted to and agreed in writing by the Council in advance</p> <p>Reason: To ensure a satisfactory appearance to the future development of the site and promote and protect the future landscaping of the site in a safe manner which shall not impact the future health and condition of all landscaping to be planted within the site.</p>
11.19	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The Final CEMP shall contain all the environmental mitigation as detailed in the Outline Construction Environmental Management Plan completed by RPS Consulting, dated December 2019. All construction and development thereafter must be in accordance with the approved Final Construction Environmental Management Plan.</p> <p>Reason: To ensure that the applicant/appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase.</p>
11.20	<p>No construction of the development hereby permitted shall commence unless a Biosecurity Plan has been submitted to and approved in writing by the Council. The Biosecurity Plan must detail the UV treatment methods proposed for the discharge of used seawater. All operations thereafter must be in accordance with the approved Biosecurity Plan.</p> <p>Reason: To minimise the impact of the proposal on connected marine habitats and species.</p>
11.21	<p>The development hereby permitted shall not become operational until the vehicular accesses have been constructed in accordance with the approved layout Drawing No RPS-VTO-XX-DR-C-100-0003 Revision P01.01 'Levels and Visibility' published by Belfast City Council Planning Office on 06 January 2020. The area within the visibility splays shall be cleared to provide a level surface with no obstruction 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>
11.22	<p>The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. AI (00) 104 'Site Plan Proposed Ground Floor' published by Belfast City Council Planning Office on 29 June 2020 to provide adequate facilities for car parking, cycle parking, servicing and circulating within the site.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p>
11.23	<p>A minimum of 8 No. secure cycle parking spaces shall be provided and permanently retained close to the pedestrian accesses of the proposed development for use by staff and visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p>

11.24	<p>The development hereby permitted shall operate in accordance with the approved Travel Plan published by Belfast City Council Planning Office on 06 January 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>
11.25	<p>Notwithstanding the submitted details, no construction of the development hereby permitted shall take place unless in accordance with a schedule of external materials and sample panels, which shall first have been constructed on site and agreed in writing by the Council.</p> <p>The sample panels shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external materials including the aluminium sinusoidal panels, rockpanels, rockpanel stone, glazing, glass spandrel panel, louvred screen and laser cut corten steel.</p> <p>The approved sample panels shall be retained on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The works must be implemented and permanently retained in accordance with the details so approved.</p> <p>Reason: To ensure the material finish and detailing is sympathetic to the setting of the nearby listed buildings.</p>
12.0	<p>Representations from Elected Representatives (if relevant) N/A</p>
13.0	<p>Referral to DfI (if relevant) N/A</p>

ANNEX A	
Date Valid	2nd January 2020
Date First Advertised	17th January 2020
Date Last Advertised	17th January 2020
01,10 Queens Road,Antrim,Down,BT3 9DT 04,10 Queens Road,Antrim,Down,BT3 9DT 05,10 Queens Road,Antrim,Down,BT3 9DT 06,10 Queens Road,Antrim,Down,BT3 9DT 07,10 Queens Road,Antrim,Down,BT3 9DT 09,10 Queens Road,Antrim,Down,BT3 9DT 1-5 Botanic House, Botanic Avenue, Belfast, BT7 1JG 10,10 Queens Road,Antrim,Down,BT3 9DT 11 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT 11,10 Queens Road,Antrim,Down,BT3 9DT 12,10 Queens Road,Antrim,Down,BT3 9DT 13,10 Queens Road,Antrim,Down,BT3 9DT 14,10 Queens Road,Antrim,Down,BT3 9DT 16,10 Queens Road,Antrim,Down,BT3 9DT 19,10 Queens Road,Antrim,Down,BT3 9DT 20,10 Queens Road,Antrim,Down,BT3 9DT 21,10 Queens Road,Antrim,Down,BT3 9DT 24 Magee Park Larne Antrim 24, Magee Park, Larne, Antrim, Northern Ireland, BT40 1PP 28,10 Queens Road,Antrim,Down,BT3 9DT 29,10 Queens Road,Antrim,Down,BT3 9DT 31,10 Queens Road,Antrim,Down,BT3 9DT 32 Moatview Park Dundonald Down 32, Clooney Terrace, Londonderry, BT47 6AR 34 Fulmar Crescent Lisburn Antrim 37,10 Queens Road,Antrim,Down,BT3 9DT 38,10 Queens Road,Antrim,Down,BT3 9DT 39,10 Queens Road,Antrim,Down,BT3 9DT 41 HALIFAX BUILDING, 3RD FLOOR OFFICE, ARTHUR STREET, BELFAST, BT1 4GB 42 Carricknaveagh Road,Lisburn,Co. Down,BT27 6UB 42c Derrylettiff Road Portadown 64 Cherryhill Road, Dundonald, Down, Northern Ireland, BT16 1JL 75 Loopland Gardens, Belfast, Down, Northern Ireland, BT6 9EB 80 North Road, Carrickfergus, Antrim, Northern Ireland, BT38 8LZ 9 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT Belfast Metropolitan College,7 Queens Road,Belfast,Down,BT3 9DT Ivywood Colleges Ltd - Belfast Metropolitan College Belfast BT3 9DT Legacy Building,Queens Road,Belfast,BT3 9DT Part Ground & First,6-8 Titanic House,Queens Road,Queen'S Island,Belfast,Down,BT3 9DT Queen'S Works,Queens Road,Queen'S Island,Belfast,Down,BT3 9DT	

Titanic Belfast, Olympic Way, Queen'S Island, Belfast, Down, BT3 9EP Titanic Hotel, 3 Olympic Way, Belfast, Down, BT3 9EP Unit A, Thomas Andrews House, Queens Road, Belfast, Down, BT3 9DT Unit B, Thomas Andrews House, Queens Road, Belfast, Down, BT3 9DT Unit C, Thomas Andrews House, Queens Road, Belfast, Down, BT3 9DT C Neill via email	
Date of Last Neighbour Notification	30 th June 2020
Date of EIA Determination	14th January 2020
ES Requested	No
Planning History Ref ID: LA04/2015/0057/F Proposal: Temporary exhibition centre, access arrangements, service and surface car parking and associated works Address: Land Opposite Titanic Studios (The 'Paint Hall') and East of Queens Road, Belfast, Decision: Temporary Permission Granted Decision Date: 08.07.2015 Ref ID: LA04/2016/0096/F Proposal: Amended Proposal to include additional internal ground floor dining and plant areas. Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to Listed former Harland & Wolff Headquarters Building and to provide 36no. additional bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and associated access and site works. Address: Former Harland And Wolff Headquarters Building and Drawing Offices, Queens Road, Belfast, BT3 9DU, Decision: Permission Granted Decision Date: 17.05.2017 Ref ID: LA04/2016/0097/LBC Proposal: Amendment to listed building consent application Z/2014/1580/LBC for refurbishment, part restoration, change of use and extension to the listed former Harland & Wolff Headquarters to provide 36no. additional bedrooms (120No. in total) in a new annex. including service area, covered terrace, ancillary uses and site works, and including the retention and repair of historic decorative features, upgrade of windows, external structural works and cleaning, removal of internal partitioning, installation of new heritage roof lights, external and internal works including re-use of materials and installation of new materials (brickwork, cladding and joinery works). Address: Former Harland and Wolff Headquarters and Drawing Offices, Queens Road, Belfast, BT3 9DU, Decision: Consent Granted Decision Date: 25.05.2017 Ref ID: LA04/2016/1482/F Proposal: Temporary inflatable exhibition structure with associated surface car parking. Address: Site adjacent to, 7 Queens Road, Belfast BT3 9DT (Opposite 2 Queens Road Belfast), Decision: Permission Granted Decision Date: 20.06.2017	

