

Public Document Pack

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



**Belfast
City Council**

14th March, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall on Tuesday, 19th March, 2024 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

2. Committee Site Visits

- (a) Note of Committee Site Visits (Pages 1 - 2)
- (b) Proposed pre-emptive Committee Site Visit for: LA04/2022/1046/F - Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments and 5 No. terraced dwellings) with associated landscaping and car parking (amended plans received). -18 Annadale Avenue.
- (c) Proposed pre-emptive Committee Site Visit for: LA04/2023/4366/F - Proposed 14 storey (plus basement) purpose-Built Grade A Office premises with retail/restaurant unit at ground floor, including external landscaped terrace areas, public realm works, and all associated site works.- 14 Dublin Road

- (d) Proposed pre-emptive Committee Site Visit for: LA04/2023/4373/F - Erection of 17 storey Purpose Built Managed Student Accommodation (PBMSA) with additional use of accommodation outside term time comprising 459 no. units with communal facilities, internal and external communal amenity space and ancillary accommodation - 14 Dublin Road

3. **Notifications of Provision/Removal of Accessible Parking Bays**

- (a) Provision: 38 Geary Road (Pages 3 - 6)
- (b) Provision: 219 Cregagh Road (Pages 7 - 10)

4. **Planning Appeals Notified (Pages 11 - 12)**

5. **Planning Decisions Issued (Pages 13 - 36)**

6. **Miscellaneous Reports**

- (a) Delegation of Local Applications with NI Water Objections (Pages 37 - 42)
- (b) DFI Consultation Paper - Potential update to SPPS respect of Climate Change Policy (Pages 43 - 48)
- (c) Advanced Notice of Listed Buildings - Colenso Parade, Botanic Gardens and University Road/Stranmillis Road (Pages 49 - 54)

7. **Planning Applications Previously Considered**

- (a) LA04/2017/1991/F - Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works. - Land adjacent to Concourse Buildings, Queens Road (Pages 55 - 80)
- (b) LA04/2020/2105/F - Residential development comprising 55no. apartments comprising 12 no social, and 43 no private apartments and associated site works. - 1-5 Gaffikin Street (Pages 81 - 110)
- (c) LA04/2023/4021/F - Change of use from dwelling to 5 Bed House in Multiple Occupation (amended description). - 166 Upper Newtownards Road (Pages 111 - 122)
- (d) LA04/2022/1384/F - Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks. - Lands at 12 Inverary Avenue (Pages 123 - 140)
- (e) LA04/2023/3481/F - Change of use from dwelling to 6 bed HMO (sui generis) - 272 Limestone Road (Pages 141 - 152)
- (f) LA04/2023/3319/F - Change of use from dwelling to 6 Bed House in Multiple Occupation (amended description). - 27 Ponsonby Avenue (Pages 153 - 164)

8. **New Planning Applications**

- (a) LA04/2020/2607/F - Residential development for the erection of 33 no dwellings (including 5 no affordable units) including public open space, equipped children's play area and associated development as enabling works to deliver the refurbishment of 3 no listed pavilions within the Belvoir Park Hospital complex (previously approved under Y/2014/0401/F and Y/2014/0390/LBC). [amended scheme] - Former Belvoir Park Hospital Site Hospital Road (Pages 165 - 212)
- (b) LA04/2023/3778/F - Demolition of existing Russell Court buildings and re development of existing surface car park to accommodate two new buildings (five storey and four storey) for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing. - 38-52 Lisburn Road (Pages 213 - 230)
- (c) LA04/2023/2890/F - Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works - Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive (Pages 231 - 252)
- (d) LA04/2023/3856/F - Short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk. - Lands at Stormont Estate Upper Newtownards Road (Pages 253 - 266)
- (e) LA04/2023/4208/F - Change of use from Dwelling to HMO - 24 Orient Gardens (Pages 267 - 276)
- (f) LA04/2023/3076/F - Single storey extension to the Gael-Ionad Mhic Goill building, to provide additional common room space and classroom facilities, reception area, a multi-purpose room and heritage cafe space, with associated toilets and ancillary spaces in addition. An external outdoor performance area and landscaped areas will be provided in addition to car parking areas and bin stores. - Glór na Móna, Gaelionad Mhic Goill 4 Whiterock Close (Pages 277 - 290)
- (g) LA04/2024/0054/F - Change of use to conference centre facility with associated use as events/entertainment space - Former Print Hall, Ground Floor, 124-144 Royal Avenue (Pages 291 - 302)
- (h) LA04/2023/3758/F - New Pedestrian Footbridge and replacement steps to comply with DDA requirements. - Waterworks, 40m North of 260 Antrim Road (Pages 303 - 308)

9. **Restricted Items**

- (a) Financial Reporting - Qtr 3 2023/24 (Pages 309 - 316)
- (b) Update on closure of Call for Sites Public Consultation (Pages 317 - 322)
- (c) Presentation: Living with Water (Pages 323 - 520)

Planning Committee

PLANNING COMMITTEE SITE VISITS – NOTE OF MEETING

Tuesday 12th March 2024

1. **LA04/2023/3778/F** - Demolition of existing Russell Court buildings and re development of existing surface car park to accommodate two new buildings for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing. 38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA.

Members Present: Councillor Garrett (Chairperson);
Alderman Rodgers; and
Councillors Carson, P. Donnelly and Maskey.

Officers in Attendance: Mr. E. Baker, Planning Manager; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at Russell Court Building (1:40 p.m.) for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 1:55 p.m.

2. **LA04/2022/1384/F** - Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks. - Lands at 12 Inverary Avenue.

Members Present: Councillor Garrett (Chairperson);
Alderman Rodgers; and
Councillors T. Brooks, Carson, P. Donnelly and
Maskey.

Officers in Attendance: Mr. E. Baker, Planning Manager; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at 12 Inverary Avenue (2:10 p.m.) for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 2:15: p.m.

3. LA04/2023/3319/F - Proposed change of use from an existing dwelling to a house of multiple occupancies - 27 Ponsonby Avenue.

Members Present: Councillor Garrett (Chairperson);
Alderman Rodgers; and
Councillors T. Brooks, Carson, P. Donnelly and
Maskey.

Officers in Attendance: Mr. E. Baker, Planning Manager; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at 27 Ponsonby Avenue (2:25 p.m.) for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 2.40 p.m.

4. LA04/2023/3481/F - Change of use from dwelling to 6 bed HMO (sui generis) - 272 Limestone Road.

Members Present: Councillor Garrett (Chairperson);
Alderman Rodgers; and
Councillors T. Brooks, Carson, P. Donnelly and
Maskey.

Officers in Attendance: Mr. E. Baker, Planning Manager; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at 272 Limestone Road (2:45 p.m.) for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 2.50 p.m.



Department for

Infrastructure

An Roinn

Bonneagair

Department for

Infrastructure

www.infrastructure-ni.gov.uk

Network Traffic, Street Lighting and
Transportation

Eastern Division

Mr John Walsh
Chief Executive
Belfast City Council
City Hall
BELFAST
BT1 5GS

Annexe 7

Castle Buildings

Stormont Estate

Tel: 0300 200 7899

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

Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date: 20 February 2024

Dear Mr Walsh

**PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT OPPOSITE 38
GEARY ROAD, BELFAST**

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

We would welcome your comments on this proposal.

Yours sincerely

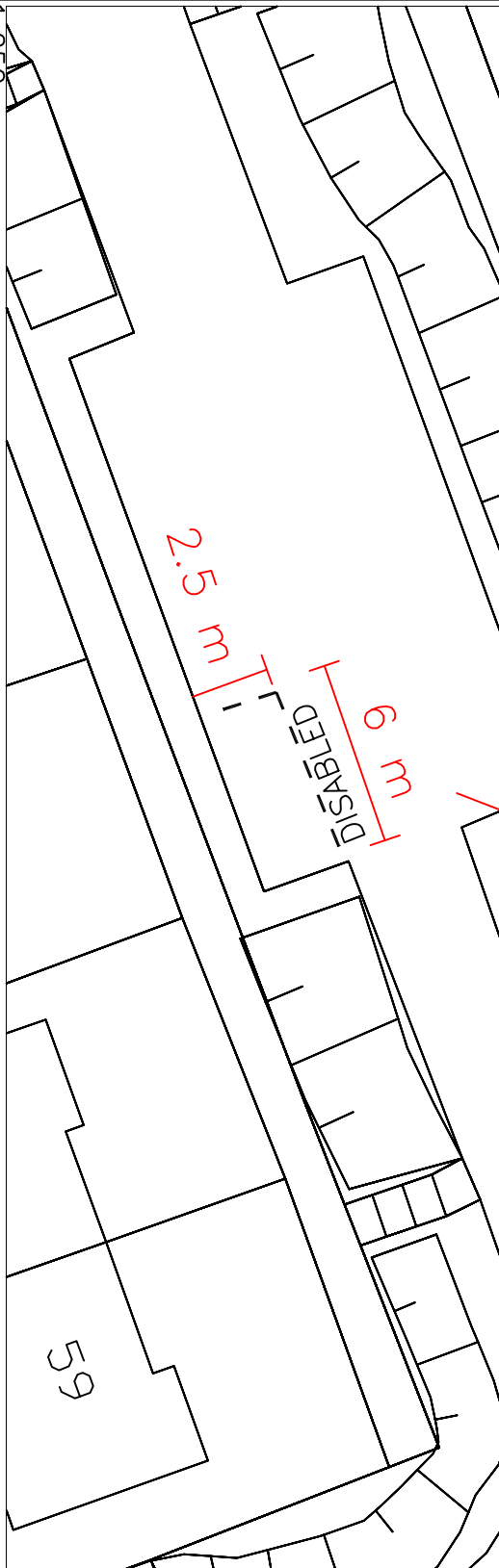
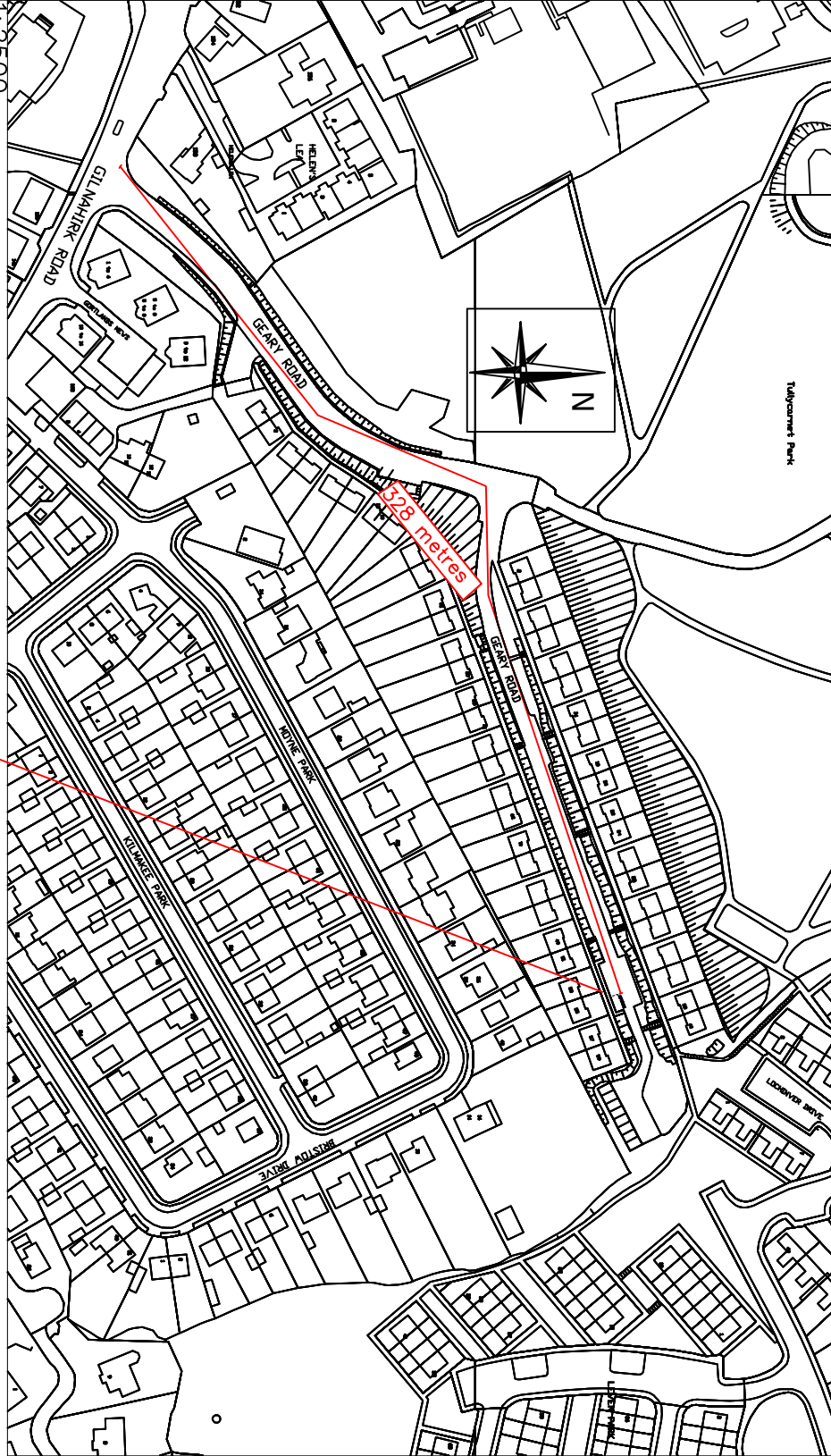
PP Alfie O'Hare

Noel Grimes
Traffic Management

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Geary Road, Belfast (south-east side) – from a point of 328 metres north-east of its junction with Gilmahirk Road, for a distance of 6 metres in a north-eastern direction.



NO.	REVISION	DATE
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Project
OPPOSITE 38 GEARY ROAD
BELFAST

Title
PROPOSED ACCESSIBLE
DISABLED PARKING BAY

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

TM2/BEL/FEB/24/07/A

Scales
AS SHOWN

Eastern Division
Annex 7
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ
Telephone: 0300 200 7893
Textphone: 028 90540022

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Network Traffic, Street Lighting and Transportation

Eastern Division

Mr John Walsh
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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: TM 2

Date: 27 February 2024

Dear Mr Walsh

219 CREGAGH STREET, BELFAST – REMOVAL OF AN ACCESSIBLE/BLUE BADGE PARKING BAY

I am writing to advise you that we propose to remove an accessible/disabled parking bay at 219 Cregagh Road, Belfast, as it is no longer required; I have attached a plan showing the location of the bay.

We would welcome your comments on this proposal.

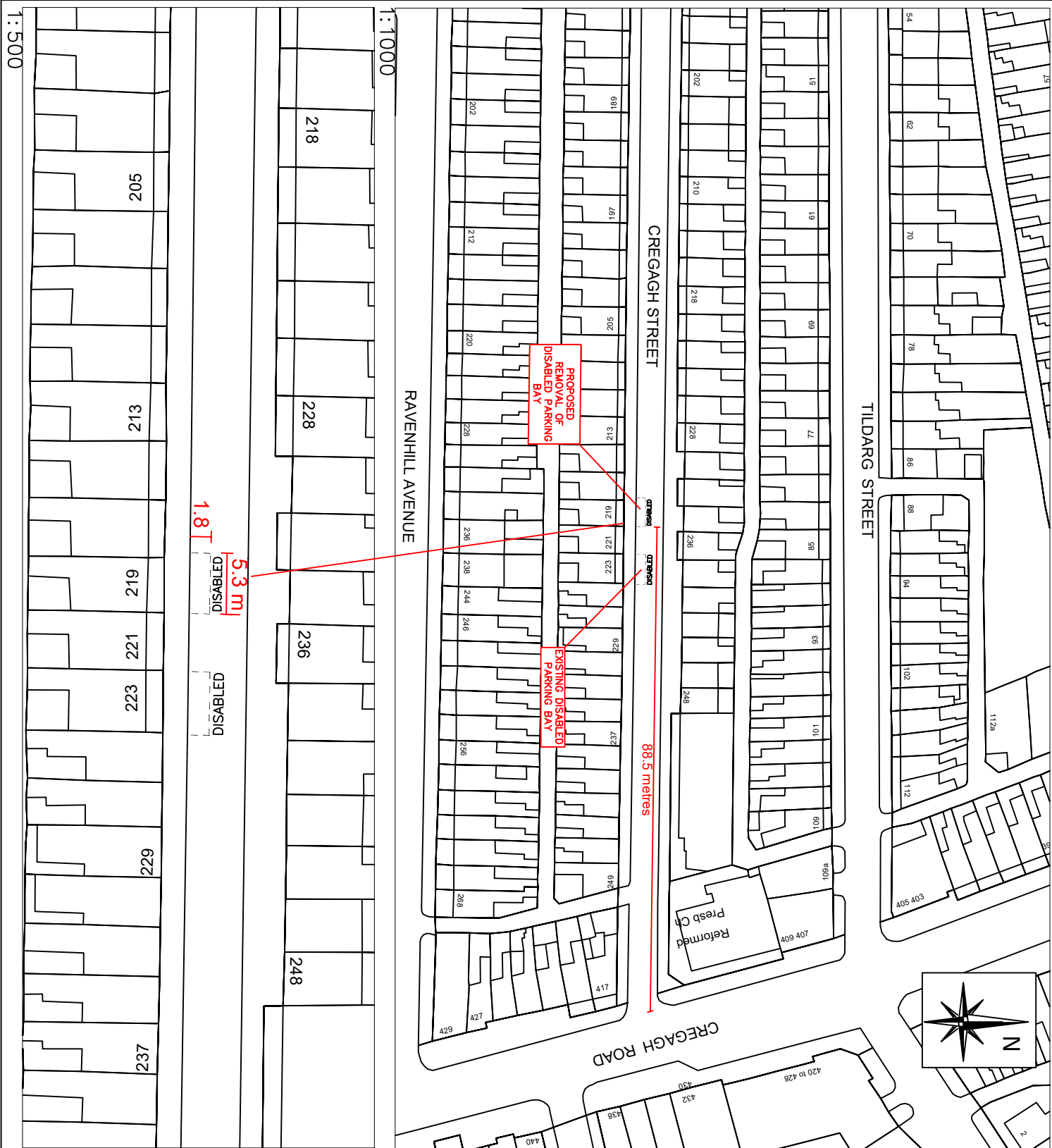
Yours sincerely

PP Alfie O'Hare
Graeme Salmon
Traffic Manager

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S.R. 2021 No. 164 – item 2941 – Cregagh Street, Belfast (south side) – from a point 88.5 metres west its junction with Cregagh Road, for a distance of 5.3 metres in westerly direction.