Ref ID: LA04/2019/0589/PAN

Proposal: Erection of Hotel comprising Circa 300 beds, conference facilities, restaurant/cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works.

Address: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast.,

Decision: PAN Acceptable

Decision Date: 02.04.2019

Ref ID: LA04/2019/1636/F

Proposal: 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.

Address: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast.,

Decision: Permission Granted

Decision Date: 27.02.2020

Ref ID: LA04/2019/1783/PAN

Proposal: Proposed aquarium and associated sea intake/outfall infrastructure.

Address: Lands to the south east of Titanic Hotel, north east of Bell's Theorem Crescent and south west of Hamilton Road extending across Queens Road, Olympic Way and to meet Queens Island Wharf and the River Lagan.,

Decision: PAN Acceptable

Decision Date: 01.08.2019

Ref ID: Z/2003/0229/O

Proposal: Residential and mixed uses, together with associated realignment of Old Channel Road/Queen's Road and Quay Wall infrastructure works.

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

Decision: Permission Granted

Decision Date: 10.06.2005

Ref ID: Z/2005/1758/RM

Proposal: Residential development and mixed uses, together with associated realignment of Old Channel Road/Queens Road and Quay Wall infrastructure works.

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

Decision: Z/2005/1758/RM

Decision Date: 11.04.2006

Ref ID: Z/2006/2298/LBC

Proposal: Refurbishment of building to include demolition of existing lift shaft, and internal and external alterations.

Address: Harland & Wolff Administration and drawing office, Queens Road, Belfast.

Decision: Consent Granted

Decision Date: 30.08.2007

Ref ID: Z/2006/2864/O

Proposal: Residential led mixed use development including Titanic Experience Building, public realm areas and associated infrastructural works.

Address: Titanic Quarter Phase II-Land bounded to the south by Abercorn Basin, to the east by Queen's Road, to the west & north by River Lagan and including the listed former Harland & Wolff HQ, Belfast.

Decision: Permission Granted

Decision Date: 26.06.2008

Ref ID: Z/2007/0298/F

Proposal: College campus and ancillary uses including beauty salon, hairdressing salon, bar & restaurant together with access road, basement (& perimeter) car parking of 329 spaces, provision of new junction, upgrading of Queen's Road & associated site works.

Address: Land east of Queen's Road and Hamilton Graving Dock, Queen's Island, Belfast

Decision: Permission Granted

Decision Date: 15.02.2008

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: Permission Granted

Decision Date: 22.04.2008

Ref ID: Z/2008/1428/RM

Proposal: Erection of Titanic Signature Building comprising cultural, assembly/leisure (Classes D1/D2), cafe/restaurant and ancillary retail uses (Class A1), a basement carpark, creation of Memorial Place public Realm and associated landscaping and site works.

Address: Lands adjacent to listed former Harland & Wolff Headquarters and Drawing Offices and (including) west of Queen's Road, Queen's Island, Belfast.

Decision: Permission Granted

Decision Date: 05.12.2008

Ref ID: Z/2008/1548/RM

Proposal: Proposed mixed use development comprising 380 no apartments, 6 no cafe/bar/restaurant units, 8 no live work units, 1 no doctor's surgery, 1 no dentist, 1 no pharmacy, landscaped private amenity space, landscaped public realm, basement car park and associated site works and road works.

Address: Lands adjacent Abercorn Basin, north of Abercorn Crescent/Queens Road, Queens Island, Belfast.

Decision: Permission Granted

Decision Date: 18.08.2009

Ref ID: Z/2009/0079/RM

Proposal: Restoration of Hamilton Graving Dock and surrounding scheduled area undertaking associated landscaping and public realm works.

Address: Hamilton Graving Dock, Queen's Road, Queen's Island, Belfast.

Decision: Permission Granted

Decision Date: 17.08.2009

Ref ID: Z/2009/0097/F

Proposal: Restoration and part change of use of listed, former Harland & Wolff drawing offices to function rooms, demolition of existing toilet wing with re-instatement of facade, erection of pavilions for ancillary uses, including bar and undertaking of associated site works

Address: Former Harland & Wolff Drawing Offices, Queen's Road, Queen's Island, Belfast, BT3 9DU

Decision: Permission Granted

Decision Date: 11.12.2009

Ref ID: Z/2009/0101/LBC

Proposal: Restoration and part change of use of listed former Harland and Wolff drawing offices to function rooms, demolition of existing toilet wing with reinstatement of facade, erection of pavillions for ancillary uses including bar and undertaking of associated site works.

Address: Former Harland and Wolff drawing offices, Queen's Road, Queen's Island, Belfast, BT3 9DU.

Decision: Consent Granted

Decision Date: 11.12.2009

Ref ID: Z/2009/0115/F

Proposal: Proposed mixed use development comprising 334no. apartments, 8no. cafe/bar/restaurant units, 4no. convenience retail units, 2no. retail units, 7no. live/work units, 2no. Class A2 office units, 2no Gym units, landscaped private amenity space, landscaped public realm, basement car park and associated car park and associated site and road works

Address: Lands adjacent to and south east of the River Lagan, north of Abercorn Crescent / Queen's Road, Queen's Island, Belfast

Decision: Permission Granted

Decision Date: 02.09.2010

Ref ID: Z/2009/0135/F

Proposal: Erection of 2no. buildings ranging in height from 2 to 6 storeys comprising 12,325sqm of Class B1 business uses; 1,244sqm of Class D1 (d) education use; 431sqm of cafes (sui generis); basement car parking; access road, landscaping, and ancillary works.

Address: Land adjacent to listed former Harland & Wolff headquarters and drawing offices and west of Queen's Road, Queen's Island, Belfast

Decision: Permission Granted

Decision Date: 18.01.2011

Ref ID: Z/2009/0530/F

Proposal: Proposed mixed use development comprising 152 no apartments, 2 no hotels, 1846 sq m of business (Class B1), retail (Class A1), 2164 sq m of restaurants, bars and cafes (sui generis), 332 sq m of health spa (sui generis), 196 sq m of financial, professional and other services (Class A2), basement car parking, landscaping and ancillary infrastructural works.

Address: Lands east of Victoria Channel and 120m west of the former Harland & Wolff Drawing Offices, Queen's Road, Queen's Island, Belfast

Decision: Permission Granted

Decision Date: 19.07.2011

Ref ID: Z/2009/1061/LBC

Proposal: Refurbishment, part-restoration, change of use and extension of Listed Former Harland and Wolff Headquarters building for use as 111-bedroom boutique hotel, spa facilities, swimming pool, gymnasium and other ancillary uses together with associated access and undertaking of site works

Address: Former Harland and Wolff Headquarters Building, Queen's Road, Queen's Island, Belfast, BT3 9DU

Decision: Consent Granted

Decision Date: 03.02.2011

Ref ID: Z/2009/1091/F

Proposal: Refurbishment, part-restoration change of use and extension of listed former Harland & Wolff Headquarters building for use a 111-bedroom boutique hotel, spa facilities, swimming pool, gymnasium and other ancillary uses together with associated access and site works (amended description)

Address: Former Harland & Wolff Drawing Headquarters Building, Queen's Road, Queen's Island, Belfast, BT3 9DU

Decision: Permission Granted

Decision Date: 04.02.2011

Ref ID: Z/2009/1260/F

Proposal: Erection of hotel comprising 244 bedrooms, ancillary restaurant and conference facilities, hotel offices, landscaped public realm, basement car park and associated site and road works

Address: Lands adjacent to the north of Hamilton Dock, north of Abercorn Crescent/Queen's Road, Queen's Island, Belfast

Decision: Permission Granted

Decision Date: 19.07.2010

Ref ID: Z/2011/0232/RM

Proposal: Erection of 4 no. pavilion buildings comprising 180 sq m of tourism related Class A1 retail, electricity substation; and creation of public realm including way-finding structures and other site works associated with Titanic Signature Building.

Address: Lands east of Victoria Channel and adjacent to listed former Harland & Wolff Headquarters and drawings offices west of Queen's Road, Queen's Island, Belfast.,

Decision: Permission Granted

Decision Date: 03.10.2011

Ref ID: Z/2011/0330/F

Proposal: Refurbishment of former Titanic and Olympic slipways and undertaking environmental improvements including landscaping and public realm works.

Address: Lands east of Victoria Channel and west of Queen's Road, Queen's Island, Belfast.

Decision: Permission Granted

Decision Date: 28.03.2012

Ref ID: Z/2013/1509/F

Proposal: Film studios (2no), film production workshops, ancillary film production uses, installation of photovoltaic array, provision of car parking and access and undertake ancillary site works including re-location of sub-station

Address: Land East of Queen's Road and Northern Ireland Science Park, south of channel commercial park and west of Musgrave Channel Road, Queens Road, Queen's Island, Belfast,

Decision: Permission Granted

Decision Date: 12.08.2014

Ref ID: Z/2014/0173/F

Proposal: Change of use from bank to restaurant with take away facility

Address: Site adjacent to 7, Queens Road, Belfast (opposite 2, Queen's Road, Belfast) BT3 9DT,

Decision: Permission Granted

Decision Date: 27.04.2015

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: Permission Granted

Decision Date: 06.11.2014

Ref ID: Z/2014/0414/F

Proposal: Application under article 28 of the Planning (Northern Ireland) Order 1991 to vary planning condition 21 attached to planning permission Z/2009/0530/F to ensure consistency with the updated Transport Master Plan addendum for Titanic Quarter Phase 2.

Address: Land east of Victoria Channel and 120m west of the former Harland and Wolff Drawing offices, Queen's Road, Queen's Island, Belfast,

Decision: Permission Granted

Decision Date: 18.07.2014

Ref ID: Z/2014/1555/F

Proposal: Conversion refurbishment, restoration, extension and minor demolition of the former Harland And Wolf Headquarters building and drawing offices for use as 84 bedroom boutique hotel with heritage related tourist/event facilities, and other ancillary accommodation including plant and storage areas, communal areas together with associated access and site works.

Tourist facilities to include guided tours.

Address: Former Harland and Wolf Headquarters Building and Drawing Offices, Queens Road, Queens Island, Belfast, BT3 9DU,

Decision: Permission Granted

Decision Date: 08.07.2015

Ref ID: Z/2014/1580/LBC

Proposal: Conversion, refurbishment, restoration, extension and minor demolition of the former Harland and Wolff headquarters building and drawing offices for use as 84 bedroom boutique hotel with heritage related tourist/event facilities including the retention and repair of historic decorative features, upgrade of windows, external structural works and cleaning, removal of internal partitioning, installation of new heritage roof lights, external and internal works including the re-use of materials and installation of use of new materials (Brickwork, cladding, roof, coverings, joinery works)

Address: Former Harland And Wolff Headquarters Building and drawing Offices, Queens Road, Belfast, BT3 9DU,

Decision: Consent Granted

Decision Date: 23.07.2015

Ref ID: LA04/2017/0699/PAN

Proposal: Renewal of temporary planning permission for exhibition centre (LA04/2015/0057/F) and installation of a minor extension with alterations to the entrance lobby.

Address: Titanic Exhibition Centre, 17 Queens Road, Belfast, BT3 9DU.,

Decision: PAN Acceptable

Decision Date: 14.04.2017

Ref ID: LA04/2017/1607/F

Proposal: Temporary exhibition centre, access arrangements, service and surface car parking and associated works.