NO.	REVISION	DATE

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Project
REMOVAL OF AN ACCESSIBLE/
DISABLED PARKING BAY

Title
219 CREGAGH STREET
BELFAST

FILE NO.	DESIGNED	AO'H	date
			FEB'24
DRAWN	CHECKED		date
TRACED	APPROVED		date

Dwg. No.
TM2/BEL/FEB/24/08/A

Scales
AS SHOWN

Eastern Division
Annex 7
Castle Buildings
Stormont Estate
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BT4 3SQ
Telephone: 0300 200 7893
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Agenda Item 4

PLANNING COMMITTEE – 19 MARCH 2024

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO	1	PAC REF:	2023/A0108
PLANNING REF:	LA04/2023/3063/A		
APPLICANT:	J C Decaux		
LOCATION:	461 Donegall Road, Belfast, BT12 6FS		
PROPOSAL:	Replacement of 3 No existing illuminated 48 sheet LED digital display		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2022/A0100
PLANNING REF:	LA04/2022/0375/F		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Tullycar Ltd		
LOCATION:	Site location 40 and 40A Donegall Pass, Belfast, BT7 1BS		
PROPOSAL:	Demolition of existing building and construction of ground floor retail unit with 6 No accessible apartments above		

ITEM NO	2	PAC REF:	2021/A0176
PLANNING REF:	LA04/2021/0624/F		
RESULT OF APPEAL:	WITHDRAWN		
APPLICANT:	Hutchison 3G UK Ltd		
LOCATION:	Public Footpath, Junction of Strathmore Park and Antrim Road - 18m South of 554 Antrim Road, Belfast, BT15 5GJ		
PROPOSAL:	Proposed installation of a 15m High Telecoms Streetpole with Integrated Antenna and 4 No Equipment Cabinets with Ancillary Equipment (Amended Description and Plans)		

APPEAL DECISIONS NOTIFIED (CONTINUED)

ITEM NO	3	PAC REF:	2022/A0093
PLANNING REF:	LA04/2021/2320/F		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Patrick McManus		
LOCATION:	Lands between No 7 and 11 Manse Road, Castlereagh, Belfast, BT6 9SB		
PROPOSAL:	Retention of existing hardstanding to facilitate agricultural activity		

Decisions issued February 2024 - No. 161

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2022/2162/DC	LOC	Lands approx. 40M South of No 77 Edenderry Road Edenderry Village Belfast	Discharge of conditions 23-25 - LA04/2020/0995/F	Condition Discharged
LA04/2023/3189/DC	LOC	236 Upper Newtownards Road, Belfast, BT4 3EU	Discharge of Condition 9 LA04/2021/0911/F Details of drainage works	Condition Discharged
LA04/2023/3654/DC	LOC	A Wing, Crumlin Road Gaol, 53-55 Crumlin Road, Belfast, BT14 6ST	Discharge of condition no.21 - LA04/2019/2756/F final noise impact assessment	Condition Discharged
LA04/2023/3708/CLEUD	LOC	Apartment 17, Block B, 110 Cromwell Road, Belfast, BT7 1NE	Existing use: Application for a Certificate of Lawfulness (Existing) for a change of use of existing residential apartment to short term holiday let accomodation	Permitted Development
LA04/2023/4093/F	LOC	5 Squires Hill Road, Belfast, BT14 8FJ	Raise ridge to accommodate dormer to side elevation and fenestrational changes to front and rear elevation and 2x skylights	Permission Granted
LA04/2023/4165/F	MAJ	Lands at "The Bullring" located parallel to the Westlink motorway and adjacent Denmark Street/California Close between Peters Hill and Regent Street Belfast.	Vary Conditions 15 and 16 of LA04/2020/0673/F, relating to trees and landscaping	Permission Granted
LA04/2023/2595/F	LOC	19 PALESTINE STREET MALONE LOWER BELFAST ANTRIM BT7 1QJ	First Floor rear extension and new rear window to existing HMO.	Permission Granted

LA04/2023/3285/F	LOC	5A LENNOXVALE MALONE LOWER BELFAST ANTRIM BT9 5BY	Minor alterations to existing building and new vehicular access	Permission Granted
LA04/2023/4039/F	LOC	10 Greenwood House Assessment Centre, Greenwood Avenue, Belfast, BT4 3JJ	Proposed demolition of an existing single storey modular classroom unit and replacement with a new single storey modular classroom accommodation unit with associated ancillary support rooms, external south facing canopy, new access ramps, steps and new soft surface play area. External works in area around the existing modular buildings to include the replacement of perimeter security fencing, internal site fencing and associated hard surfacing paths.	Permission Granted
LA04/2023/4005/A	LOC	Glentoran Football Club Parkgate Drive, Dee Street, Belfast, BT4 1EW	Replacement of existing static billboard signage with new digital billboard signage on north stand.	Consent Granted
LA04/2023/4256/F	LOC	8 Barnetts Court Mews, Belfast, BT5 7FJ	Single story side extension and alterations to front elevation.	Permission Granted
LA04/2023/4285/CLOPUD	LOC	45 Belfast Harlequins Sports Club Deramore Park, Belfast, BT9 5JX	Replacing the existing metal halide light fittings with led light fittings, no works are proposed to the light columns. The proposed lux levels are the same as the existing.	Permitted Development
LA04/2023/4349/DCA	LOC	5A LENNOXVALE MALONE LOWER BELFAST ANTRIM BT9 5BY	Partial demolition of existing facade to enable new vehicular access and internal demolitions	Consent Granted

LA04/2023/4431/A	LOC	NEXT, UNIT 12 BOUCHER CRESCENT BELFAST ANTRIM BT12 6HU	6x Shop Signs	Consent Granted
LA04/2023/4426/F	LOC	4 Blenheim Drive, Belfast, BT6 9GB	Single storey side extension	Permission Granted
LA04/2023/4512/F	LOC	20 Spruce Hill, Hannahstown, Belfast, BT17 0HS	Proposed roof space conversion creating dormer to rear of dwelling.	Permission Granted
LA04/2023/4555/DC	LOC	73 Kingsway Park, Belfast, BT5 7EX	Soft Landscape Scheme. Condition 2 - LA04/2023/3844/F	Condition Discharged
LA04/2024/0167/PRELIM	LOC	236 Upper Newtownards Road Ballyhackamore Belfast BT4 3EU	Proposed amendments to prev app LA04/2021/0911/F	PAD Concluded
LA04/2023/0169/PRELIM	LOC	FORMER PSNI STATION, 62 – 78 YORK ROAD, BELFAST	Prelim Enquiry	PAD Concluded
LA04/2023/4089/F	LOC	32 Ravensdene Crescent, Belfast, BT6 0DB	Single storey extension and paved path to rear of property.	Permission Granted
LA04/2024/0142/WPT	LOC	7 Mount Pleasant, Stranmillis BT9 5DS	Fell 1 x Tree	Works to Trees in CA Agreed
LA04/2024/0176/WPT	LOC	38 Sans Souci Park, Belfast, BT9 5BZ	Remove one side of split tree trunk	Works to Trees in CA Agreed
LA04/2023/4484/F	LOC	36 Credenhill Park, Belfast, BT17 0ES	Single Storey side extension	Permission Granted
LA04/2024/0002/NMC	LOC	Lands to the north east of 3 Westbank Road and immediately south west of the existing Stena Line terminal, Belfast Harbour Estate, Belfast, BT3 9LJ	Erection of a HV Switch Room, re-configuration of cantilever canopies over delivery bays and reconfiguration of car parking layout.	Non Material Change Granted
LA04/2023/2647/CLOPUD	LOC	UNIT 2, 74a ANDERSONSTOWN ROAD BELFAST ANTRIM BT11 9AN	Change of use from a taxi depot to a convenience store	Application Required

LA04/2023/2929/F	LOC	170 Upper Malone Road Malone Upper Dunmurry BT17 9JZ	Erection of 1no. detached dwelling.	Permission Granted
LA04/2023/3262/F	LOC	3-9 Corn Market, Belfast, BT1 4DA	Erection of acoustic barrier around rooftop plant and services area on 3-9 Corn Market to include the erection of the plant and services to serve the building	Permission Granted
LA04/2023/4406/NMC	LOC	23a Andersonstown Road, Andersonstown, Belfast, BT11 9AF	Alterations to proposed dwelling No 2 including addition of pitched roof to single storey elements of dwelling and alterations to windows. No changes to proposed dwelling No 1. Proposed House 01 to remain as originally approved under the original application LA04/2021/0407/RM	Permission Granted
LA04/2023/4519/F	LOC	91-93 University Road, Belfast, BT7 1NG	Remove existing ATM's and night safes and infill with stone to match the existing. Remove the existing fascia letters and existing projecting signs and make good wall.	Permission Granted
LA04/2023/4511/DCA	LOC	91-93 University Road, Belfast, BT7 1NG	Remove existing ATM's and night safes and infill with stone to match the existing. Remove the existing fascia letters and existing projecting signs and make good wall.	Consent Granted
LA04/2023/2623/F	LOC	186 ANDERSONSTOWN ROAD BALLYMONEY BELFAST ANTRIM BT11 9BZ	change of use from retail to hot-food carryout	Permission Granted

LA04/2023/3265/DCA	LOC	3-9 Corn Market, Belfast, BT1 4DA	Demolition of roof top plant room	Permission Granted
LA04/2023/3685/CLOPUD	LOC	113 Cromac Street, Belfast, BT2 8JE	Use of one bedroom as a short term let.	Permitted Development
LA04/2023/3739/F	LOC	St. Gerard's Community Hall 722 Antrim Road, Newtownabbey, BT36 7PG	Proposed ground floor extension to the rear (west elevation) of the existing building and demolition of 2 ground floor returns (north elevation).	Permission Granted
LA04/2023/3895/F	LOC	265 Falls Road, Belfast, BT12 6FD	Proposed first & second floor rear extension and two dormer windows to front elevation.	Permission Granted
LA04/2023/4131/F	LOC	35 Cloverhill Park, Belfast, BT4 2JW	Single storey rear extension and internal alterations.	Permission Granted
LA04/2023/4174/F	LOC	44 MYRTLEFIELD PARK MALONE LOWER BELFAST ANTRIM BT9 6NF	Single storey rear extension to dwelling, external alterations and associated site works.	Permission Granted
LA04/2023/4170/F	LOC	4 WILLOWVALE GARDENS BALLYMONEY BELFAST ANTRIM BT11 9JW	Single storey rear extension and first floor side and rear extension	Permission Granted
LA04/2023/4268/DCA	LOC	44 MYRTLEFIELD PARK MALONE LOWER BELFAST ANTRIM BT9 6NF	Proposed partial demolition of single storey rear return and new openings to be formed in existing house for new windows & doors	Consent Granted
LA04/2023/4429/F	LOC	32 LINENHALL STREET TOWN PARKS BELFAST ANTRIM BT2 8BG	Installation of a serviced living wall utilising a sustainable water source	Permission Granted

LA04/2024/0040/DC	LOC	Former NI Water Ltd Sewage Treatment Works Blackstaff Road, Belfast, Belfast, BT11 9DT	Discharge of condition 20, LA04/2022/1479/F Piling Risk Assessment and Method Statment	Condition Discharged
LA04/2024/0199/WPT	LOC	St. Brigids Parish,42 Derryvolgie Avenue, Belfast, BT9 6FP	Works to trees in CA	Works to Trees in CA Agreed
LA04/2023/3060/F	LOC	16B Forest Park, Dunmurry, Belfast, BT17 0ET	Proposed two storey extension to side. Single Storey extension to rear. Landscaping works and a pergola to the rear and rear garden level raised (Amended Description).	Permission Granted
LA04/2023/3179/F	LOC	236 Stockmans Lane, Belfast, BT11 9AR	Proposed two storey side and rear extension to provide kitchen, living room and bedroom. Including fenestration changes to side elevation	Permission Granted

LA04/2023/3410/PAD	MAJ	Plots 3 and 4 City Link Business Park, Albert Street, Belfast	<p>It is proposed to make an application for a certificate of lawfulness to confirm that the development approved under Ref: Z/2007/2999/F was commenced and can be completed.</p> <p>The approved development was described as:</p> <p>"Residential development comprising a total of 133 no. units within 2 apartment blocks; Stanley Block and Albert Block both housing 11 storeys of accommodation including 2 no. levels of parking at ground and lower ground level, and 9 no. levels of apartment units. Re-location of office business park boundary wall and railings along Albert Street to behind the proposed residential buildings. Extensive landscaping to open areas around proposed buildings."</p>	PAD Concluded
LA04/2023/3729/F	LOC	133 The Mount, Belfast, BT5 4ND	Change of use to 5-bedroom House in Multiple Occupation.	Permission Granted
LA04/2023/3888/F	LOC	Cathedral Gardens Belfast BT1 2GT	Proposed two year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers.	Permission Granted
LA04/2023/4151/F	LOC	289-291 Castlereagh Road, Belfast, BT5 6AA	Single storey extension to side of building and roof solar panels.	Permission Granted
LA04/2023/4186/F	LOC	1 Kinedar Crescent, Belfast, BT4 3LY	Two storey rear extension and single storey rear extension	Permission Granted

LA04/2023/4211/F	LOC	8 Bristow Drive, Belfast, BT5 7QU	Single-storey rear extension	Permission Granted
LA04/2023/4384/F	LOC	2 Shaneen Park, Belfast, BT14 8JP	Proposed rear dormer to facilitate loft conversion including hip to gable roof, revised ridge height and chimney extension.	Permission Granted
LA04/2023/4469/F	LOC	2a Ventry Street, Belfast, BT2 7JP	Change of use from commercial vehicle repair garage to public house with associated internal and external alterations.	Permission Granted
LA04/2024/0006/DC	LOC	Lands to the north east of 3 Westbank Road, Immediately South West of the existing Stena Line Terminal, Belfast Harbour Estate, Belfast, BT3 9JL	Discharge of condition 5 of planning approval LA04/2022/0063/F (method of sewage disposal)	Condition Discharged
LA04/2021/0917/DC	LOC	30-44 Bradbury Place Belfast BT7 1RS	Discharge of condition 02 LA04/2017/2753/F.	Condition Discharged
LA04/2022/1846/DC	LOC	Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queens Road Belfast.	Discharge of condition 4 LA04/2022/0293/F (vibration monitoring)	Condition Discharged
LA04/2022/1812/LDE	LOC	183 Falls Road Belfast BT12 6AF	Retention of House in Multiple Occupancy (HMO)	Permitted Development

LA04/2022/2045/F	LOC	741 Lisburn Road, Belfast, BT9 7GW and rear of existing building at No. 743-745 Lisburn Road	Demolition of rear out buildings to allow erection of 2 storey rear extension to existing building and for a change of use from Guest house to dental practice. Reconfiguration of existing carparking to provide additional spaces.	Permission Granted
LA04/2023/3247/F	LOC	37 Osborne Park, Belfast, BT9 6JP	PROPOSED TWO-STOREY EXTENSION TO REAR OF EXISTING THREE-STOREY PROPERTY TO INCLUDE TWO-STOREY CARRIAGE HOUSE IN REAR GARDEN. DEMOLITION OF EXISTING YARD WALL & MONO PITCHED ROOF	Permission Granted
LA04/2023/3248/DCA	LOC	37 Osborne Park, Belfast, BT9 6JP	DEMOLITION OF EXISTING YARD WALL & MONO PITCHED ROOF (Amended Description)	Consent Granted
LA04/2023/3608/F	LOC	59 MYRTLEFIELD PARK MALONE LOWER BELFAST ANTRIM BT9 6NG	Single storey rear/ side extension including new garage. (Amendments to LA04/2020/1807/F)	Permission Granted
LA04/2023/4060/A	LOC	Revolución de Cuba Belfast 25-39 Arthur Street, Belfast, BT1 4QG	Signage boards at street level and images printed on scaffolding wrap for the duration of repair works to the building.	Consent Granted
LA04/2023/4195/F	LOC	24 MEADOWHILL BELFAST ANTRIM BT11 8QR	SINGLE STOREY EXTENSION TO SIDE OF DWELLING	Permission Granted

LA04/2023/4455/A	LOC	57-63 DONEGALL PLACE TOWN PARKS BELFAST ANTRIM BT1 5AG	Replacement of existing fascia signs, projecting signs and ATM surrounds with illuminated new logo signage and window vinyls.	Consent Granted
LA04/2023/3439/F	LOC	107 Donegall Avenue, Belfast, BT12 6LT	Change of use from Dwelling to HMO, and proposed rear dormer (retrospective).	Permission Granted
LA04/2023/3713/F	LOC	5 WINDSOR PARK MALONE LOWER BELFAST ANTRIM BT9 6FQ	Single storey rear extension. Demolition and replacement of garage. (Amended description)	Permission Granted
LA04/2023/3831/F	LOC	5 Riverview Meadows, Belfast, BT11 9RA	Conversion of existing ground floor garage into bedroom and existing utility room into shower room.	Permission Granted
LA04/2023/4139/DCA	LOC	5 Windsor Park, Belfast, BT9 6FQ	DEMOLITION OF GARGAE AND PARTIAL DEMOLITION OF INTERNAL & EXTERNAL WALL TO REAR EXTENSION. REPLACEMENT GARAGE TO BE CONSTRUCTED ON THE SAME FOOTPRINT, FINISHED IN SIMILAR BRICK TONES IN KEEPING WITH THE AREA AND EXISTING GARAGE. (AMENDED DESCRIPTION)	Consent Granted
LA04/2023/4180/CLOPUD	LOC	35 Dunmurry Lodge, Belfast, BT10 0GR	The erection of a single storey rear and side extension.	Permitted Development
LA04/2021/2774/NMC	LOC	25 Kingsdale Park Belfast BT5 7BZ.	Non material change to LA04/2021/0367/F by omitting the approved side extension.	Non Material Change Granted

LA04/2022/0874/F	LOC	69 University Road Belfast BT7 1NF	Change of use from cafe to office to include internal alterations. (Amended Description)	Permission Granted
LA04/2022/1038/DCA	LOC	7 Marlborough Park Cross Avenue Belfast BT9 6HQ	Part demolition of side and rear walls to facilitate enlarged / new openings.	Consent Granted
LA04/2021/1404/F	LOC	Footpath on Island Street at entrance to "Morgan" Factory opposite No1 McArthur Court Belfast Antrim BT4 1EQ	Proposed Installation of an 15m High Telecoms Streetpole c/w wraparound cabinet, with Integrated Antenna, and 3no. additional equipment cabinets and ancillary equipment.	Permission Granted
LA04/2022/0880/LBC	LOC	69 University Road Belfast BT7 1NF	Change of use from cafe to office to include internal alterations. (Amended Description)	Consent Granted
LA04/2022/1203/F	LOC	Glenriver Lands adjacent to 78 Cloona Park Belfast.	Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings)	Permission Granted

LA04/2022/2207/LBC	LOC	Merok Burn 1 Upper Knockbreda Road, Belfast, BT6 9LL	Alterations and extension to include single storey side extension and 4 no. rooflights, demolition of existing decayed timber garage & concrete structure adjacent to garden house, erect new timber post & beam carriage house in place of old timber garage. Internal works i.e. remodelling, new openings, double glaze windows, insulation and replacement fireplace. General like for like repairs to roof, timberwork, plasterwork, using similar materials. New fence & gates	Consent Granted
LA04/2022/2182/WPT	LOC	17 Harberton Avenue Belfast BT9 6PH	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2022/2208/NMC	LOC	Lands at Riddel Hall 185 Stranmillis Road Belfast BT9 5EE	Non material change LA04/2019/2442/F.	Non Material Change Granted
LA04/2023/2574/F	LOC	155 LISBURN ROAD MALONE LOWER BELFAST ANTRIM BT9 7AJ	Change of use from derelict property to Pizza and Kebab Takeaway with change of shopfront	Permission Granted
LA04/2023/2769/F	LOC	Royal Victoria Hospital Grosvenor Road, The Royal Hospitals, Belfast, BT12 6BA.	Temporary planning permission for proposed Radiopharmacy cleanroom extension	Permission Granted
LA04/2023/2900/WPT	LOC	420 Ravenhill Road, Belfast, BT6 0BU	Tulip tree overhanging boundary line. Arborist to remove 2-3 feet on 2 branches only. Minor trim.	Works to TPO Granted
LA04/2023/2952/PAD	LOC	8 A Old Pump House Balmoral Park, Upper Lisburn Road, Belfast, BT10 0JP	Skylight Podcast Belfast - Fully setup podcast studio available to hire	PAD Concluded

LA04/2023/3198/F	LOC	20m North of 90 Shaws Road, Shaws Road, Belfast, BT11 8NP	Installation of a 17m high slim-line monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric meter cabinet, and ancillary development thereto.	Permission Granted
LA04/2023/3138/F	LOC	1 Cairo Street, Belfast, BT7 1QS	Demolition with retention of front facade and erection of 2no. 1 bedroom apartments	Permission Refused
LA04/2023/3139/F	LOC	42-48 Howard Street, Belfast, BT1 6PG	Partial demolition of the ground floor and first floor. Proposed extension at ground floor to create a new hotel reception, bar/restaurant area and bin store, including change of use from pharmacy and optician to form part of proposed bar/restaurant. Change of use of retained rooms at first and second floor from 18No. short stay/visitor suites to 17No. hotel suites and staff room. Proposed external flues on the rear elevation.	Permission Granted
LA04/2023/3142/DCA	LOC	42-48 Howard Street, Belfast, BT1 6PG	Partial demolition of the existing reception area, retail units and restaurant unit at ground floor and partial demolition at first floor comprising a storage area, 2No. short stay/visitor suites and part of a third short stay/visitor suite.	Consent Granted
LA04/2023/3180/F	LOC	79 Tates Avenue, Belfast, BT9 7BZ	Extension to HMO to provide additional bedrooms and kitchen space	Permission Granted

LA04/2023/3290/F	LOC	12 Cleaver Gardens, Belfast, BT9 5HZ	Alterations to access with new gate, boundary wall, fence and alterations to existing boundary wall.	Permission Granted
LA04/2023/3323/F	LOC	17 Cooke Street, Belfast, BT7 2EP	Single storey rear extension.	Permission Granted
LA04/2023/3299/DCA	LOC	7 Kings Road, Belfast, BT5 6JF	Demolition of existing single storey garage, external utility room, 2no external stores, external WC and pantry. Construction of new single storey rear extension. New gates to front + additional site works.	Consent Granted
LA04/2023/3438/F	LOC	17a Donegall Park Avenue, Belfast, BT15 4ET	Detached garage / store to rear (retrospective)	Permission Granted
LA04/2023/3475/F	LOC	9 Cadogan Park, Belfast, BT9 6HG	Partial demolition of existing entrance splay walls, removal of existing timber post and rail front boundary fence and construction of a single detached dwelling with parking and associated site, access and landscaping works.	Permission Granted
LA04/2023/3592/PAD	MAJ	451-455 Donegall Road, Belfast	Proposed specialist nursing and residential care facility comprising 158 beds, including car parking provision, cycle parking, refuse storage, landscaping and associated site works.	PAD Concluded
LA04/2023/3553/F	LOC	THE MISSION TO SEAFARERS 1 PRINCES DOCK STREET BELFAST ANTRIM BT1 3AA	Extension to existing building with external alterations including lantern.	Permission Granted

LA04/2023/3554/DCA	LOC	59 Myrtlefield Park, Belfast, BT9 6NG	Demolition of existing single storey garage and rear/side return to existing dwelling.	Consent Granted
LA04/2023/3536/CLEUD	LOC	28 Wellesley Avenue, Belfast, BT9 6DG	Existing use: 2no. short term let apartments (1no. 2 bed and 1 no. 3 bed)	Permitted Development
LA04/2023/3582/F	LOC	5 Cleaver Park, Belfast, BT9 5HX	Single storey extension to rear and left side of property proposed single storey garden store in rear garden.	Permission Granted
LA04/2023/3583/DCA	LOC	5 Cleaver Park, Belfast, BT9 5HX	Partial demolition to front, rear and side elevations and existing roof to facilitate single storey extension to rear and left side of property proposed single storey garden store in rear garden.	Consent Granted
LA04/2023/3638/F	LOC	47 Richhill Park, Belfast, BT5 6HG	Proposed single storey extension and first floor bedroom extension (Amended Proposal Description)	Permission Granted
LA04/2023/3653/F	LOC	72 Thornhill Crescent Dunmurry Belfast BT17 0RJ	Single storey extension to the rear and level access.	Permission Granted
LA04/2023/3689/F	LOC	Kiloran House 62 North Road Belfast BT5 5NJ	Installation of PV solar panels to front and rear of roof.	Permission Granted
LA04/2023/3709/F	LOC	3-5 Commercial Court Belfast BT1 2NB	Upgrade of existing roof to include; removal of existing roof finish and replacement with 'lead effect' single ply membrane, increasing the parapet height, new roof access walkway/steps, installation of rooflights and photovoltaic panels.	Permission Granted

LA04/2023/3725/WPT	LOC	73-75 Somerton Road, Belfast, BT15 4DE	Works to 1 tree.	Works to Trees in CA Agreed
LA04/2023/3746/F	LOC	62 Omeath Street, Belfast, BT6 8ND.	Alterations to rear single storey extension (Amended Proposal description)	Permission Granted
LA04/2023/3765/A	LOC	Lidl, 61 High Street, Belfast, BT1 2AB	3 Shop signs	Consent Granted
LA04/2023/3830/F	LOC	62 Onslow Gardens, Belfast, BT6 0AQ	2 storey rear / side extension, new front porch and widening of access.	Permission Granted
LA04/2023/3851/F	LOC	185 Riddel Hall Stranmillis Road, Belfast, BT9 5EE	Installation of a closed loop geothermal system (Retrospective).	Permission Granted
LA04/2023/3847/LBC	LOC	185 Riddel Hall Stranmillis Road, Belfast, BT9 5EE	Installation of a closed loop geothermal system (Retrospective).	Consent Granted
LA04/2023/3883/F	LOC	64 Fruithill Park, Belfast, BT11 8GF	Proposed single storey extension to rear of dwelling replacing existing single storey extension and roof space conversion creating dormer to rear with the existing hip roof to the main dwelling being replaced with a gable wall.	Permission Granted
LA04/2023/3864/DC	LOC	722 St Clement's Retreat Antrim Road, Belfast, BT36 7PH	Discharge condition 19 LA04/2017/0882/F attached to Z/2010/0523/F - Archaeological Programme of Works	Condition Partially Discharged
LA04/2023/3886/DCA	LOC	3-5 Commercial Court, Belfast, BT1 2NB	Demolition of existing defective roof finish and replacement and demolition and reinstatement of existing coping and ornamentation.	Consent Granted
LA04/2023/3876/DCA	LOC	15 DERAMORE DRIVE MALONE LOWER BELFAST ANTRIM BT9 5JQ	Demolition of rear garden room and a number of internal walls	Consent Granted

LA04/2023/3905/A	LOC	20 CASTLE LANE TOWN PARKS BELFAST ANTRIM BT1 5DB	1 Other - High level internal signage, 2 Shop sign, 2 Projecting sign, 1 Other - High Level internal signage	Consent Granted
LA04/2023/3908/DC	LOC	1-5 Graham House Albert Square, Belfast, BT1 3EQ	Discharge Condition 2 of LA04/2017/1707/F. External material specification	Condition Discharged
LA04/2023/3931/PAD	MAJ	Lands north west of PRONI, east of Queens Road and south of Belfast Metropolitan College, Titanic Quarter, Belfast	Erection of Purpose Built Managed Student Accommodation (PBMSA) development, comprising circa 1172 no. units, entrance plaza, courtyards, landscaping, ancillary accommodation and facilities, cycle and car parking and other associated site and access works.	PAD Concluded
LA04/2023/3918/F	LOC	Royal Victoria Hospital Grosvenor Road, The Royal Hospitals, Belfast, BT12 6BA	Proposed brick built substation to house HV switchgear, two transformers and various control panels. Alterations to adjacent carpark to allow access to substation - involves the removal of 7 parking bays.	Permission Granted
LA04/2023/3927/F	LOC	Church of Ireland Office 61-67 Donegall Street, Belfast, BT1 2QH	Proposed alterations to building façade including increased window openings at third floor level and rendering of existing brickwork and entrance pillars' Office use to be retained (Amended Proposal Description)	Permission Granted

LA04/2023/3928/DCA	LOC	Church of Ireland Office 61-67 Donegall Street, Belfast, BT1 2QH	Associated demolition for alterations to building façade including increased window openings at third floor level and rendering of existing brickwork and entrance pillars' Existing Office use class to be retained' (Amended Proposal description)	Consent Granted
LA04/2023/3966/F	LOC	215 Ravenhill Road, Belfast, BT6 0BS	Single storey rear extension with external raised patio and privacy screen.	Permission Granted
LA04/2023/3972/F	LOC	6a Prince Regent Road, Belfast, BT5 6QR	Overclad of existing building and repairing wall cladding.	Permission Granted
LA04/2023/4009/F	LOC	7 Norwood Gardens, Belfast, BT4 2DX	Single storey rear extension and fenestration changes to side elevation	Permission Granted
LA04/2023/4026/F	LOC	Unit 2B, Boucher Retail Park, Boucher Crescent, Belfast, BT12 6HU	Application under Section 54 of the planning (NI) Act 2011 for variation of condition 5 of planning approval Z/86/1385 regarding restrictions on goods to be sold, to allow the retail area floorspace within unit 2B to be used for the sale of convenience goods with an ancillary range of durable goods along with ancillary cafe with seating area.	Permission Granted
LA04/2023/4061/F	LOC	Mount Vernon Court, 1 Mount Vernon Grove, Belfast, BT15 4BG	Extension of existing parking facilities, creation of 7 new spaces to the front of the property.	Permission Granted
LA04/2023/4076/F	LOC	15 DERAMORE DRIVE MALONE LOWER BELFAST ANTRIM BT9 5JQ	Single storey rear extension and dormer window	Permission Granted

LA04/2023/4140/CLEUD	LOC	22 Penrose Street, Belfast, BT7 1QX	Change of use to HMO.	Permitted Development
LA04/2023/4144/CLEUD	LOC	Apartment 7f, 13, Kent Street, Belfast, BT1 2JJ	Existing use: Short term rental accommodation	Permitted Development
LA04/2023/4158/CLEUD	LOC	Flat 5 82 Rugby Avenue, Malone Lower, Belfast, BT7 1RG	Existing use: A house in multiple occupation. In use for more than 5 years.	Permitted Development
LA04/2023/4257/NMC	LOC	6 Houston Gardens, Belfast, BT5 6AU	Proposed Changes: 1. Changes to first floor Bedroom 2 and Shower room configuration. 2. Changes to windows in bedroom 2 and shower room. Now a singular window into Bedroom 2 (North-West elevation) of equal size to the existing window in Bedroom 1 (South-East elevation).	Non Material Change Granted
LA04/2023/4295/F	LOC	Site at No. 10 Lorne Street, Belfast, BT9 7DU	Modification of Condition 13 previous approval LA04/2017/1153/F (Landscaping)	Permission Granted
LA04/2023/4309/F	LOC	3 Forest Lane, Belfast, BT17 0YT	Proposed Single storey extension to side and rear. Attic conversion with dormer to rear.	Permission Granted
LA04/2023/4346/F	LOC	81 Holland Drive, Belfast, BT5 6EJ	Single Storey Extension to side/rear.	Permission Granted
LA04/2023/4361/CLEUD	LOC	Apt 1,2 and 3 , 66 Lisburn Road, Malone Lower, Belfast, BT9 6AF	Change of use to short term lets.	Permitted Development
LA04/2023/4357/A	LOC	287 Shore Road, Belfast, BT15 3PW	Proposed replacement of existing 96 sheet hoarding to a 48 sheet digital screen.	Consent Granted

LA04/2023/4399/F	LOC	100 Trench Park, Belfast, BT11 9FG	Proposed single storey extension to rear of dwelling and alterations to existing attached garage to provide living space with external changes to dwelling.	Permission Granted
LA04/2023/4383/CLEUD	LOC	18 Malone Avenue, Belfast, BT9 6ER	Existing Use - House of Multiple Occupancy	Permitted Development
LA04/2023/4401/F	LOC	27 Trench Park, Belfast, BT11 9FF	Proposed single storey extension to side/ rear of dwelling, internal alterations and level access/ raised platform to side/rear of dwelling.	Permission Granted
LA04/2023/4403/F	LOC	64 Severn Street, Belfast, BT4 1FB	Two-storey extension to gable of existing house and 2x parking spaces to side	Permission Granted
LA04/2023/4445/A	LOC	Unit 03 - The Keep, Castle Lane, Belfast, BT1 5DY	Shop sign	Consent Granted
LA04/2023/4443/F	LOC	6 Glencregagh Drive, Belfast BT6 0NL	Demolition of single storey garage. Erection of single storey rear/side extension, with first floor dormer extension	Permission Granted
LA04/2023/4448/DC	LOC	Lands adjacent to and south east of the river Lagan west of Olympic Way of Queen's road, Queen's Island, Belfast, BT2 9EQ	Discharge of condition 38 LA04/2021/2280/F. Archaeological Evaluation Report	Condition Discharged
LA04/2023/4452/F	LOC	49 Knockvale Park, Belfast, BT5 6HJ	Alterations & extension to dwelling comprising single storey extension to rear, extension of existing first floor bathroom return and addition of 2No new window openings to ground floor side elevation	Permission Granted