Address: Titanic Exhibition Centre, 17 Queen's Road, Belfast, BT3 9DU,

Decision: Permission Granted

Decision Date: 24.10.2017

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Committee Report

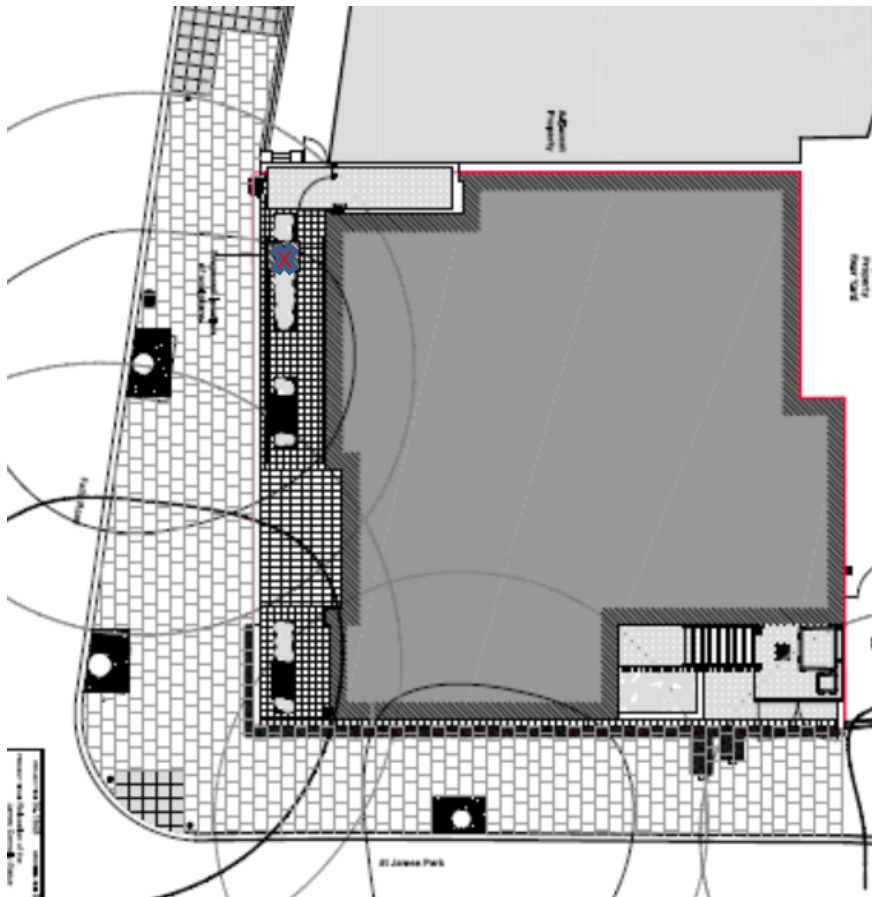
Development Management Report	
Application ID: LA04/2020/1063/F	Date of Committee: Tuesday 18 August 2020
Proposal: Re-siting of James Connolly statue from 275-277 Falls Road to 374-376 Falls Road	Location: Lands adjacent to the Whiterock Road and located at the City Cemetery exit point. Site boundary adjacent to an existing derelict stone building.
Referral Route: BCC Interest	
Recommendation: Approval	
Applicant Name and Address: Failte Feirste Thiar 243 Falls Road Belfast BT11 6FB	Agent Name and Address: McGurk Architects 33 King Street Magherafelt BT45 6AR
<p>Executive Summary: The proposal is for the re-siting of James Connolly statue from 275-277 Falls Road to 374-376 Falls Road. The statue measures 3.75m in height with a plinth measuring 0.9m by 0.9m. The statue is proposed to be located to the front of the existing building, integrated within the existing planting.</p> <p>Area Plan The proposed site is located within white land in the BUAP and is designated within a proposed Area of Townscape Character within dBMAP as well as an arterial route.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design of the proposal • Impact on the character and appearance of the surrounding area. <p>No representations have been received and DFI Roads offer no objection.</p> <p>The statue itself is not being altered but being re-located and therefore there are no design changes. It is to receive a new plinth of corten steel with backlit letters and the design is considered compatible to its new context in front of the Connolly Building. The proposal will also not harm the proposed Area of Townscape Character.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation 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 subject to no new substantive planning issues being raised by third parties.</p>	

Case Officer Report

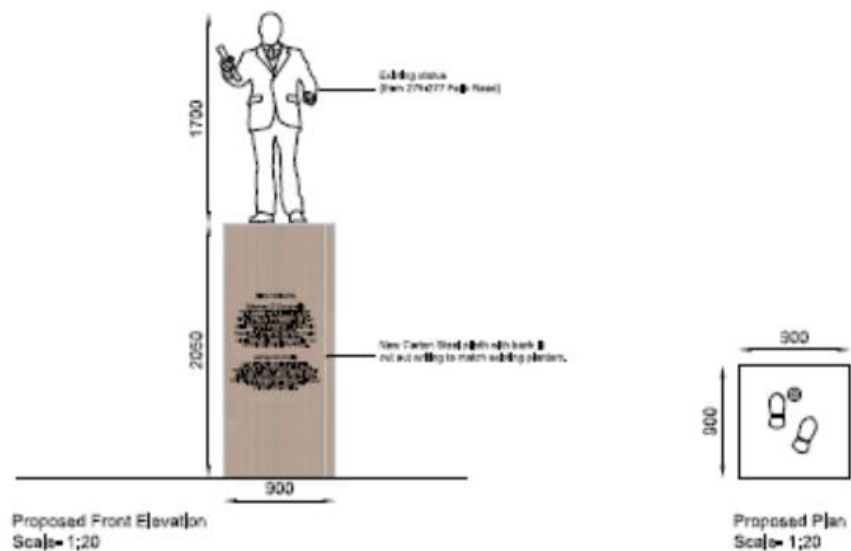
Site Location Plan



Block Plan



Elevations



Characteristics of the Site and Area

1.0 Description of Proposed Development

	Proposed re-siting of James Connolly statue from 275-277 Falls Road to 374-376 Falls Road. The statue will sit on a new 2metre high plinth and will stand at 3.175m high
2.0	<p>Description of Site</p> <p>The site is located to the front of the address 374-376 Falls Road which is currently the James Connolly Centre. The surrounding area is of mixed use. The site is located next to apartments with semi-detached dwellings to the rear on St James Park. There are a number of offices mixed with dwellings in the immediate surrounding area.</p> <p>The proposed site is located within white land in the BUAP. The site is designated within a proposed Area of Townscape Character within dBMAP as well as an arterial route.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>LA04/2017/0902/F, 374-376 Falls Road, Co. Antrim, BT12 6DG., Change of use from retail/tanning salon to exhibition and interpretive centre. 2nd floor rear extension. One storey side extension. 2 storey side extension with terrace. Elevation changes including new entrance. PERMISSION GRANTED 22.01.2018</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	<p>Draft Belfast Metropolitan Area Plan 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 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>
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
5.0	Statutory Consultees Responses DFI Roads- No objections
6.0	Non-Statutory Consultees Responses None
7.0	Representations
	The application was been neighbour notified on the 23 rd June 2020 and advertised in the local press on the 24 th June 2020. 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	Assessment