LA04/2023/4507/A	LOC	Unit L2 The Odyssey Pavilion Queens Quay, Belfast, BT3 9QQ	2 Mixed internal illuminated and non illuminated signage	Consent Granted
LA04/2023/4516/F	LOC	243 Finaghy Road North, Belfast, BT11 9EG	Proposed porch to front of dwelling and alterations to rear.	Permission Granted
LA04/2023/4553/CLEUD	LOC	9 College Place North, Belfast, BT1 6BE	Existing use: House of Multiple Occupancy	Permitted Development
LA04/2023/4586/F	LOC	422 FALLS ROAD BALLYMURPHY BELFAST ANTRIM BT12 6EN	Change of use from a domestic dwelling to 5 bed House in multiple occupation (HMO)	Permission Granted
LA04/2023/4599/F	LOC	18 Olde Forge Manor, Belfast, BT10 0HY	Internal alterations to convert a garage into a home office with alterations to the front elevation only.	Permission Granted
LA04/2024/0005/LBC	LOC	ULSTER MUSEUM BOTANIC GARDENS MALONE LOWER BELFAST ANTRIM BT9 5AB	Temporary contra vision panels	Consent Granted
LA04/2024/0039/CLEUD	LOC	Apartment 42 St Georges Harbour, 51 East Bridge Street, Belfast, BT1 3SG	Apartment to be used as HMO	Permitted Development
LA04/2024/0067/F	LOC	5 Kings Crescent, Belfast BT5 6PR	Proposed erection of single storey rear extension and erection of single storey side/rear lockup/bin store	Permission Granted
LA04/2024/0119/DC	LOC	The Arc Apartments, Queens Road, Belfast, BT39DE	Discharge of condition 2 LA04/2023/3960/F Cover Letter Written Specification of Materials	Condition Discharged

LA04/2024/0117/PAD	LOC	21 Windsor Park, Belfast, BT9 6FR	Amendment to existing permission LA04_2022_0404_F. The current planning permission is for a 2 storey extension extending the full width of the property. The revised permission reduces this significantly to a single storey extension, which does not extend to the full width of the property. This proposal retains all of the original building, and removed only the elements which were added as an extension which appears to have been built within permitted development prior to the applicants ownership.	PAD Concluded
LA04/2024/0157/WPT	LOC	2 Mount Carmel, Belfast, BT15 4DQ	Works to tree in CA	Works to TPO Granted
LA04/2024/0166/NMC	LOC	24 Glasvey Court, Belfast, BT17 0DY	Non Material Change to LA04/2023/4359/F - Alteration of door and window location.	Non Material Change Granted
LA04/2024/0174/CLEUD	LOC	Flat B, 25 Rugby Avenue, Malone Lower, Belfast, BT7 1RD	House Multiple Occupancy	Permitted Development
LA04/2024/0188/NMC	LOC	Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor, Ballymurphy, Belfast, Co. Antrim	Non material change to LA04/2022/0129/F - proposed boundary changes, fencing changes and repositioning of access gates	Non Material Change Granted
LA04/2024/0189/NMC	LOC	Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor, Ballymurphy, Belfast, Co. Antrim	Non material change to LA04/2022/0129/F - minor amendments to house type G	Non Material Change Granted
LA04/2024/0198/WPT	LOC	39A Malone Park, Belfast, BT9 6NL	Felling 1 Tree	Works to Trees in CA Agreed

LA04/2024/0215/WPT	LOC	12 Lady Ishbel Avenue, Belfast, BT8 8FS	Works to tree TPO	Works to TPO Granted
LA04/2024/0239/WPT	LOC	5A Deramore Park South, Belfast, BT9 5JY	Works to TPO protected trees in CA	Works to Trees in CA Agreed
LA04/2024/0304/WPT	LOC	11 Osborne Park, Belfast, BT9 6JN	Proposed works to tree in CA	Works to Trees in CA Agreed
LA04/2024/0308/WPT	LOC	2 Knockdene Park, Belfast, BT5 7AD	Works to TPO Tree	Works to Trees in CA Agreed
LA04/2024/0318/WPT	LOC	Stormont Castle, Upper Newtownards Road, Belfast, BT4 3ST	Works to TPO protected trees	Works to TPO Granted
				<u>Total Decsions</u>

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Subject:	Delegation of Local applications with NI Water objections
Date:	19 March 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

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

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

1.0	Purpose of Report or Summary of Main Issues
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023 and 12 February 2024, it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other than the NI Water objection) will be reported to the Committee to determine. Individual

	Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at its meeting on 27 June 2022, 14 November 2022, 14 February 2023, 16 March 2023, 18 April 2023 15 August 2023 17 October 2023 and 12 December 2023, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 198 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or

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

3.17	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

Appendix 1 – Local applications with NIW objections (March 2024)

	DEA	REFERENCE	DATE RECEIVED	PROPOSED	ADDRESS
1	Botanic	LA04/2023/3906/F	31/08/2023	Conversion of vacant office space into 8 No. short term let bedrooms of 1st & 2nd floor of building.	1-9 Winecellar Entry, Belfast
2	Botanic	LA04/2024/0061/F	12/01/2024	Change of use from First/Second Floor Hair Salon to 3 No. two-bedroom Residential Apartments, including elevation changes, second floor dormer, removal of the gable chimney stack and re-slating of existing roofs.	537a Lisburn Road, BT9 7GQ
3	Lisnasharragh	LA04/2023/4148/F	06/10/2023	Proposed housing development for 3no. dwellings	15 GALWALLY PARK GALWALLY BELFAST DOWN BT8 6AG
4	Castle	LA04/2023/4613/F	20/12/2023	Proposed building ranging between 5 - 10 storeys (20.60m - 42.35m) including offices (Class B1a), ground floor retail (Class A1), community and cultural (Class D1) and restaurant uses, and licensed restaurant at upper level with external terrace, rooftop plant area, landscaping, servicing, public realm improvements, and all associated site works.	Lands west of Donegall Quay, east of Tomb Street, south of Corporation Square (opposite Belfast Harbour Office) and immediately north of the NCP Multi Storey Car Park, Belfast.
5	Titanic	LA04/2023/4179/F	11/10/2023	DEMOLITION OF VACANT BUILDING AND ERECTION OF 3NO ONE BEDROOM APARTMENTS	1A CANADA STREET BALLYMACARRET BELFAST DOWN BT6 8DZ
6	Lisnasharragh	LA04/2023/4615/F	20/12/2023 – Valid 17/01/2024	Change of use from offices (B1) to short term let (Sui generis) (5 bedrooms), plus 2 storey extension.	425 Woodstock Road, Belfast, BT6 8PW

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Subject:	Department for Infrastructure - Call for Evidence: Future Focused Review of the Strategic Planning Policy Statement (SPPS)
Date:	19 March 2024
Reporting Officer:	Kate Bentley, Director of Planning & Building Control
Contact Officer:	Keith Sutherland, Ext 3578, Planning Manager (Plans & Policy) Dermot O'Kane, Ext 2293, Principal Planning Officer

1.0	Purpose of Briefing Note or Summary of main issues
1.1	The Department is undertaking a 'Call for Evidence' on a potential focused review of the Strategic Planning Policy Statement on the issue of Climate Change.
1.2	The primary purpose of the 'Call for Evidence' is to engage with stakeholders on the proposed areas of focus for a review of the SPPS and to invite the submission of evidence on the relevant factors that can assist with determining the best way forward.
2.0	Recommendations
2.1	Committee is requested to: <ul style="list-style-type: none"> Note the Council's draft response to the DfI consultation attached (Appendix 1)
2.0	Background
2.1	The Call for Evidence on Planning Policy and Climate Change focuses on a number of policy areas including water (Flood Risk Management), transport, planning in respect of climate Change.
2.2	The information gathered through the Call for Evidence will be considered by the Department and will help inform any decision by a future Infrastructure Minister on a review of the SPPS and the options for it.
3.0	Main Report
3.1	The Strategic Planning Policy Statement (the SPPS) 'Planning for Sustainable Development' was published in September 2015, following Executive Committee agreement. It has a statutory basis under Part 1 of the Planning Act (Northern Ireland) 2011 and the SPPS is judged to be in general conformity with the Regional Development Strategy 2035 (the RDS).
3.2	The provisions of the SPPS apply to whole of Northern Ireland. They must be taken into account in the preparation of LDPs and are material to all decisions on individual planning applications and appeals.
3.3	Whilst the SPPS and the planning system has the objective of furthering sustainable development at its heart, there has been much contextual change in the period following its publication, particularly with regards to the wider efforts of government in seeking to address the challenges presented by a changing climate.
3.4	Since the SPPS was published in 2015, tackling Climate Change has become a legislative requirement and it is a priority consideration in the context of the work and functions of DfI, other departments and the wider public sector.

3.5	This Call for Evidence is part of the process of gathering the necessary information to inform a potential focused review of the SPPS in relation to Climate Change and the options and scope for any such review.
3.6	<p>Should the outcome of this Call for Evidence lead to a decision to formally review the SPPS, such a focused review could seek to update and bring forward new and revised policy provisions on Climate Change on:-</p> <ul style="list-style-type: none"> • The Purpose of Planning, • Furthering Sustainable Development (including Mitigating and Adapting to Climate Change and The Importance of Ecosystem Services), and • The Core Planning Principles of the two-tier planning system. <p>If there is a decision to formally review the SPPS, the Council would have the opportunity to input into any more detailed consultation at that stage, and a further report would be brought to the Committee.</p>
3.7	A focused review could also encompass a fresh look at the appropriateness of extant policy provisions on flood risk, transportation, and development in the countryside, given these are three key policy areas which are impacted by Climate Change (in addition to the review of regional strategic planning policy on renewable and low carbon energy which is already being progressed).
3.8	<p>The consultation includes 7 questions seeking views on the SPPS's approach to:-</p> <ul style="list-style-type: none"> • The Purpose of Planning • Furthering Sustainable Development • Core Planning Principles • Flood Risk • Transportation • Development in the Countryside • Climate Change Agenda
3.9	The Call for Evidence is seeking evidence on how and why the Department should update, revise, and improve a series of high-level strategic policies support the Climate Change agenda. For the most part the nature and approach to strategic policy in the SPPS is broadly appropriate for the purposes of planning and is consistent with similar regional policy. Moreover, the approach is consistent with that taken in the Council's recently adopted Plan Strategy (PS). Indeed, one of the tests of soundness of the PS was that it complied with the policy approach of the SPPS.
3.10	From an operational planning perspective, the policy provisions in the SPPS when read alongside the recently adopted PS and its Supplementary Planning Guidance provide adequate policy provision for dealing with the causes and effects of climate change. In preparing the LDP the Council agreed to take a greater focus on climate change, and this is reflected in the current policies.
3.11	Whilst the Call for Evidence is about seeking evidence on how and why policy should be amended; the Council's primary concern relates to any potential unintended conflation or ambiguity that could arise as a consequence of changes to the regional policy and how it relates to the LDP. There is a risk of confusion for participants in the planning process if there was to be a significant departure from the current policy. Whilst the provisions of the Planning Act (Northern Ireland) 2011 is clear in respect of the hierarchy of planning policy and the plan-led approach, it is important that this provision is clear, and care is taken to avoid any ambiguity.
3.12	The second issue is that the creation of new policy is probably less important at this stage than delivery of the policy objectives through planning and other related disciplines. Mechanisms around for example the adoption of SUDs schemes with new developments needs to be taken forward as a matter of urgency, as do processes for blue

3.13	<p>and green infrastructure, district heating and wider energy supply etc. as these are seen as critical to delivery.</p> <p>There is a potentially significant policy contradiction with the acknowledgement of the importance of the proximity principle between where people live and where they avail of work and services with the relatively relaxed regional approach to rural housing. A concerted effort needs to be made to address this acknowledged anomaly by ensuring a more sustainable spatial approach to land use across the region. It may be appropriate to address these issues and their concerns to climate change through a formal review of the Regional Development Strategy.</p> <p>Financial & Resource Implications None associated with this report.</p> <p>Equality or Good Relations Implications/ Rural Needs Assessment None associated with this report</p>
4.0	Appendices
	Appendix 1: Council's draft Response to the DfI Consultation

APPENDIX 1: Council's draft Response to the DfI Consultation.

Summary of Questions

1) Can you provide any evidence on how and why the Department should update, revise, and improve 'The Purpose of Planning' as contained within the SPPS so that it is fit for purpose and suitably future proofed to appropriately support the Climate Change agenda going forward? Please detail.

Planning can provide lasting resilience to the impacts of climate change. It can implement local measures such as sustainable drainage, direct development to places that reduces the need to travel and enable better designed development more generally. Planning can also provide a strategic framework to deal with the impact of climate change and draw together a variety of disciplines.

The definition of the 'Purpose of Planning' is sufficiently generic to encapsulate Planning ability to address the causes and effects of climate change. The real focus needs to be on the delivery of the many good operational policies that already exist in the SPPS and the new LDPs and their Supplementary Planning Guidance to ensure that things like sustainable drainage is delivered through appropriate statutory mechanisms.

2) Can you provide any evidence on how and why the Department should update, revise, and improve 'Furthering Sustainable Development' (including Mitigating and Adapting to Climate Change and The Importance of Ecosystem Services) in order to better support the Climate Change agenda? Please detail.

There are a number of key improvements that need to be made to help us to further Sustainable Development protecting us from the worst excesses of climate change and reducing our carbon footprint. These should be focused on delivery based on the existing policy context with the SPPS and the recently adopted Plan Strategies and their supplementary guidance ([Adopted Belfast Plan Strategy documents and SPG](#)). A key consideration of this call should be not to confuse or hinder a lot of this good work by introducing ambiguity to the policy framework that could inadvertently cause difficulties around policy implementation. The SPPS's approach to mitigating and adapting to climate change and the importance of Ecosystems is sound. A greater focus need to be paid to implementation and its correlation with seemingly contradictory policies, particularity in relation to development in rural areas, including housing.

3) Can you provide any evidence on how and why the Department should update, revise, and improve the 'Core Planning Principles' in order to better support the Climate Change agenda? Please detail.

The Core Planning Principles in the SPPS are well founded, and largely derived from the European-wide planning approach to sustainable development. It is difficult to criticise objectives that seek to improve people's wellbeing, economic output, and improving and protecting the environment. They closely mirror the three pillars of sustainable development. As the emerging LDPs are also required to follow this approach and are legally bound to be assessed against the statutory requirements of the Sustainability Assessment, they should in effect if followed provide a strong policy basis for addressing the core issues associated with climate change. Issues such as reducing the need to travel and providing for sustainable transport, providing opportunities for renewable and low carbon energy technologies decentralising energy and heating and promoting low carbon design approaches to reduce energy consumption in buildings are already provided for. The implementation of policy is key and a major focus of the Department should be on ensuring its implementation and providing the mechanisms to ensure its delivery.

4) Can you provide any evidence on how and why the Department should update, revise, and improve the subject policy 'Flood Risk', as set out in the SPPS, in order to better support the Climate Change agenda? Please detail.

Considering the impact of and promoting design responses to flood risk and coastal change for the lifetime of the development is a crucial factor in assessing affected planning applications. The core principles of preparedness and mitigation against the worst effect of flooding in the SPPS are sound. The need to update guidance on climate projections and updates to flood maps are undoubtedly beneficial, but the current approach to consultations with the incumbent authority still provides for advice from appropriate experts. There has been a significant move in recent years at local authority level to bring forward both guidance and projects on the ground to deliver multi-functional green infrastructure, which can manage flooding and help species adapt to climate change – as well as contributing to a pleasant environment which encourages people to walk and cycle.

Planning has a key role at managing the interaction of development and flood risk. Clearly this approach needs to balance a variety of competing issues and it is important that flood risk does not decisively outweigh other factors that can help reduce factors that contribute to climate change. For example it would be easy to conclude that we only build in areas of low flood risk that merely create a greater dependence of car travel which ultimately contributes to the causes of climate change in the first instance.

5) Can you provide any evidence on how and why the Department should update, revise, and improve the subject policy 'Transportation', as set out in the SPPS, in order to better support the Climate Change agenda? Please detail.

The planning system has an important role to play in supporting the priorities that can help to address climate change and there is a clear intent in the SPPS about improving connectivity, promoting more sustainable transport patterns and support the decarbonisation of the transport sector. Further it is acknowledged in the policy that it is imperative to reduce the need to travel and provide for sustainable transport. This is the correct strategic policy approach. The distribution and design of new development and the potential for servicing sites through sustainable transport solutions, are particularly important considerations that affect transport emissions. Sustainability appraisals should be used to test different spatial options in plans on emissions. This is evidenced in a myriad of academic and policy papers. Like many of the contributing factors of climate change the key factor is the implementation of this policy narrative. This does at a regional level mean a serious rethink about how and where we distribute housing and other development and its relationship to wider employment and services.

6) Can you provide any evidence on how and why the Department should update, revise, and improve the subject policy 'Development in the Countryside', as set out in the SPPS, in order to better support the Climate Change agenda? Please detail.

The SPPS acknowledges the need to improve the health and well-being of our society, improve air quality and manages and mitigates against factors that contribute to climate change, it also acknowledges the benefits of the proximity principle which aligns the importance of locating housing at locations that can easily avail of employment and services. The objectives do appear to be somewhat at odds with the approach to the delivery of housing in the countryside. There is a clear need to address rural housing which encourages high levels of car ownership and more clearly acknowledge the correlation between creating critical population masses to support investment in necessary infrastructure. Again there is an abundance of evidence to support this approach and in many ways it is self evident. The levels of single car journeys into Belfast every morning and evening and the detrimental impact that that is having on often working class community in the city centre in terms of air quality, lung diseases and wider amenity issues with sporadic car parking are all direct consequences of this policy approach. Indeed the desire to repopulate our city centre and inner city communities is being stymied by the poor living environment created by cars. There is considerable evidence that using multiple modes to complete a single trip deters people from using public transport. Sporadic rural housing increases the propensity for multiple journey modes.

7) In light of the declared climate emergency and the requirements of The Climate Change Act (Northern Ireland) 2022, can you provide any other evidence on how and why the Department should update, revise, and improve the SPPS to better support the Climate Change agenda? Please detail.

In addition to supporting the delivery of appropriately sited green energy, effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, the SPPS should be more explicit in directing local planning authorities to ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. Planning can also help increase resilience to climate change impact through the location, mix and design of development.

Addressing climate change is one of the core land use planning principles which the SPPS expects to underpin both plan-making and decision-taking. To be found sound, Local Plans will need to reflect this principle and enable the delivery of sustainable development. These include the requirements for local authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the Climate Change Act (Northern Ireland) 2022, and co-operate to deliver strategic priorities which include climate change.

In addition to the statutory requirement to take the Framework into account in the preparation of Local Plans, there is a statutory duty on local planning authorities to include policies in their Local Plan designed to tackle climate change and its impacts. This complements the sustainable development duty on plan-makers and the expectation that Local Development Plans will contribute to the achievement of sustainable development. The Council supports the SPPS emphasis that responding to climate change is central to the economic, social and environmental dimensions of sustainable development.



Subject:	Listing of various structures
Date:	Tuesday, 19 th Mar 2024
Reporting Officer:	Kate Bentley, Ext 2300
Contact Officer:	Robert Kennedy, Ext 2294

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

1.0	Purpose of Report or Summary of main Issues
1.1	Correspondence has been received from the Historic Environment Division (HED) regarding the proposed listing of the Gate Screens at Colenso Parade and University Road / Stranmillis Road, Botanic Gardens, Belfast.
1.2	Article 80 (3) of the Planning Act (NI) 2011 requires the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest. The structures being considered are considered by HED to fall within the definition of the word 'building'; <i>"Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (NI) 2011: "(7) In this Act "listed building" means a building which is for the time being included in a list compiled under this section.</i> <i>"Building" is defined in section 250(1) (interpretation) of the Planning Act (NI) 2011. The term "building" includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;</i>
1.3	Section 80 responsibilities for lists of buildings of special architectural or historic interest: 80 — (1) <i>The Department—</i> <i>(a) shall compile lists of buildings (which means structure/erection) of special architectural or historic interest; and</i> <i>(b) may amend any list so compiled.</i>
2.0	Recommendations
2.1	Committee is requested to: Consider the contents of Appendix 1 and if appropriate support the proposed listing of as detailed in paragraphs 3.5 of this report in respect of the: <ul style="list-style-type: none"> • Gate Screen, at Colenso Parade, Botanic Gardens, Belfast; and • Gate Screen, at University Road / Stranmillis Road, Botanic Gardens, Belfast.

3.0	Main report
3.1	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974.
3.2	<p>In considering whether to include a building/structure as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider:</p> <ul style="list-style-type: none"> • any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and • the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.
3.3	Should the Department for Communities decide to list a property/structure, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.
3.4	The summaries set out in Appendix 1 for the proposed listings are taken from the evaluation in the consultation report and details the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed Buildings in Northern Ireland under the ongoing work as part of the Second Survey.
3.5	The Department based on the completion of detailed surveys, is currently considering the listing the following structures and has requested the Council's view in relation to: (i) the Gate Screen and adjacent railings, at Colenso Parade, Botanic Gardens; and (ii) the Gate Screen and adjacent railings, at University Road / Stranmillis Road, Botanic Gardens, Belfast.
3.6	Internal consultations have been carried out and no adverse comments have been raised in relation to the proposed Listing it is therefore recommended that the Committee endorses the proposal from HED based on the assessments set out in Appendix 1 .
3.7	<p><u>Financial & Resource Implications</u> The Structures are in Council ownership. There may be implications in that any maintenance works would be required to preserve their special architectural and historic interest, and, if these would affect their character a Listed Building Consent application would be required.</p> <p><u>Equality or Good Relations Implications</u> None</p>
4.0	Appendices – Documents Attached
	APPENDIX 1: Structure Evaluations

APPENDIX 1: Structure Evaluations

Background

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

The structures being considered are considered by HED to fall within the definition of the word 'building'.

*"Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (Northern Ireland) 2011: "(7) In this Act "listed building" means a **building** which is for the time being included in a list compiled under this section. "Building" is defined in section 250(1) (interpretation) of the Planning Act (Northern Ireland) 2011. The term "building" **includes any structure or erection**, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;*

*Under section 80 Lists of buildings of special architectural or historic interest
80—(1) The Department—*

*(a) shall compile lists of **buildings (which means structure/erection)** of special architectural or historic interest; and*

(b) may amend any list so compiled.

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

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

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

The summaries below are taken from the from the evaluation in the consultation report and details the main features alongside the recommended class of listing.

Gate Screen at Colenso Parade, Botanic Gardens, Belfast, BT9 5AN

HB26/27/105 E

Evaluation

Located at the northern end of Colenso Parade, the gates afford direct access into Botanic Gardens from the brick terraces of Stranmillis. Orientated on a north south axis and comprising a pair of wrought iron carriage gates both flanked by tall, square piers with stone quoins and brick infill. The gate pillars have flat topped projecting, moulded cornice, and copings. Erected in 1934, having replaced an earlier wooden structure, the gates and adjoining railings are original and considered as a rare survival of decorative pre-war ironwork. Framed by the pillars the metal gates are composed of elegant vertical metal uprights with pointed tips, interspersed at the lower-level section with intermediate uprights of a matching style. Each gate has two inset panels of simple scrolled wrought iron work. Top profile of each gate has a reduced central section defined with a horizontal transom bar, on top of which is positioned an upward orientated scroll, terminating in an elevated end section which is mirrored on the other gate creating a harmonious arrangement when the gates are in the closed position.

Proposed NIEA listing – **B2**

Extent of proposed listing – Gates, pillars and railings

Image:



Gate Screen at University Road / Stranmillis Road, Botanic Gardens, Belfast, BT7 1LP

HB26/27/105 F

Evaluation

Located at the northwest approach into Botanic Gardens from University Road at the junction with Stranmillis Road. Orientated on an east west axis, the gateway comprises a central set of vehicular gates with pedestrian gates either side and flanked with low brick walls with stone copings on which is fixed wrought iron railings. Constructed in 1878 the original gates and railings were removed as a contribution to the war effort in WW2 and the present, sympathetically remodeled gates were installed c1989. Facing West, the entrance is comprised of a pair of vehicular gates, with a single pedestrian gate to either side and flanked, either side with low level brick walling with heavy stone coping and surmounted with railings matching those on the gateways. Natural cut stone piers with chamfered corners on a base plinth and surmounted with heavy pyramidal coping having sculptured finials to outer piers with central piers with exposed wiring for missing light fittings. Framed by pillars the metal gates are composed of elegant vertical metal uprights with gilded arrow pointed tips, interspersed at the lower-level section with intermediate uprights of a matching style. Top profile of each gate has an arc profile sweeping up to adjoining pier culminating in an elevated end section which is mirrored on the other gate and creates a balanced composition when the gates are in the closed position. Central gateway crowned with overthrow bearing the name 'Botanic Gardens' in art nouveau gilded style lettering.

Proposed NIEA listing – **B2**

Extent of proposed listing – Gates and screen

Image:



Note:

Listed buildings in Northern Ireland are divided into four categories:

Grade A

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

Grade B+

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

Grade B1 and B2

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

ADDENDUM REPORT	
Committee Decision Date: 19 th March 2024	
Application ID: LA04/2017/1991/F	
Proposal: Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.	Location: Land adjacent to Concourse Buildings Queens Road Belfast BT3 9DT.
Referral Route: Major development	
Recommendation: Approval subject to Section 76 planning agreement	
Applicant Name and Address: Catalyst Inc The Innovation Centre Queens Road Belfast BT3 9DT	Agent Name and Address: McAdam Design 1c Montgomery House 478 Castlereagh Road Belfast BT5 6BQ
Background <ol style="list-style-type: none"> 1. This application relates to a proposed 5 storey office building off Queens Road, Queens Island. The application was previously approved by the Planning Committee in April 2020, subject to conditions and a Section 76 planning agreement. 2. Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions. The Section 76 planning agreement required the completion of the Eastern Access Road prior to occupation of more than 40% of the floor space of the proposed office building; and submission and implementation of a vibration monitoring and condition survey of the Thompson Dock. The Committee's decision was subject to no new substantive issues being raised by third parties by close of consultation. In the event such issues are raised a decision will be taken following consideration of any responses with members being consulted. 3. The Section 76 planning agreement has yet to be completed and so the decision is still to issue. The application is reported back to the Committee for re-assessment against the Belfast Local Development Plan: Plan Strategy 2035. 4. The Plan Strategy was adopted in May 2023. This provides a new policy framework for decision-making. In accordance with the advice given to Members at the April 2023 Committee, the application is required to be re-assessed having regard to the policies in the Plan Strategy. 5. This report should be read in conjunction with the original case officer report to the April 2020 Committee, appended. Updated consultations <ol style="list-style-type: none"> 6. DfI Roads provided a final consultation response on the day before the April 2020 Planning Committee, advising no objection subject to conditions. These include limiting occupancy of no more than 40% of the floor space until the Eastern Access Road has been constructed; provision of the access and visibility splays; provision of the parking and servicing areas; securing 24 cycle parking stands; travel plan; and removing any necessary street furniture or landscaping that interferes with the visibility splays or access. 	

Updated Policy Context

7. Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
8. Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
9. The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
10. **Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of the report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
11. **Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
12. The site is un-zoned "white land" in the Belfast Urban Area Plan 2001 (BUAP). It is within the Titanic Quarter in both version of draft Belfast Metropolitan Area Plan 2015 (dBMAP). It is within "Zone F" in dBMAP v2004.

Relevant Planning Policies

Plan Strategy

13. The following policies in the Plan Strategy are relevant to consideration of the Section 54 application.

Policy SP1 – growth strategy

Policy SP1a – managing growth and supporting infrastructure delivery

Policy SP2 – sustainable development

Policy SP3 – health and wellbeing

Policy SP5 – positive placemaking

Policy SP6 – environmental resilience

Policy SP7 – connectivity

Policy DES1 – principles of urban design
 Policy DES2 – masterplanning approach for major development
 Policy BH1 – listed buildings
 Policy BH4 – works to grounds affecting built heritage assets
 Policy BH5 – archaeology
 Policy HC1 – promoting healthy communities
 Policy EC1 – delivering inclusive economic growth
 Policy EC3 – major employment and strategic employment locations
 Policy TRAN1 – active travel – walking and cycling
 Policy TRAN 2 – creating an accessible environment
 Policy TRAN3 – transport assessment
 Policy TRAN4 – travel plan
 Policy TRAN6 – access to public roads
 Policy TRAN8 – car parking and servicing arrangements
 Policy TRAN10 – design of car parking
 Policy ENV1 – environmental quality
 Policy ENV2 – mitigating environmental change
 Policy ENV3 – adapting to environmental change
 Policy ENV4 – flood risk
 Policy ENV5 – SuDS
 Policy OS3 – Ancillary open space
 Policy NH1 – protection of natural heritage resources
 Policy TRE1 – Trees

Supplementary Planning Guidance

Placemaking and Urban Design

Masterplanning Approach for Major Development

Transportation

Planning and Flood Risk

Updated Assessment

14. The adoption of the Plan Strategy requires the following updated assessment.

Consultation responses

15. Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.

Principle of development

16. The site is previously developed land (car park supporting the adjacent office uses) within the development limit in Titanic Quarter. The site is a sustainable location with good access to public transport including the Glider.
17. The site forms part of zoning BHA 01 in dBMAP v2014. Policy BHA01 zones the site and wider lands for mixed use development including employment. Acceptable uses include business uses Classes B1(a), (b) and (c). There is a limit on Class B1(a) offices of 15,000 sqm, however, the proposal falls under Class B1(c) research and development and would be restricted as such by condition.

18. Policy BHA01 is subject to a number of Key Site Requirements (KSRs) including, amongst others, the restriction on Class B1(a) floor space. Other relevant KSRs include:

- Development shall accord with an overall Development Framework for the area – a Development Framework was adopted by the former Department of Environment in 2008 and assigns the site and lands around it as the Northern Ireland Science Park. It is considered that the proposal is consistent with the Framework including use and provision of high quality landmark buildings. DfI Roads is satisfied that appropriate transport infrastructure is in place;
- The Development Framework shall be accompanied by a Transport Masterplan – the Transport Masterplan is also in place;
- The overall design concept shall have particular regard to the maritime heritage of the site, tourism potential and the need for connectivity with the rest of the City Centre – the architectural approach to the design of the building is considered bold, innovative and an appropriate reference to the industrial heritage of Titanic Quarter. The site has good connectivity to the City Centre and wider city;
- Provision for appropriate public transport to the site – the site benefits from regular public transport services including the Glider;
- Provision shall be made for appropriate pedestrian/cycle routes and facilities – there is a cycle lane as well as pedestrian pavement on Queens Road to the site. Provision is to be made for secure cycle parking.

19. The proposal is considered consistent with the relevant KSRs and would not undermine their objectives.

20. The proposed office building will be used for science and IT related businesses, which are supported by Policy EC1.

21. The site is within an existing employment area and therefore the proposal accords with Policy EC3.

22. The proposal would provide R&D employment for around 1,400 people and would support economic activity and the economy.

23. Having regard to these factors, the proposed development is considered to remain acceptable in principle.

Design and placemaking

24. The design and layout of the building and car park are considered to remain acceptable for the reasons set out in the original report. The architectural approach to the building is considered bold and innovative, being of appropriate high quality design, and a reference to the industrial heritage of the Titanic Quarter. There would be large areas of new public realm, providing an appropriate setting to the building and good connectivity. The design of the car parking is considered acceptable. The proposal is considered compliant with Policies DES1 and TRAN10.

25. In terms of masterplanning, the proposal is mindful of adjacent sites and has been designed to integrate with the existing concourse buildings. The proposal would help enhance the waterside character and setting of the River Lagan. The building is to be constructed to BREEAM Excellent (or equivalent) standards. A public art scheme

can be secured by condition. The proposal is considered to accord with the key objectives of Policy DES3.

Impact on adjacent uses

26. The proposal is considered compatible with the adjacent commercial uses and would not result in conflict in terms of noise, overlooking, loss of light or outlook. The proposal is considered compliant with Policies DES1 and ENV1, and relevant provisions of the SPPS.

Heritage impacts

27. The site is adjacent the Thompson Dock, a Scheduled Monument, beyond which is the Listed former pump house, converted into a distillery. DfC HED was consulted on the application and offers no objection to the proposal. It is considered that the proposal would respect the setting of the Scheduled Monument and setting of Listed Building, compliant with Policy BH1 and relevant provisions of the SPPS.
28. In relation to archaeology, as set out in the original Committee report, in view of the piling construction, monitoring of vibration levels is required to protect the structural integrity of the Scheduled Thompson Dock. As the vibration monitoring is to take place outside the application site, it should be secured by a Section 76 planning agreement. Subject to this provision, it is considered that the proposal would have an acceptable impact on archaeology, compliant with Policy BH5 and relevant provisions of the SPPS.

Access, parking and transportation

29. DfI Roads offers no objection to the proposal subject to conditions, which are recommended.
30. Due to concerns about capacity of the road network, it was originally required that only 40% of the floor space of the building could be occupied until such time as the Eastern Access relief road onto Sydenham Road was constructed. This has since been built out with the road having been certified as substantially complete. Accordingly, there is no longer a requirement to restrict the occupancy of the building and therefore this obligation in the Section 76 planning agreement can be removed.
31. The proposed building has previously been committed through the Committee's previous resolution to grant planning permission and the road network capacity is considered to remain acceptable. DfI Roads has confirmed that it has no technical objections to the proposal subject to conditions, including completion of the Eastern Access Road.
32. In terms of parking, the proposal would provide 716 car parking spaces to support the proposed and existing commercial buildings. DfI Roads has no objection to the level of parking, which is considered acceptable.
33. The site is a sustainable location with good access to public transport services including the Glider and cycle path. Provision will be made for cycle parking.
34. The proposal is considered compliant with Policies TRAN1, TRAN2, TRAN3, TRAN4, TRAN6, TRAN8 and TRAN10.

Climate change

35. The layout of the scheme will allow the building to benefit from solar gain. The building would be constructed to BREEAM Excellent standard (or equivalent), which is welcomed and should be secured by a planning condition. The proposal is considered compliant with Policy ENV2.
36. In terms of adapting to climate change, the Flood Risk Assessment and Drainage Strategy indicate that flood risk and surface water will be appropriately managed. There is no objection from DfI Rivers. The proposal complies with Policy ENV3.
37. SuDS measures are proposed via tree planting and permeable paving, and the approach is considered proportionate. The proposal complies with Policy ENV5.

Open space

38. Policy OS3 requires that all new development proposals include appropriate provision for open space. The precise amount, location, type and design of such provision will take account of the specific characteristics of the development, the site and its context. A normal expectation will be at least 10% of the total site area. The proposal would provide a significant area of public realm and around 30% of the site would be open space. The proposal is considered to satisfy Policy OS3.

Health impacts

39. The site has good connectivity and the travel plan will promote walking and cycling to encourage active travel, exercise and wellbeing. Hard and soft landscaping, as well as the general design quality of the building, will provide a pleasant working environment for employees. The proposal complies with Policy HC1.

Environmental impacts

40. Environmental Health offers no objection to the proposal and advises conditions in relation to contaminated land, which are recommended. No unacceptable impacts have been identified in respect of noise and air quality. The proposal is considered compliant with Policy ENV1.

Drainage and flood risk

41. DfI Rivers offers no objection and the proposal is considered to remain acceptable in relation to drainage and flood risk. The proposal complies with Policy ENV4.

Waste-water infrastructure

42. NI Water offers no objection and the proposal is considered acceptable in terms of waste-water infrastructure. The proposal accords with Policy SP1a.