	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design of the proposal • Impact on the character and appearance of the surrounding area. <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>
9.3	<p>Design of the proposal</p> <p>As the proposal is the re-location of an existing statue, the only design change is to the plinth which is to be corten steel with cut out lettering and is to be backlit. In total the height is 3.175m which is appropriate for a statue. There are no design changes to the statue itself proposed. The proposal complies with the good design paragraphs within the SPPS.</p>
9.4	<p>Impact on the Area</p> <p>The proposal is located to the front of the building within the curtilage which is within the Falls/Donnegall Road draft Area of Townscape Character as designated within dBMAP. The proposal complies with policy ATC 2 in that the statue will maintain the character and appearance of the surrounding area. The building is deemed an appropriate location for the statue given its use as the James Connolly visitor centre. The high quality materials will enhance what is a new high quality public realm in this location. The height</p>
9.5	<p>It is proposed to relocate the statue to the front of the building within the curtilage and not on the public pavement therefore, it will not hinder pedestrian movement or cause an obstruction. DFI Roads the authority in terms of the public footpath were consulted and offer no objection.</p>
9.6	<p>Having regard for the policy context and the considerations above, the proposal is deemed 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 subject to no new substantive planning issues being raised by third parties.</p>
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. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
Notification to Department (if relevant)	
N/A	

Representations from Elected members:

None

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 18 August 2020	
Application ID: LA04/2019/2217/F	
Proposal: Public realm improvements to include; demolition and removal of the existing public toilets, landscaping works, new paving, provision of street furniture, lighting, railings, tree/hedgerow and all associated site works (temporary use for 3 years).	Location: Lands south of Albert Bridge and directly north of 5 Ravenhill Road Belfast
Referral Route: BCC interest	
Recommendation:	Approve
Applicant Name and Address: Department For Communities (DFC) Belfast Regeneration Directorate Lighthouse Build Gasworks Business Park Ormeau Road Belfast BT7 2JA	Agent Name and Address: RPS Elmwood House 74 Boucher Road Belfast BT12 6RZ
<p>Executive Summary:</p> <p>The application seeks permission for public realm improvements which include the demolition and removal of the existing public toilets, landscaping works, new paving, and provision of street furniture, lighting, railings, tree/hedgerow and all associated site works for a temporary period of 3 years.</p> <p>The main issues considered in this application are:</p> <ul style="list-style-type: none"> • Principle of development at this location • Impact on visual amenity • Landscaping • Impact on wildlife • Potential of contaminated land • Impact of proposal on the setting of a listed structure • Impact on existing open space <p>The application site lies within the development limits for Belfast and complies with the Development Plan and relevant policy.</p> <p>HED, DFI Roads, Rivers Agency, NIEA, BCC Environmental Health, BCC Tree and Landscape Team, BCC City Regeneration and Development Team were consulted in relation to the proposal and have offered no objections subject to conditions.</p> <p>One letter of representation was received regarding potential measures to prevent graffiti and interference with the adjacent property at 5 Ravenhill Road.</p>	

The application site lies within the development limits for Belfast and complies with the Development Plan and relevant policy.