Natural heritage

43. For the reasons set out in the original Committee report, the proposal is considered to remain acceptable in relation to natural heritage. The proposal complies with Policy NH1.

Section 76 planning agreement

44. For the reasons set out previously, it is considered necessary to secure a vibration monitoring scheme in order to protect the structural integrity of the Scheduled Thompson Dock. As the monitoring would take place outside the application site, this would need to be secured by means of a Section 76 planning agreement.

Other considerations

45. Regard is had to the longevity of the application which was submitted in 2017 and which was originally approved by the Council in April 2020.
46. Other aspects of the proposal acceptable, having regard to the policies in the Plan Strategy and SPPS.

Recommendation

47. Having regard to the Development Plan and material considerations, the recommendation remains to approve the application subject to conditions and a Section 76 planning agreement.
48. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise provided that they are not substantive.

DRAFT CONDITIONS:

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

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

2. Notwithstanding the Planning (Use Classes) Order (Northern Ireland) 2015 and Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall not be used other than for Class B1(c) research and development and shall not be used for any other purpose falling within Use Class B1 without express planning permission.

Reason: Alternative use requires further consideration by the Council, having regard to the Zoning BHA01 of the Belfast Metropolitan Area Plan 2015 (v2014).

3. No part of the development hereby permitted shall become operational until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. 15 'Queens Road Access Sightlines', bearing the Belfast City Council Planning Office date stamp 14 May 2019 and Drawing No. 16 'Sightlines and Car Parking Dimensions', bearing the Belfast City Council Planning Office date stamp 14 May 2019, prior to the occupation of any other development hereby permitted. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

4. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site.

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

5. A minimum of 24 No. secure cycle parking stands shall be provided and permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.

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

6. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

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

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

8. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of the porous public realm and hard surfaced areas have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of sustainable drainage of the site.

9. Prior to the commencement of development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Council. This should reflect all the mitigation and avoidance measures to be employed as detailed in the outline CEMP, Proposed Drainage Layout (May 2018), Piling Risk Assessment (March 2018) and all additional submitted information. The CEMP shall include a detailed environmental monitoring plan to include suitable groundwater and surface water monitoring to take place during and after the construction works. This should include at least three rounds of monitoring for a suitable analytical suite. Reported contaminant concentrations should be screened against Generic Acceptance Criteria (GAC) protective of the water environment and

results should be submitted in writing to the Council for agreement. The development shall not be carried out unless in accordance with the approved details.

Reason: Protection of environmental receptors to ensure that the site is suitable for use, and to ensure there are no adverse impacts on European site features.

10. Prior to the commencement of development, a detailed Remediation Strategy shall be submitted to and approved in writing by the Council. The Remediation Strategy shall consider all unacceptable risk to receptors and should identify the most appropriate remedial options and how these should be implemented and verified. The development shall not be carried out unless in accordance with the approved details.

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

11. Any piling work undertaken at the site should use a continuous flight auger piling method. Should the applicant wish to change piling methods a revised piling risk assessment will need to be submitted to and approved in writing by the Council before such works are carried out. No piling works shall be carried out unless in accordance with the approved details.

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

12. If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and approved in writing by the Council.

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

13. After completing all remediation works required by the above conditions, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

This report must demonstrate that all remedial measures outlined in the MCL Consulting Ltd report titled Phase 2 Generic Quantitative Risk Assessment (GQRA) Pierpont Office Development Queens Road, Belfast Harbour, dated March 2018, Project Number:P1509-1 have been implemented.

The verification report shall demonstrate the successful completion of remediation works and that the site is now fit for the intended end-use (Commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken.

The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate:

- All Commercial Buildings have gas protection measures in line with CIRIA C665 Characteristic Situation 2.
- For those areas not covered in hardstanding, the report must demonstrate that these areas have been encapsulated in a clean cover fill of at least 600mm. This fill material must be demonstrably suitable for end use (commercial).

Reason: Protection of environmental receptors to ensure the site is suitable for use, and the protection of human health.

14. In the event that contamination not previously considered is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to and approved in writing by the Council. This investigation and risk assessment must be undertaken in accordance with current best practice.

Reason: Protection of human health.

15. A buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and Belfast Lough.

Reason: to ensure there are no adverse impacts on European site features.

16. No external facing or roofing materials shall be applied unless in accordance with a written specification of the materials, 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.

17. The building shall be constructed to BREEAM Excellent standard (or equivalent) and shall not be occupied until evidence and verification of such has been first submitted to and approved in writing by the Council.

Reason: To mitigate and adapt to climate change.

18. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a Public Art Scheme have been submitted to and approved in writing by the Council. The scheme shall include details of individual public art installations, proposals for future management and maintenance, and a programme for implementation. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of place making and the amenities of the area. Approval is required upfront because public art may be integral to the design and layout of the scheme.

Informatives:

NOT02 Drawing Numbers

This decision relates to the following approved drawing numbers: [to be confirmed]

NOT03 Compliance with planning permission

Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If

you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

NOT04 Discharge of condition(s)

This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

NOT05 Section 76 planning agreement

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement.

NOT06 Non-planning requirements

The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

Development Management Officer Report

Committee Application	
Committee Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2017/1991/F	
Proposal: Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.	Location: Land adjacent to Concourse Buildings Queens Road Belfast BT3 9DT.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: Catalyst Inc The Innovation Centre Queens Road Belfast BT3 9DT	Agent Name and Address: McAdam Design 1c Montgomery House 478 Castlereagh Road Belfast BT5 6BQ
Executive Summary: <p>The application seeks full permission for the construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> - Principle of use on the site - Access, movement, parking and transportation, including road safety - Design - Impact on natural environment - Impact on built heritage - Landscaping - Flood Risk - other environmental matters - Legal Agreement <p>The site is located on land adjacent to Concourse Buildings, Queens Road, Belfast. The 3.18 ha site is located on both sides of Queens Road (to the front and rear of the Legacy Building) within the existing grounds of Catalyst Inc, formerly known as the Northern Ireland Science Park. The area is currently used for car parking on both sides of the road. Both areas are defined by a mix of hedging and fencing. The site is in proximity to a number of National, European and International designated areas, Thompson Dry Dock (archaeological site) as well as the Pump House (listed building). The site is sited within Belfast Harbour and is identified as whiteland in the BUAP 2001. The site is located within the development limits of Belfast in dBMAP and is identified as being within Zoning BHA 01 Titanic Quarter, a site zoned for mixed use development in the draft plan.</p> <p>The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (dBMAP), PPS 2, PPS 3, PPS 4, PPS 6 and PPS 15.</p>	

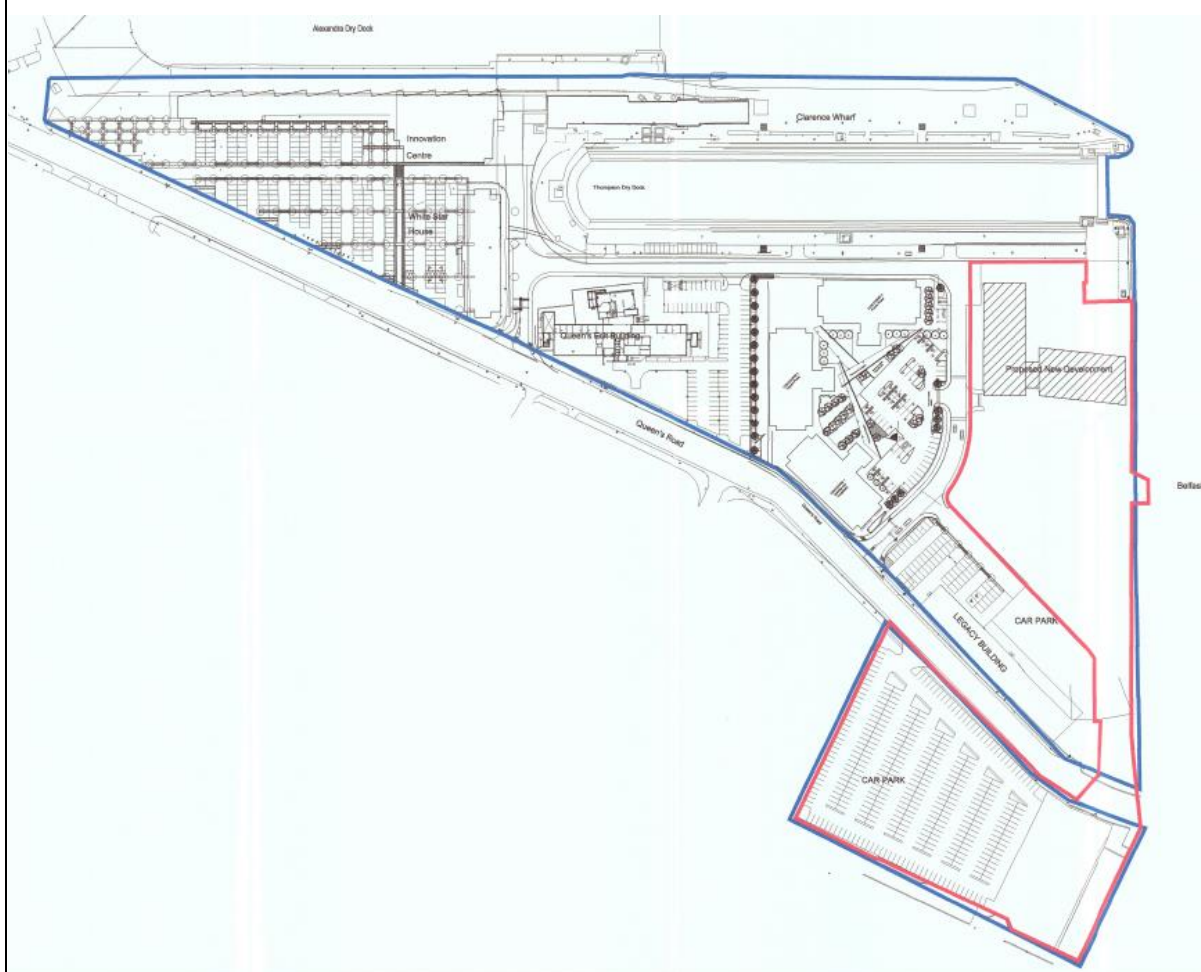
All statutory and non-statutory consultees responded with no objections subject to conditions.

Accordingly, it is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and to enter into a Section 76 planning agreement to provide a mechanism to linking the occupation of the proposed office building to the completion of the Eastern Access Road and to secure a vibration monitoring regime extending beyond the application site and a condition survey of the Thompson Dock subject to no new substantive planning issues being raised by third parties.

Page Break

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None received
Letters of Objection	1 received, then withdrawn
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

The application seeks full planning permission for the construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.

2.0 Description of Site

The site is located on land adjacent to Concourse Buildings, Queens Road, Belfast. The 3.18 ha site is located on both sides of Queens Road (to the front and rear of the Legacy

Building) within the existing grounds of Catalyst Inc, formerly known as the Northern Ireland Science Park. The area is currently used for car parking on both sides of the road. Both areas are defined by a mix of hedging and fencing. The site is in proximity to a number of national, European and international designated areas, Thompson Dry Dock (archaeological site) as well as the Pump House (listed building). The site is sited within Belfast Harbour and is identified as whiteland in the BUAP. The site is located within the development limits of Belfast in dBMAP and is identified as being within Zoning BHA 01 Titanic Quarter, a site zoned for mixed use development.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

The most recent planning history on the site relates to a small portion of the overall site on the opposite side of the road from the Legacy Building under Z/2013/1511/F. This was for an “Existing building to be extended to the south-east and south to create additional 2330 sq metres of lettable work space and 98 car parking spaces remotely located 300 metres north east of the NISP building”, and permission was granted on 26th November 2015. The proposal falls under the category of Major Development and Pre Application Community Consultation was carried out under the planning reference LA04/LA04/2017/0751/PAN.

4.0 Policy Framework

- 4.1 Belfast Urban Area Plan 2001 (BUAP)
- 4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) 2004
- 4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015
- 4.4 Developer Contribution Framework 2020
- 4.5 Strategic Planning Policy Statement (SPPS)
- 4.6 Planning Policy Statement (PPS) 2: Natural Heritage
- 4.7 Planning Policy Statement (PPS) 3: Access, Movement and Parking
- 4.8 Planning Policy Statement (PPS) 4: Planning and Economic Development
- 4.9 Planning Policy Statement (PPS) 6: Planning, Archaeology and the Built Heritage
- 4.10 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees Responses

- 5.1 DfI Roads Service – No objection subject to conditions
- 5.2 DfC Historic Environment Division (Historic Monuments) – No objection subject to conditions
- 5.3 DfC Historic Environment Division (Historic Buildings) – No objection
- 5.4 NI Water – No objection
- 5.5 DAERA Regulation Unit – No objection subject to conditions
- 5.6 DAERA Natural Environment Division – No objection subject to conditions
- 5.7 DAERA Marine and Fisheries Division – No objection
- 5.8 DAERA Coastal Management – No objection
- 5.9 DAERA Water Management – No objection subject to conditions
- 5.10 DFI Rivers Agency – No objection

6.0 Non Statutory Consultees Responses

- 6.1 Belfast City Council (BCC) Environmental Health - No objection subject to conditions
- 6.2 Belfast City Council (BCC) Local Development Plan Team – No objection subject to conditions
- 6.3 Belfast City Council (BCC) Tree Officer – No objection subject to conditions
- 6.4 Belfast City Airport – No objection
- 6.5 Shared Environmental Services – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. An objection was received from Strategic Planning dated 3rd July 2018, on behalf of IBM who occupy the Legacy Building. The issues raised were construction noise, discrepancy within the parking layout, parking provision already at full capacity, and discrepancy relating to the public walkway. Following direct dialogue between the Applicant and Objector this representation was withdrawn on 14th September 2018.

8.0 Other Material Considerations

8.1 Parking Standards (supplementary planning guidance)

9.0 Assessment

9.1 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remained contentious). The site is located inside the development limits of Belfast as shown in the draft Belfast Metropolitan Area Plan 2015 and within Zoning BHA 01, Titanic Quarter.

9.2 The proposal will develop the existing site by erecting a five storey office building for science and I.T. based business, with associated car parking and public realm works. The proposed building will be located to the rear of the site adjacent to Thompson Dry Dock with car parking to the front (to the rear of the Legacy building), with further proposed car parking on the opposite side of the road. The proposed building is an 'L shape' with two main elements and a link between. Each section features a small projection for stairs, lift and WCs. The plans show the two main sections of the building on each floor as open plan office space with the link areas showing lifts, stairs, as well as showering facilities and two conference rooms on each floor, with the exception of the ground floor. This area is characterised by the entrance foyer, café and reception area.

9.3 The key issues are:

- Principle of use on the site
- Access, movement, parking and transportation, including road safety
- Design
- Impact on natural environment
- Impact on built heritage
- Landscaping
- Flood Risk
- other environmental matters
- Section 76 Planning Agreement

9.4 Principle of use on the site

The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below. As stated the proposal is sited within dBMAP zoning BHA 01, and there are a number of key site requirements (KSRs) for the zoning which outline the acceptable uses in Titanic Quarter. These include business uses (as currently specified in Class B1 (a), (b) or (c) of the Planning (Use Classes) Order (Northern Ireland) 2004), now superseded by the 2015 Order. The KSRs go on to state that 'the total amount of floorspace for Use Class B1 (a) Offices shall not exceed 15,000m² and that consideration may be given to office proposals above 15,000m² where it can be demonstrated that the proposal cannot be accommodated within

Belfast City Centre and which would otherwise result in a loss of significant inward investment'. The agent has confirmed the proposed use as B1(c) Research and Development. Under the KSRs for zoning BHA01 there is no floorspace restriction of B1(c). Following consultation with the BCC Local Development Plan Team they had no objection to the proposal and suggested a condition be included, should approval be granted, restricting the office use to B1(c). The site is within a commercial area and compatible with surrounding uses. The proposal, subject to planning considerations, is considered to make a positive contribution to the area.

9.5 Access, Movement, Parking and Transportation

The proposed car parking has been located to the front of the proposed building, as well as on the opposite side of the road (directly opposite the Legacy Building). A Transport Assessment Form, Transport Assessment, Travel Plan, and Service Management Plan were submitted with the application. DfI Roads were consulted and they raised a number of concerns regarding traffic and road safety.

9.6 After extended engagement and discussions between Planning, DfI Roads Service and the applicant's agent and roads consultant, an updated Travel Plan, traffic calculations as well as other supporting information was submitted and forwarded to DfI Roads for comment. They responded on 9th April 2020 stating no objection subject to a number of conditions, including a restriction on the occupation of the proposed office building. It is considered necessary to allow no more than 40% of the floor area of the proposed development to be occupied or otherwise operational until the 'Titanic Quarter Eastern Access Road', recommended for approval by the Planning Committee in March 2020 under planning reference LA04/2019/2810/F, has been constructed to the satisfaction of DfI Roads and become operational. The condition is considered necessary because if the building was wholly occupied in advance of the new road it would have an adverse impact on the existing road infrastructure.

9.7 Design

The proposed building is 5 storeys high, and consists of 2 main elements linked by a circulation core to form a general "L shaped" block. Plant is proposed to the roof and will be screened by parapet walls. The proposal is sited approximately 105m from the Legacy building to the front and 30m to the nearest of the three Concourse buildings adjacent to the East, also 5 storeys. The proposed height, massing and design are acceptable for the site and its surroundings. The Agent states that the design and materials been carefully considered in relation to the industrial history of the site.