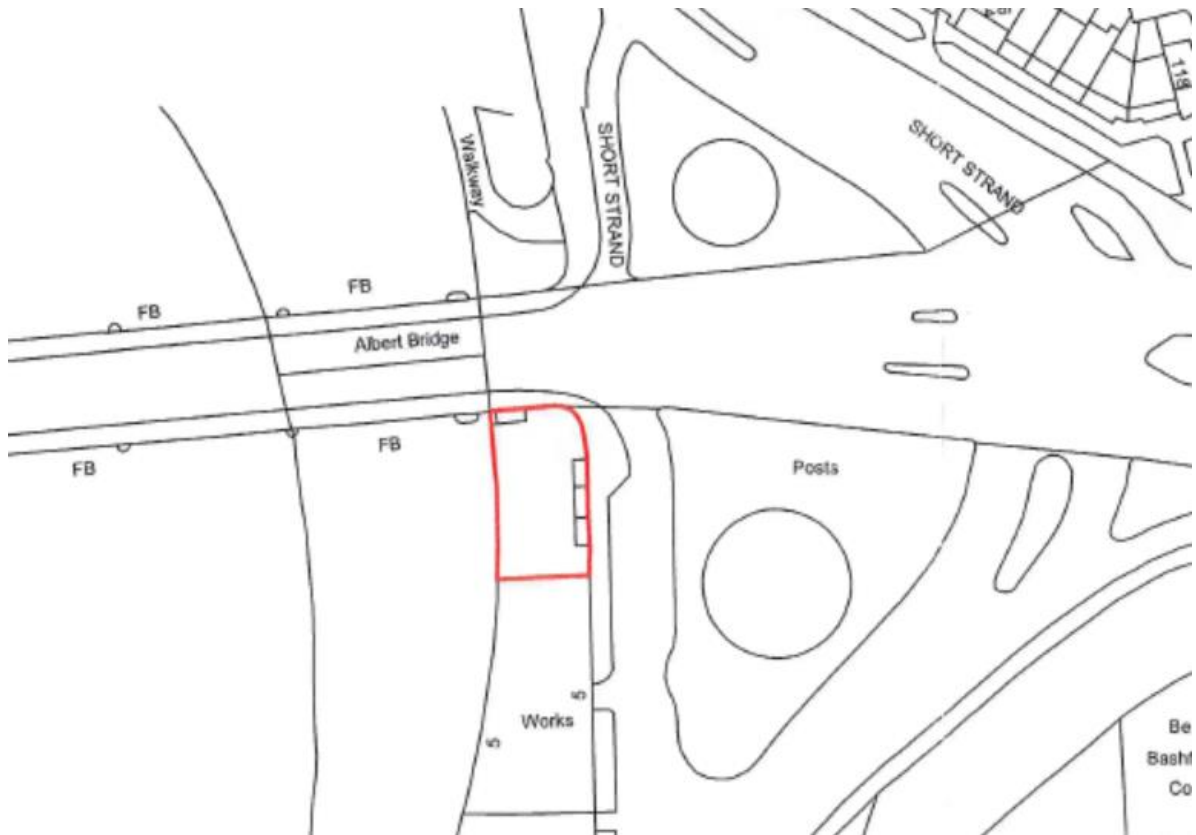
Recommendation

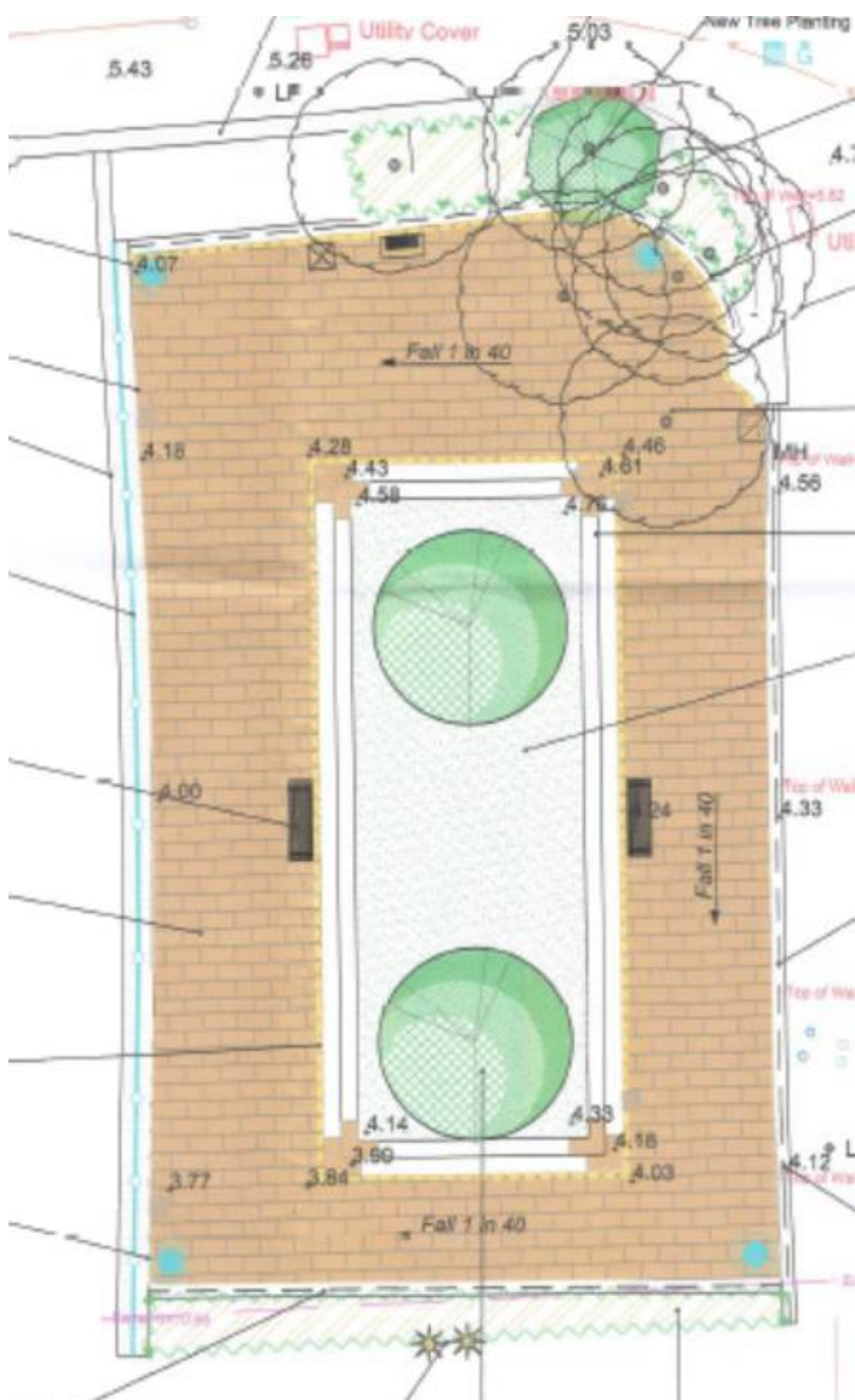
Approve

The proposal complies with relevant policy and is recommended for approval with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.

Case Officer Report

Site Location Plan



Site Layout Plan**Consultations:**

Consultation Type	Consultee	Response
Statutory	Historic Environment Division (HED)	Content
Non-Statutory	DFI Roads - Hydebank	Substantive Response Received
Statutory	Rivers Agency	Standing Advice

Non-Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	Rivers Agency	Standing Advice
Non-Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	NIEA	Advice
Non-Statutory	Health & Safety Executive for NI	No Objection
Statutory	NIEA	Content
Representations:		
Letters of Support	1	
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	Public realm improvements to include; demolition and removal of the existing public toilets, landscaping works, new paving, provision of street furniture, lighting, railings, tree/hedgerow and all associated site works (temporary use for 3 years).
2.0	Description of Site
2.1	The site is located on the corner of the Ravenhill Road and East Bridge Street on an area of land measuring 420m ² . The land slopes from east to west from the Ravenhill Road down to the River Lagan. The site is currently unused with unmanaged open landscape along the Lagan, fronted by redundant public toilet blocks. The site has been associated with anti-social behaviour due to its obstruction from public view by vegetation and the toilet block. The surrounding area is mainly commercial in nature and located at a major road intersection within the city.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2004/0451/F - Mixed use development forming the headquarters for a charitable organisation incorporating cafe, offices, conference/exhibition space and training rooms. Permission granted 19.03.2014
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	4.3.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.3.2 Planning Policy Statement 3: Access, Movement and Parking 4.3.3 Planning Policy Statement 6: Planning, Archaeology and the Building Heritage 4.3.4 Planning Policy Statement 8: Open Space and Recreation
5.0	Statutory Consultees Responses
5.1	HED – no objection
5.2	NIEA – no objection
5.3	Rivers Agency – No objection
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health - No objection subject to conditions.
6.2	DFI Roads – no objection
6.3	BCC Tree Officer – no objection

6.4	BCC City Regeneration and Development – no objection
6.5	BCC Landscape Architect – no objection
6.7	HSENI – no objection
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press.
7.2	A letter was received in November 2019 from the owner of the neighbouring premises at 5 Ravenhill Road and raised concerns that the removal of the public toilets will result in the site being more easily accessible and their building will be at greater risk from graffiti. Mr Logan requested that the proposed scheme could include a screen or fence in the area of the proposed hedge adjacent to his premises which would make the exposed wall of the building more difficult to access.
7.3	RPS responded to this representation on 27 November 2019 stating that “the adjacent property provides a natural surveillance of the site. The gable end of the building ... provides an attractive back-drop to the proposed public area, therefore to fortify this boundary with mesh screen/fencing would detract from the aesthetic and result in the loss of natural surveillance.” The scheme was however amended to include a row of dense deterrent type planting along the boundary with no. 5 Ravenhill Road. The plant species has been revised to Berberis Darwinian which is thorned and will restrict access to the wall, helping to reduce the risk of graffiti.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 does not have a zone specifically designated to the site.
8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2004 plan the site is designated as a City Centre Gateway site.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2015 plan that was adopted and now subsequently quashed the site was designated as a City Centre Gateway site.
9.0	Assessment
9.1	<p>The Key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development at this location • Impact on visual amenity • Landscaping • Impact on wildlife • Potential of contaminated land • Impact of proposal on the setting of a listed structure • Impact on existing open space
9.2	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.