9.8 The building is of a modern design with large areas of glazing. The external materials are a mix of grey curtain wall cladding; rainscreen cladding and grey brick (to the ground floor). The proposed mix of materials are similar to that of a number of buildings in the immediate area, which overall is characterised by a variety of building types and elevation treatment. Should approval be granted a condition shall be attached stating development shall not commence under materials have been submitted to and agreed in writing with the Council.

9.9 Impact on natural environment

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

9.10 A Habitats Regulation Assessment (HRA) was submitted demonstrating the potential impacts on the above European Sites. This assessment determines if there could be any significant effects on the features and conservation objectives, and hence integrity, of any

European sites to meet the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). This information was forwarded to Shared Environmental Services for comment, along with an Outline Construction Environmental Management Plan (CEMP), Piling Risk Assessment as well as the proposed drainage layout. They responded with no objections to the proposal subject to a condition relating to the submission of a final CEMP. They also placed emphasis on the importance of Conditions which had been suggested by DAERA's Regulation Unit.

9.11 DAERA Natural Environment Division assessed the same information as Shared Environmental Services, as well as the submitted GQRA. They are content the proposal is unlikely to significantly impact protected and/or priority species and habitats subject to conditions. They have also requested the submission of a final CEMP for agreement prior to works commencing. They also stated that a buffer of at least 10m must be maintained between the location of all construction works etc and Belfast Lough. This shall be conditioned should approval be granted.

9.12 DAERA Marine and Fisheries Division were content with the conclusions of the HRA and consider that provided the proposal is confined to the red line boundary and there is no significant noise disturbance associated with construction works there should be no impact on the natural environment. In conclusion the proposal is in keeping with PPS 2, Natural Heritage.

9.13 Impact on built heritage

The proposal is within the vicinity of archaeological sites (including Thompson Dock) and a listed building (Pump House) and therefore the policies in PPS 6 are a material consideration in this case. HED Historic Buildings assessed the application in relation to the setting of the listed Pump House. On the basis of the information provided, HED is content that the proposal is satisfactory and complies with the policies in the SPPS and Policy BH11 of PPS 6.

9.14 HED Historic Monuments (HM) was consulted given the site's proximity to a scheduled monument (Thomson Dock). HED HM raised concerns relating to any potential physical impacts of construction works upon the structural integrity and fabric of adjacent maritime sites. A structural engineer's report, piling methodology details, as well as details of a vibration monitoring scheme were forwarded to HED HM for consideration. In their response dated 8th April 2019 they made a number of recommendations. They stated in view of the proposed piling works it is essential that a robust monitoring regime is agreed and implemented. The regime will however require the monitoring of vibration levels outside the red line of the boundary of the application site and a condition survey of Thompson Dock. They suggested that any approval for the scheme should be conditional on the agreement and implementation of a piling and monitoring methodology that provides for the requirements described within their response. As the requirements for the monitoring of vibration levels relate and the condition survey of the dock relate to land beyond the red line of the application site, it is necessary that these requirements are secured as part of a Section 76 Planning Agreement. These measures will ensure the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

9.15 Landscaping

The site exhibits a small number of trees which the BCC Tree Officer has confirmed as more than likely the result of natural regeneration or self-seeded. These should be retained, where it is reasonably possible to do so. The proposed landscaping plan shows 50 semi mature trees of mixed species. These will soften the visual aspect of the proposed site. The BCC Tree Officer responded to consultation with no objection subject to a number of standard conditions.

9.16 Flood Risk

A flood risk and drainage assessment was submitted for consideration, and consultation undertaken with Rivers Agency in relation to these matters. They responded on 23rd November 2017 with no objection to the proposal, and it is therefore considered that the proposal complies with the policy requirements set out in PPS15 as acceptable drainage and flood risk protection measures are proposed. On reviewing the updated Flood Risk Assessment on 19th February 2019 their previous comments remained the same.

9.17 Other Environmental Matters

A Preliminary Risk Assessment and Generic Quantitative Risk Assessment were submitted and comments were invited from both BCC Environmental Health and DEARA. BCC and DEARA both responded suggesting conditions to be included should approval be granted. These are included below as part of this report.

9.18 Section 76 Planning Agreement

A current application, under LA04/2019/2810/F, for “Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works.” was recommended for approval at the BCC Planning Committee meeting on 10th March 2020 with powers delegated to the Director of Planning and Building Control to finalise the wording of conditions and resolve any outstanding matters. DfI Roads Service have recommended by condition that no more than 40% of the floor area of the proposed development shall be occupied or otherwise become operational until the ‘Titanic Quarter Eastern Access Road’ has been constructed to the satisfaction of DfI Roads and become operational. This will be generally in accordance with the approval LA04/2019/2810/F ‘Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works’. The condition is considered necessary because if more than 40% of the building was occupied in advance of the new road it would adversely impact on the existing roads infrastructure.

9.19 As the new road is outside the red line for the office development, and subject to a separate planning permission, it is considered that should planning permission be granted for the new office development, the developer will be required to enter into a Section 76 planning agreement with the Council to provide a mechanism to link the occupation of the proposed office development, if granted, under LA04/2017/1991/F to the completion of the Eastern Access Road (LA04/2019/2810/F).

9.20 In addition the planning agreement should include the HED HM requirements for monitoring of vibration levels outside the red line boundary of the application site and a condition survey of the scheduled dock. The developer has expressed a willingness and commitment to enter into such a legal agreement.

9.21 Economic Benefit

The Planning Design and Access Statement submitted in support of the proposal states the development will provide accommodation for 1400 people approximately with of course a number of short term construction jobs and will bring an injection of vitality to this area of Chichester Street. The increased footfall to the area will also boost trade for local restaurants and retailers.

10.0 Conclusion

10.1 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and it is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and to enter into a Section 76 planning agreement to provide a mechanism to linking the occupation of the proposed office building to the completion of the Eastern Access Road and to secure a vibration monitoring regime

extending beyond the application site and a condition survey of the Thompson Dock subject to no new substantive planning issues being raised by third parties.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions and a Section 76 Planning Agreement

Conditions:

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

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

2. No part of the development hereby permitted shall become operational until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. 15 'Queens Road Access Sightlines', bearing the Belfast City Council Planning Office date stamp 14 May 2019 and Drawing No. 16 'Sightlines and Car Parking Dimensions', bearing the Belfast City Council Planning Office date stamp 14 May 2019, prior to the occupation of any other development hereby permitted. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 16 'Sightlines and Car Parking Dimensions', bearing the Belfast City Council Planning Office date stamp 14 May 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 servicing.

4. A minimum of 24 No. secure cycle parking stands shall be provided and permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.

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

5. The development hereby permitted shall operate in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 22 January 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. This Travel Plan will be issued as a standalone document and the measures contained within will be monitored and assessed from the inception of the Plan on a minimum of an annual basis to ensure the Plan's effectiveness.

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

6. Prior to the commencement of development, a detailed Construction Environmental

Management Plan (CEMP) shall be submitted to, and agreed in writing by the Council. This should reflect all the mitigation and avoidance measures to be employed as detailed in the outline CEMP, Proposed Drainage Layout (May 2018), Piling Risk Assessment (March 2018) and all additional submitted information. The CEMP shall include a detailed environmental monitoring plan to include suitable groundwater and surface water monitoring to take place during and after the construction works. This should include at least three rounds of monitoring for a suitable analytical suite. Reported contaminant concentrations should be screened against Generic Acceptance Criteria (GAC) protective of the water environment and results should be submitted in writing to the Council for agreement. In the event of unacceptable risk to receptors being identified, works shall cease and the requirements of Condition 11 will apply.

Reason: Protection of environmental receptors to ensure that the site is suitable for use, and to ensure there are no adverse impacts on European site features.

7. Prior to the development proceeding, a detailed remediation strategy shall be presented to the planning authority for agreement. The remediation strategy should consider all unacceptable risk to receptors and should identify the most appropriate remedial options and how these should be implemented and verified. The remediation strategy should be completed in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

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

8. Any piling work undertaken at the site should use a continuous flight auger piling method. Should the applicant wish to change piling methods a revised piling risk assessment will need to be submitted to the planning authority for agreement.

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

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

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

11. After completing all remediation works required under Conditions 7-10, and prior to occupation of the development, a Verification Report shall be submitted and agreed in writing with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

This report must demonstrate that all remedial measures outlined in the MCL Consulting Ltd report titled Phase 2 Generic Quantitative Risk Assessment (GQRA) Pierpont Office Development Queens Road, Belfast Harbour, dated March 2018, Project Number:P1509-1 have been implemented.

The verification report shall demonstrate the successful completion of remediation works and that the site is now fit for the intended end-use (Commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

In particular, this Verification Report must demonstrate:

- All Commercial Buildings have gas protection measures in line with CIRIA C665 Characteristic Situation 2.
- For those areas not covered in hardstanding, the report must demonstrate that these areas have been encapsulated in a clean cover fill of at least 600mm. This fill material must be demonstrably suitable for end use (commercial).

Reason: Protection of environmental receptors to ensure the site is suitable for use, and the protection of human health.

12. In the event that contamination not previously considered is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to the Council for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.

Reason: Protection of human health

13. A buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and Belfast Lough.

Reason: to ensure there are no adverse impacts on European site features.

14. The development hereby approved shall be used only for B1(c) Research and Development, as described within The Planning (Use Classes) Order (Northern Ireland) 2015.

Reason: To control the use at this location and to secure a satisfactory mix of land uses.

15. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to and have been approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To protect the visual amenities of the area.

ANNEX	
Date Valid	20th September 2017
Date First Advertised	29th September 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses) <p>1, Pavilions Office Park, Holywood, Down, Northern Ireland, BT18 9JQ B L Refrigeration & Air Conditioning Ltd,Unit 3,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Base Group,Unit 3,The Legacy Building,22 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, Cimpina Ltd,Unit 5,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, D V 8 Shoe Shop,Unit 6,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Ibm United Kingdom Ltd,Unit 1,The Legacy Building,22 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT,</p> <p>Navinet,Unit 4,The Legacy Building,22 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, New Sirocco Works,Musgrave Channel Road,Queen'S Island,Belfast,Down,BT3 9DT, Offices 1-10,Unit 7,20 Queens Road,Belfast,Down,BT3 9DT, Pyeroy(Northern Ireland)Ltd,Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, Queens Road,Queen'S Island,Down,, Sterling Fluid Systems Ltd,Unit 2,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT,</p> <p>Stratton Engineering,Unit 4,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT,</p> <p>Unit 1,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 1 - 4,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 17,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 3a,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 9,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, W H Scott & Son Ltd,Unit 2,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT,</p> <p>Workman Road,Queen'S Island,Down,,</p>	
Date of Last Neighbour Notification	22nd January 2020
Date of EIA Determination	19th October 2017
ES Requested	No

Planning History

Ref ID: Z/2013/1511/F

Proposal: Existing building to be extended to the south-east and south to create additional 2330 sq metres of lettable work space and 98 car parking spaces remotely located 300 metres north east of the NISP building.

Address: Northern Ireland Science Park, Queen's Road, Queen's Island, Belfast, BT3 9DT,

Decision: PG

Decision Date: 08.12.2015

Ref ID: Z/2000/2205/O

Proposal: Science Park (research driven centre for knowledge based industry)

Address: Queen's Road, Queen's Island, Belfast

Decision:

Decision Date: 12.04.2001

Ref ID: Z/2001/0922/O

Proposal: Redevelopment of the site as a science park

Address: Queens Road, Queens Island, Belfast

Decision:

Decision Date: 22.03.2002

Ref ID: Z/1997/0103

Proposal: Refurbishment and sub-division of existing vacant plumbing works to create 8 no.industrial units with office extension to unit no.1

Address: PHASE 3 CHANNEL COMMERCIAL PARK QUEENS ISLAND BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2000/0196/F

Proposal: Proposed workshop extension located within existing covered parking area.

Address: Unit 1, Phase 3, Channel Commercial Park, Queens Road, Belfast.

Decision:

Decision Date: 06.05.2000

Ref ID: LA04/2018/1510/PAN

Proposal: Part demolition of existing building and erection of storage and distribution facility and associated car parking, site works and access.

Address: Lands at Kings Works, Channel Commercial Park, Queens Road, Titanic Quarter, Belfast.,

Decision: PANACC

Decision Date:

Ref ID: Z/2000/2505

Proposal: Proposed mixed use development.

Address: Titanic Quarter, Belfast Harbour, Belfast BT3.

Decision:

Decision Date:

Ref ID: LA04/2017/0357/PAN

Proposal: The construction of a 5 storey office development for science and IT based businesses, and associated car parking, landscaping, public amenity space etc.

Address: Queens Road, Queens Island, Belfast, BT3 9DT,

Decision: PANCON

Decision Date:

Ref ID: LA04/2017/1991/F

Proposal: Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.

Address: Land adjacent to, Concourse Buildings, Queens Road, Belfast, BT3 9DT.,

Decision:

Decision Date:

Ref ID: LA04/2017/0751/PAN

Proposal: The construction of a 5-storey office development for Science and I.T. based business, and associated car parking, landscaping, public amenity space etc.

Address: Queens Road, Queens Island, Belfast, BT3 9DT.,

Decision: PANACC

Decision Date:

Ref ID: Z/2005/1842/F

Proposal: Construction of 3 no. buildings to provide accommodation for high growth, medium to large high technology companies and a landscaped courtyard with associated car parking.

Address: Northern Ireland Science Park, Queen's Road, Queen's Island, Belfast, BT3 9DT

Decision:

Decision Date: 16.06.2006

Ref ID: Z/2007/1412/F

Proposal: Construction of 3 No. 5 storey buildings with associated landscaping and car parking.

Address: Northern Ireland Science Park, Queen's Road, Queen's Island, Belfast, BT03 9DT

Decision:

Decision Date: 12.06.2008

Ref ID: Z/2003/0546/RM

Proposal: Refurbishment of existing building, infrastructure, associated car parking, landscaping and other ancillary work for building (No.4) of Science Park to provide accommodation for high growth medium to large technology companies.

Address: Queens Road, Queens Island, BT3 9DU.

Decision:

Decision Date: 18.12.2003

Ref ID: Z/1974/1100

Proposal: CHANGE OF USE OF STORE TO AMENITY CENTRE

Address: BLACKSMITHS SHOP, QUEENS ROAD

Decision:

Decision Date:

Ref ID: Z/2009/0185/LDP

Proposal: Construction of a skip enclosure.

Address: Channel Commercial Park, Queens Road, Belfast. BT3 9DT.

Decision:

Decision Date:

Ref ID: Z/2007/2213/F

Proposal: Erection of new 27m x 9.6m modular building for staff amenities (Amended description).

Address: Channel Commercial Park, Queens Road, BT3 9DT

Decision:

Decision Date: 05.02.2008

Ref ID: LA04/2019/0683/F

Proposal: Demolition of existing industrial warehouse buildings and erection of warehouse distribution facility, associated ancillary office, van storage, yards, car parking and accesses.

Address: Lands at Kings Works, Channel Commercial Park, Queens Road, Titanic Quarter, Belfast.,

Decision: AL

Decision Date:

Ref ID: LA04/2019/0162/DETEI

Proposal: E I A requests for Warehouse Distribution facility at lands at Queens Road, Belfast

Address: Lands at Queens Road, to the south west of Wolff Road and west of Musgrave Channel Road, Belfast Harbour Estate, Belfast,

Decision: NRES

Decision Date:

Notification to Department (if relevant)

Date of Notification to Department: N/A

Response of Department:

ADDENDUM REPORT	
Application ID: LA04/2020/2105/F	Committee Date: 19 th March 2024
Proposal: Residential development comprising 55no. apartments comprising 12 no social, and 43 no private apartments and associated site works.	Location: 1-5 Gaffikin Street Belfast BT12 5FH
Referral Route: Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Benmara Property Ltd 181 Templepatrick Road Ballyclare	Agent Name and Address: Footprint Architectural Design 181 Templepatrick Road Ballyclare
<p>Background:</p> <ol style="list-style-type: none"> 1. This application was due to be considered at the February 2023 Planning Committee. However, the application was deferred for a Committee site visit. The site visit took place on 24th February 2023. At the site visit it was observed that one of the units of the existing building is a car repair garage/workshop and it was considered that this would fall within Use Class B3: General Industrial and as such Policy PED7 of then PPS4 would have been a relevant planning consideration. 2. The application is reported back to the Committee for re-assessment against the Belfast Local Development Plan: Plan Strategy 2035. The Plan Strategy was adopted in May 2023. This provides a new policy framework for decision-making. In accordance with the advice given to Members at the April 2023 Committee, the application is required to be re-assessed having regard to the policies in the Plan Strategy. 3. The proposal has been amended to include 12 no social and 43 no private apartments, instead of 6 no social; 6 no intermediate and 43 no private apartments. 4. This report should be read in conjunction with the report to the 14th February 2023 Planning Committee, appended. <p>Updated consultation responses:</p> <ol style="list-style-type: none"> 5. Northern Ireland Housing Executive (NIHE) – Supportive of the 12 social units proposed however they have emphasized that 2 bed/2 person units are not an approved form of social housing. 6. BCC Waste Management – No objection following the submission of a Waste Management Plan. 7. DfI Roads Service – No objection subject to conditions. 8. BCC Urban Design – There have been no design amendments proposed since that of February 2023, however the consultee commented on the submitted Masterplanning Statement. 	

Updated Policy Context:

9. Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
10. Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
11. The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
12. **Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of the report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
13. **Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
14. The site is within the development limits of Belfast in BUAP, and both versions of Draft BMAP (2004 and 2014), and unzoned land within all. The site is located within Belfast City Centre and is identified as being within Shaftesbury Square Character Area CC013 within dBMAP.