	The site is located within the settlement development limit for Belfast in the adopted and both draft versions 2004 and 2015 of BMAP.
9.3	<u>Principle of development</u>
9.4	The proposed improvements will make a positive contribution to the character and appearance of the area. The proposal is considered to significantly improve the visual amenity of the area and the addition of new street furniture including bins will promote the maintenance of a cleaner environment at and around the site and the general improvements will boost the area and improve the street scape.
9.5	The proposed site improvements are not considered to have a detrimental impact on existing buildings or the character of the area.
9.6	The removal of the existing public toilets on site and the opening up of the site is considered to reduce the level of anti-social behaviour which occurs at the site as a result of surveillance from passers-by.
9.7	<u>Trees and landscape</u>
9.8	Following the initial consultation response from the BCC tree and landscape team amended drawings were received. All relevant consultees are content with the removal of trees and the additional landscaping proposed.
9.9	The proposed planting and retention of these street trees will help improve the amenity of the immediate area and assist in the local environmental setting for future years.
9.10	The proposal will help enhance and regenerate a derelict pocket of land which is sited within a prominent city centre location, effectively creating a temporary (3 year) 'pocket park', which could link into one of Belfast Council's key themes, to help create a connected and environmentally sustainable city.
9.11	The Landscape Management Plan sets out how the landscaping within the site shall be maintained over a set period in seeking to form a well-established site in terms of landscape cover which provides an opportunity for citizens to avail and enjoy all year round. The scheme also has the ability to offer nearby residents the opportunity of promoting green open space and contribute to their health and well-being.
9.12	<u>Natural heritage</u>
9.13	NED reviewed the submitted Construction Method Statement and the Preliminary Ecological Appraisal for Bats (PEAB) and are content. The onsite structures and trees have been categorised as being of negligible bat roosting potential and no further surveys are required. Section 5 of the PEAB states that onsite lighting should avoid light spillage onto the River Lagan which has the potential to be utilised by commuting and foraging bats and migrating salmonid species.
9.14	The planting of shrubs and three semi-mature trees will sufficiently mitigate for the loss of the existing trees which are to be removed on site. Onsite trees have the potential to contain nesting birds and any works should be carried out outside the bird breeding season (1 st March and 31 st August) or checked by a suitable qualified ecologist.
9.15	<u>Contaminated Land</u>

9.16	No potential pollutant linkages are considered to be present within the site as the proposed public rest area will involve upgrading the current site with hard and soft landscaping, and the soft landscaped areas will be underlain with 300mm of clean imported topsoil.
9.17	Environmental Health required further information from RPS Group Ltd in relation to analysis and testing of the imported topsoil. It has been confirmed via email to Environmental Health on 25th February 2020 that any soil imported onto the site will be subject to testing and analysis and screened against generic values (LQM/CIEH S4ULs) for a public open space near residential housing end use (POSresi) to ensure it does not pose a risk to human health. Approximately 4-6m ³ of soil will need to be imported, and soil samples will be collected for every 1 m ³ of soil imported into the site.
9.18	<u>Impact on the setting of a listed structure</u>
9.19	The application site located on the site of the former Dixon and Campbell Building Works (IHR 10654:002) which is a site of industrial archaeology interest on the Department's Industrial Heritage Record.
9.20	PPS 6 Policy BH2 (The Protection of Archaeological Remains of Local Importance and their Settings) applies and states development proposals which affect archaeological sites and monuments or their settings will only be permitted where the importance of the proposed development or other material considerations outweigh the value of the remains in question. The proposal will be conditional on appropriate archaeological mitigation measures.
9.21	HED (Historic Monuments) has considered the proposal and is content that the proposal satisfies the policy requirements of PPS 6, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works, including an Industrial Archaeology survey and a mitigation strategy focussing on the industrial archaeological remains of the site. This is to identify and record any industrial archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 (Archaeological Mitigation) of PPS 6.
9.22	HED (historic buildings) were consulted in relation to the proposal and consider that the proposal has no greater demonstrable harm on the setting of the listed structure under the policy requirements of paragraphs 6.12 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and BH 11 (Development affecting the Setting of a Listed building) of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage which states that the proposal must respect and be sympathetic to the listed structure and the character of its setting.
9.23	<u>Open Space</u>
9.24	The proposal will not result in the loss of open space but will redesign an area of unused and inaccessible open space into an area where members of the public can access. The proposed development will have a positive impact on the amenity and character of the area and there will not be any detrimental impact on biodiversity within the space. The proposed works will improve the attractiveness and vitality of this area.
9.25	<u>Recommendation</u> The scheme as shown in the proposed drawings is considered acceptable and complies with planning policy. After taking into account all relevant information, it is recommended that this application is approved.

9.26	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended. Delegated authority is sought for the final wording of conditions from the Director of Planning and Building Control.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>1. The permission hereby granted is for a limited period of 3 years only and shall expire on (from date of decision XXX).</p> <p>Reason: To enable The Council to consider the development in the light of circumstances then prevailing</p> <p>2. Works to remove, relocate or adjust any existing street furniture to accommodate the development shall, after obtaining permission from the appropriate authority, be undertaken at the applicant's expense.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>3. 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.</p> <p>The POW shall provide for:</p> <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. <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>4. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 3.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>5. 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 3. 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.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and</p>

disseminated and the excavation archive is prepared to a suitable standard for deposition.

6. Prior to the operation of the proposed development, the applicant shall provide to and have agreed in writing by the Planning Authority, a Verification Report. This report must demonstrate that the measures required to break the identified potential pollutant linkages, as outlined in the RPS Group Ltd report entitled Ravenhill Rest Preliminary Risk Assessment Report, Department for Communities (dated January 2020 and referenced IBR0323) and the email from RPS Group Ltd (dated 25th February 2020 and referenced 'Ravenhill Rest PRA' imported soil query) have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (Public Open Space near residential housing). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that:

- a) A minimum of 300mm of imported topsoil has been emplaced in all soft landscaping areas formed from material that is demonstrably suitable for use (Public Open Space near residential housing).

Reason: Protection of human health.

7. 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.

8. All landscaping works shall be carried out in accordance with the approved details on drawing no 04C, dated 08 Jan 2020. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council (within the next available planting season). Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

9. 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

	<p>strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>10. After completing the remediation works under Condition 9; 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.</p> <p>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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>11. 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 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>
Notification to Department (if relevant) N/A	
Representations from Elected members: N/A	

ANNEX	
Date Valid	17th September 2019
Date First Advertised	4th October 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 21 Short Strand,Belfast,Down,BT5 4AS The Owner/Occupier, Apartment 1- 28, 23 Short Strand,Belfast,Down,BT5 4AS Units1- 4 ,5 Ravenhill Road,Belfast,Down,BT6 8DN	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	No
Summary of Consultee Responses	
Drawing Numbers and Title Drawing No. 01 Site Location Drawing No. 02 Topographical Survey Drawing No. 03B Construction Details and Planting Schedule Drawing No. 04C General Arrangement	

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Subject:	Graffiti/defacing of street furniture
Date:	18 August 2020
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officers:	Vivienne Donnelly, City Protection Manager Ed Baker, Planning Manager (Development Management)

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Some time in the future

Never

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes

☐

No

☐

1.0	Purpose of Report or Summary of main Issues
1.1	To bring to the Committee's attention the outcomes of cross-departmental discussions regarding graffiti and defacing of street furniture. A Motion was presented to the Council at its meeting on 4 February, and discussed at Planning Committee on 19 February 2019.
2.0	Recommendations
2.1	The Committee is requested to: <ul style="list-style-type: none"> Note the outcomes of cross-departmental discussions and the intention to move forward with the public art project.
3.0	Main report

	<p>Background</p>
3.1	<p>The motion regarding street furniture, which was proposed by Councillor Boyle, and seconded by Councillor Dudgeon, was presented to the Council at its meeting on 4 February 2019:</p>
3.2	<p><i>“This Council recognises that it is difficult to contact those responsible for the maintenance of street furniture, utility boxes, phone boxes and masts, post boxes, advertising facilities and any other structure that sits on or in the footpath or in a public place throughout the City.</i></p> <p><i>The Council supports the need for people to be able to contact those responsible for the cleaning and maintaining of these structures. Accordingly, the Council will undertake a piece of work to identify whose ownership these are in and will encourage those responsible for maintaining and cleaning same to put their details on these structures and ensure their details remain on these structures so that they can be contacted when needed. Furthermore, the Council agrees that any future planning approvals for street furniture, boxes etc. as listed above, will include a condition requiring the contact details of those responsible for cleaning and maintaining and servicing them to be prominently displayed.”</i></p>
3.3	<p>In accordance with Standing Order 13(f), the Motion was referred without discussion to the Planning Committee.</p>
3.4	<p>Planning Committee meeting on 19 February 2019; The Director confirmed to the Committee that not all items of street furniture required planning permission and that the requirement to provide contact details was not a material planning consideration. However, he explained to the Members that, where an application was in front of the Committee, it could add an informative on the consent requiring the owners of the equipment to include contact details on the piece of street furniture. He outlined to the Committee that cross-departmental meetings were taking place to look at the issue of graffiti on street furniture.</p>
3.5	<p>In response to a Member’s question, he confirmed to the Committee that it could, by condition, require that owners maintained street furniture in good order, whereby the enforcement team could ensure that those conditions were upheld.</p>
3.6	<p>The Committee agreed that a report be submitted to a future meeting on the outcomes of any cross-departmental discussions relating to the issues of graffiti/defacing of street furniture.</p>
3.7	<p>Outcomes of any cross-departmental discussions relating to the issues of graffiti/defacing of street furniture</p> <p>Under The Local Government (Miscellaneous Provisions) (NI) Order 1985 the Council’s City and Neighbourhood Services Department may remove or obliterate graffiti, placards and posters. In the case of graffiti if it is detrimental to the amenity of land in its district and for fly-posting if displayed in contravention of the advertising regulations. Additionally, the Council has further limited enforcement powers in relation to graffiti and defacement of street furniture.</p> <p>(i) <u>Fixed Penalty Notices:</u> An £80 Fixed Penalty Notice (FPN) can be issue in certain circumstances to anyone <u>who is caught in the act of graffiti</u> on any road, tree, road traffic signs or where anyone is caught displaying fly-posters which contravene the Planning Act (NI) 2011 (Displaying advertisements in contravention of regulations made under Section 130 of the Act).</p>

	<p>(ii) <u>Removal Notices</u> A two-day removal notice can be served on an individual who is identified as being responsible for the graffiti asking them to remove the graffiti. This also applies if the graffiti, placard or poster publicises the goods, services or concerns of an identifiable person. In which case the notice is served on the business or person advertised. Failure to comply with the notice may result in the removal of the graffiti or poster by the Council and the recovery of debt as a civil debt.</p> <p>(iii) <u>Defacement Removal Notices:</u> A Defacement Removal Notice can be served on the owners of a relevant surface, such as a utility box or building controlled by a statutory undertaker, in certain circumstances to request that they remove graffiti from their properties. A defacement removal notice allows the owner twenty-eight days to remove the defacement from their property. If they fail to do so the council may remove the defacement and recover the costs as a civil debt. The Guidance suggest that Councils should seek to achieve co-operation through a partnership approach and that the use of these Notices should be a last resort.</p>
3.8	<p>Operational impacts and ability to respond Graffiti related activity tends to happen under the cover of darkness and is difficult to detect, with the result that the above FPN and Removal Notice powers have limited impact as the perpetrator is very rarely observed whilst in the act of defacing surfaces.</p>
3.9	<p>Following engagement with statutory agencies and utility companies, officers within the enforcement team have undertaken some proactive monitoring to identify hotspot areas and engage with the respective statutory agencies and utility companies to achieve removal of the graffiti. This has resulted in the removal of some graffiti from bridges, telephone boxes and utility boxes. Unfortunately in a number of instances, the graffiti has re-appeared within days of its removal.</p>
3.10	<p>In relation to fly-posting on utility boxes and other surfaces, the Council's enforcement and planning enforcement team work collaboratively to address defacement of property and street furniture due to flyposting activity using the above powers contained within the Clean Neighbourhood and Environment Act (NI) 2011 in the first instance. Where there is persistent illegal fly-posting advertising, the cases can be referred to the Planning enforcement team for further investigation under the Planning Act 2011 and the Control of Advertisement Regulations (NI) 2015.</p>
3.11	<p>The Belfast Canvas Pilot Project Following approval in March 2019 meeting of City Growth and Regeneration Committee, the Council developed a pilot public art project in partnership with Destination Cathedral Quarter and Belfast One Business Improvement District to improve the area's appearance through animation of utility boxes. The project aimed to decrease incidences of graffiti/tagging, fly posting, and other anti-social behaviours associated with utility boxes. Professional street artists, collaborating with community groups and university students, decorated 18 utility boxes in the city's main retail heart, to transform them into unique works of art, adding colour to the cityscape. Following an evaluation of Phase 1, a more detailed proposal was planned for delivery of Phase 2 on the Belfast Rapid Transport route, involving engagement with community groups from east and west Belfast. Following the relaxation of lockdown and in anticipation of developing Phase 2, it is hoped to have 4 pilot boxes in East and West painted by end of July 2020 with a view to extending this project across the BRT route and further across the city centre when funding can be made available to support this project.</p>
3.12	<p>Financial and Resource Implications None.</p>

3.13	Equality or Good Relations Implications None.
4.0	Appendices – Documents Attached
	None.