Relevant Planning Policies**Plan Strategy**

15. The following policies in the Plan Strategy are relevant to consideration of the full application.

SP1A – managing growth and supporting infrastructure delivery
SP2 – sustainable development
SP3 – improving health and wellbeing
SP5 – positive placemaking
SP6 – environmental resilience
SP7 – connectivity
SD2 – Settlement Areas

HOU1 – Accommodating new homes
HOU4 – Density of residential development
HOU5 – Affordable Housing
HOU6 – Housing Mix
HOU7 – Adaptable and accessible accommodation
DES1 – Principles of urban design
DES2 – Masterplanning approach for major development
RD1 – New residential developments
HC1 – Promoting healthy communities
ENV1 – Environmental quality
ENV2 – Mitigating environmental change
ENV3 – Adapting to environmental change
ENV4 – Flood risk
ENV5 – Sustainable drainage systems (SuDS)
TRAN1 – Active travel – walking and cycling
TRAN 2 – Creating an accessible environment
TRAN4 – Travel plan
TRAN6 – Access to public roads
TRAN8 – Car parking and servicing arrangements
OS3 – Ancillary open space
NH1 – Protection of natural heritage resources
TRE1 – Trees

Supplementary Planning Guidance

Placemaking and Urban Design

Masterplanning Approach for Major Development

Transportation

Planning and Flood Risk

Updated Assessment

16. The adoption of the Plan Strategy requires the following updated assessment.

Consultation responses

17. Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy, for example PPS6 and PPS15.

Key issues

18. The key issues for consideration of the application are set out below.

- Principle of housing in this location
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Design and placemaking
- Climate change
- Open space
- Access and transport
- Health impacts

- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Built heritage
- Pre-application Community Consultation

Representations

19. Following re advertisement in the local press as well as neighbour notification, an additional 10 letters of objection were received, and 1 letter of support. The issues were raised are the same as previously, with the exception of one letter noting that amendments being submitted around Christmas were misleading as you don't have enough time to reply. Written representations are considered throughout the assessment until Determination.

Principle of housing in this location

20. The site is within the development limits in BUAP, Draft BMAP and the unlawfully adopted version of BMAP and is not subject to any zonings. The area is characterised by a mix of uses. The proposed development is residential and considered acceptable in principle at this location and in keeping with the mix of existing uses in the locality, subject to the consideration and resolution of other planning and environmental matters. Concerns regarding PED7 of PPS4 previously are now not applicable. Whilst the Plan Strategy does not refer to unzoned land to be protected. Para 6.89 of the SPPS states that *"while the same principle should also apply generally to unzoned land in settlements in current economic development use (or land last used for these purposes); councils may wish to retain flexibility to consider alternative proposals that offer community, environmental or other benefits, that are considered to outweigh the loss of land for economic development use."* It is considered that the site is a suitable location in principle for housing and that the proposal is compliant with HOU1 which sets out the requirements for new residential accommodation in Belfast City.

Housing Density

21. Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations. The site is located within the city centre where the average density should be dwellings per 150-350 hectare (ha). The site area is 0.17 ha and so the proposal equates to a density of 323 dwellings per ha, demonstrating that it would make effective use of land.

Affordable Housing

22. Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing. NIHE are supportive of 20% units for social housing (12no units) in this development as per their comments dated 1st November 2023. They emphasised that 2 bed/2 person is not an approved form of social housing however. The Agent has stated they can confirm the type of units required can be provided in line with the agreed S76 to ensure the feedback from NIHE is compiled with. The remaining units are a mix of 1 bed/2 person and 2 bed/3 person.

Housing Mix

23. Policy HOU6 applies, however the requirement for a mix of house types will not apply to single apartment developments, and instead the housing mix will be considered acceptable through greater variety in the size of units. The proposal consists of one and two bedroom apartments, ranging from 41sqm to 66sqm, and is therefore acceptable.

Adaptable and accessible accommodation

24. Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.
25. The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 10% wheelchair units. It is considered that the proposal complies with the additional nine criteria g. to o and meet the standards set out in Appendix C of the Plan Strategy, as set out in the submitted Adaptable and Accessible Accommodation Statement.

Design and Placemaking

26. The proposal has been assessed against the SPPS, and Policies SP5, DES1, DES2 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent land.
27. The proposal was subject to a lengthy and detailed PAD process, much of which focused on the design and layout of the proposed building. The proposal is of a modern design. The building can be viewed as 3 sections, a five storey element with a part setback sixth floor at the corner of Donegall Road/Blondin Street, a central five storey element and a three storey plus setback floor at the corner of Donegall Road/Oban Street. Whilst this is an increase in height from what is existing on the site there are a number of taller buildings, Whitehall Square immediately adjacent (6 storeys to Donegall Road and 5 elsewhere) and Ulidia House (4 storeys with 1 storey set back on the top), located in the immediate area. The Urban Design Criteria (UDC) for this location in dBMAP 2015 for this character area states that 'new development shall respect the established building line and that building heights shall be a minimum of 2 storeys and a maximum of 3 storeys'. Previous approvals on the site itself must be acknowledged however as well as existing buildings in the area, and the proposed height is considered acceptable, especially in the context of existing developments in the immediate area which exhibits a variety in terms of building heights and designs.
28. The taller element of the building will be situated to the east of the site, and therefore adjacent to Whitehall Square. The opposite side of the building adjacent to Oban Street displays a 3 storey element with 1 storey set back, which is considered to respect the residential scale of the dwellings adjacent on the Donegall Road.
29. In regards to impact on residential amenity, criterion (b) of Policy RD1 requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and the orientation of the development in relation to the existing dwellings. With regards to the potential loss of light to the existing

residential properties a detailed Daylight and Sunlight Assessment was submitted, which includes a consideration of the impact on neighbouring properties. The report demonstrates that the development meets BRE guidelines and on balance is considered acceptable from a daylight and sunlight perspective.

30. With consideration to the orientation of the development as well as the layout of the apartments there will not be an unacceptable degree of overlooking to residential amenity, particularly at Nos 70-80 Donegall Road and Whitehall Square as raised as a concern within some representations received. This can be said for overshadowing also, especially considering the set backs for proposed terraces.
31. The development is accessed via Gaffikin Street and Donegall Road both for pedestrians, and Gaffikin St for the car park. Defensible space is provided to the front of the ground floor apartments in the form of a 1.1m metal railing with a hedge. This should alleviate any safety concerns.
32. Of the 55 apartments, there are eleven 1 bed apartments, with the remainder are 2 bed apartments. A large roof top terrace is proposed, as well as a much smaller terrace on the fourth floor. 45 of the apartments also display recessed balconies. The apartments range in size from 41-56sqm for a 1 bed apartment, and from 60-66sqm for a 2 bed apartment. The proposed apartments meet the recommended space standards as set out in the Appendix C of the Pan Strategy.
33. The proposed materials are predominantly brick alongside PPC aluminium windows/doors, zinc cladding at the fifth floor, frameless glass balustrades around both terraces, precast concrete lintel window headers and at ground floor hedge railings, render and metal louvres. The proposed materials are considered acceptable for the area which is characterised by a variety of building types and elevation treatment, however as suggested by BCC Urban Design Officer samples of these should be submitted and agreed in writing with the Council prior to work commencement.
34. A Masterplanning statement setting out the applicant's justification as to how the proposal accords with the masterplanning principles as set out in Policy DES2 was submitted. BCC Urban Design Officer commented that previous advice provided on 07 June 2021 would concur with the statements made on pgs. 2 and 3 which address each criterion of the policy in turn. No concerns are therefore raised in relation to the information contained within this statement and that all relevant criteria have been met. The proposal is acceptable when assessed against policies SP5, DES1, DES2 and RD1.

Climate change

35. Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
36. The proposal includes various sustainable design features which seek to mitigate environmental change. These measures include LED light fittings, and high-performance glazing and insulation to improve the performance of the building. Policy ENV2 also states that development proposals, where feasible, should seek to avoid demolition and should consider how existing buildings or their main structures could be reused. It is proposed to demolish the existing building, which is a building unsuitable for conversion for residential purposes and its demolition is considered acceptable. Excavated materials from the site will be reused if deemed suitable. Other waste will be disposed of according to waste disposal regulations and the submitted Waste Management Plan, to ensure that all

construction and demolition waste associated with the development is managed and controlled to prevent the risk of environmental pollution or ecological damage. The proposal is considered compliant with Policy ENV2.

37. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The applicant has demonstrated in their Climate Change Statement that the proposal is compliant with criteria a to i. The introduction of natural SuDs is welcomed through rooftop terrace / green roof with box planting. Furthermore, box hedging is proposed along the boundaries of ground floor apartments. The proposal is considered compliant with Policy ENV3.
38. Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include the following SuDs measures:
- rooftop terrace / green roof with box planting and box hedging is proposed along the boundaries of ground floor apartments.
 - Oversized pipework
- The proposal is considered compliant with Policy ENV5.

Open Space

39. Policy OS3 requires that all new development proposals makes appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.
40. Recessed balconies are provided for 45 of the proposed apartments. Private communal external terraces are provided on the fourth and fifth floors. Overall an average of approximately 10sqm of amenity provision per unit has been proposed. The Plan Strategy Statement confirms within the site area of 0.17ha the open space of 455sqm approx equates to 27% of the site area.
41. Planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development. Whilst In this case, no public open space is proposed within the site. Policy OS3 accepts that on-site provision for open space can be reduced where the site is close to or would benefit from ease of access to areas of existing public open space. In this regard, the site is within close proximity of the site to Lower Crescent and to Botanic Gardens a high-quality area of open space. Having regard to these considerations, the approach to open space is considered acceptable.

Access and Transport

42. The proposed development includes car parking provision of 22 spaces (0.4 spaces per apartment). The site is located on an arterial route and is well served by public transport with good access to the bus and railway stations/stops. Cycle parking spaces (32no) are also provided within the car park.

43. A number of versions of Transport Assessment Form, Parking Statement, and Travel Plan were submitted. The most recent Travel Plan submitted November 2021 proposes : -
- Funding for travel passes for three years to help establish sustainable travel and cycle hire membership.
 - Funding for cycle hire membership for three years
 - Commitment given by applicant the plan will be promoted by a Travel Coordinator. This will reduce dependence on the car and therefore contribute to reduced growth in car journeys in the future.
44. Whilst objectors raised concerns regarding the lack of parking and traffic increase, the scale of development and transport implications of the proposal were assessed by DFI Roads Service, the authoritative body on road safety and parking. Having considered the supporting information submitted as well as the plans, they have no objections to the development proposal on road safety and traffic progression grounds subject to conditions and securing the proposed green travel measures. They also did not raise any concern regarding the accuracy of the Travel Plan submitted.
45. The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN 6 and TRAN8.

Health Impacts

46. Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
47. The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within walking distance of the city centre and its amenities. It is within short walking distance of Botanic Gardens, an area of quality open space. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. A reasonable level of amenity space would be provided within the development including private and communal space. The proposal is considered to satisfy the requirements of Policy HC1.

Environmental protection

48. Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. BCC Environmental Health reviewed a number of documents submitted relating to noise, and contaminated land.
49. The issue of noise was raised in the representations, as a result of demolition/construction work. All construction work should be undertaken in line with best practice guidelines, however a condition was recommended by BCC EHO requiring that detailed Construction Environmental Management Plan (CEMP) be submitted and agreed with the Council, prior to demolition and then again prior to construction commencing (as often different contractors may be involved). The CEMP should demonstrate best practicable means will be employed in controlling adverse impacts associated with dust, noise and vibration and

shall include arrangements and evidence of neighbour liaison/communication in advance of works commencing.

50. With regards to potential noise impact from the use of communal amenity areas which in noise terms do not benefit from being enclosed within a courtyard a condition has been recommended regarding access to the communal areas being restricted between certain hours to reduce the potential for noise in these areas affecting nearby off site sensitive residents.
51. While reduction by screening and distance from the road has been predicted in noise report submitted to achieve levels of noise just below the upper limits recommended in relevant guidance for the communal external amenity areas at fourth and fifth floor levels, a number of private balconies are likely to experience external noise levels significantly in excess of the recommended upper limit of 55dBLAeq, 16hr outlined in the WHO guidelines. On balance given its urban location this is acceptable. BCC EHO suggested a number of very detailed conditions to be attached should be approval granted relating to all noise mitigation measures.
52. A Generic Quantitative Risk Assessment was submitted relating to the risk of contaminated land on the site. Comments were invited from both BCC EHO and DEARA's Regulation Unit, who both responded with no objections, suggesting conditions to be included should approval be granted.
53. BCC EPU has no objection to the proposal from an air quality perspective subject to the request for technical information to be submitted and agreed should any centralised combustion plants (boilers/CHP, biomass) be proposed. Based on this, an Air Quality Impact Assessment may be required for relevant human health receptors.

Flood risk and drainage

54. Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.
55. DfI Rivers had reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. DfI Rivers, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. It offers no objection to the proposal and the proposal is therefore considered to meet the requirements of Policy ENV4.

Waste-water infrastructure

56. Policy SP1a requires that necessary infrastructure is in place to support new development. DAERA Waste Management Unit has expressed concern that the sewage loading associated with the proposal has the potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Works (WWTW) and recommended that the Case Officer consult with Northern Ireland Water Limited (NIW) to determine if the WWTW will be able to cope with the additional load or whether the existing WWTW would need to

be upgraded. NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development.

57. NI Water confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. These works are estimated to be completed within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues.
58. In practical terms it is considered unreasonable for the Council to withhold planning permission for the proposed development given NI Water's pre-existing commitments to connect to significant levels of un-implemented development across the city. Moreover, NI Water has not provided evidence that the proposed development would have a direct and detrimental impact on waste-water infrastructure or environment, particularly in the context of impacts over and above what has already been committed across the city.
59. In light of the NI Water response dated 25/04/22 a negative planning condition shall be included in any approval to require full details of the how foul/waste water is to be disposed of prior to commencement of the development. As this matter can be addressed by a suitably worded planning condition this issue is not considered to be a refusal reason.
60. Shared Environmental Service (SES) carried out a Habitats Regulation Assessment on behalf of the Council and advise that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects subject to mitigation measures which are recommended as a condition. Consent is required for the method of sewage disposal, agreed in writing with Northern Ireland Water (NIW) or Consent to discharge has been granted under the terms of the Water (NI) Order 1999, prior to the commencement of development. DAERA WMU whilst expressing concern also suggested this condition to be attached, but noted that Consent is not guaranteed. The proposal is acceptable having regard to Policy SP1A of the Plan Strategy.

Natural heritage

61. With respect to the natural heritage on the site a Biodiversity Checklist including bat roosting and bird nesting potential assessment were considered by Natural Environment Division (NED). They responded with no objections to the proposal. The existing structure was assessed as having negligible bat roosting potential given a complete lack of potential roost features (PRFs). No evidence of nesting or roosting birds were identified inside the building by the ecologist, and NED are content that the demolition of the existing built structure will have no significant impacts on protected/priority species, including bats and breeding/nesting birds. Therefore, the proposal complies with the requirements of Policy NH1.

Built Heritage

62. The proposed site is in close proximity to No.1-29 Malone Place (Grade B2x8 & B1x1) which is a terrace of nine listed buildings. HED Historic Buildings was consulted and has no objections and the proposal complies with paragraph 6.12 of the SPPS and policy requirements relating to listed buildings. HED (Historic Monuments) also noted they were content that the proposal is satisfactory to SPPS and archaeological policy requirements.

Pre-application Community Consultation

63. The proposal falls under the category of Major Development, and therefore Pre-Application Community Consultation was carried out under the planning reference LA04/2020/0872/PAN. Feedback given was both supportive and unsupportive of the proposal.
64. Whilst some representations raised the issue that the developer was reluctant to meet with locals Community Consultation was carried out through the PAN process, and complied with The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020, which applied to this application.

Recommendation

65. It is recommended that planning permission is granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other matters that arise, provided that they are not substantive.

Draft Conditions

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

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

2. Prior to the commencement of the approved development, the applicant must demonstrate how any out of sewer flooding, emanating from the surface water drainage network agreed under Article 161 of The Water and Sewerage Services (NI) Order 2006, in a 1 in 100 year event, will be safely managed so as not to create a flood risk to the development or from the development to elsewhere. Details of which shall be submitted and agreed in writing with the Council.

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

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

Reason: To ensure appropriate foul and surface water drainage of the site is in place for the operational phase of the proposal that will ensure no impacts to European Sites. Approval is

required upfront because the design of drainage is an integral part of the development and its acceptability.

4. No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

5. Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of the hereby permitted development. The window specification for habitable rooms shall be in line with recommendations of section 5 of the Irwin Carr Consulting Noise Impact Assessment (dated 28th May 2021, referenced Rp003N2020187).

Reason: In the interests of residential amenity

6. Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, confirmation of the specification of alternative means of ventilation. Windows shall be capable of a sound reduction of 40dB(Rw+Ctr) to the Donegall Rd northern façade, 36 dB(Rw+Ctr) to the Eastern (Blondin Street) and Western façade and 33dB(Rw+Ctr) to the rear southern façade along Gaffikin Street as recommended in section 5.4 of the Irwin Carr Consulting NIA dated 28th May 2021 Rp003N2020187. The sound reduction specification (dBD,n,e +Ctr) for the alternative means of ventilation shall be the same as or greater than the sound reduction specification for the windows of each façade to ensure suitable internal noise levels of habitable rooms outlined in British Standard BS8233:2014 are achieved with the windows shut and the alternative means of ventilation operating or in the open position.

Reason: In the interests of residential amenity

7. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided

Reason: In the interests of residential amenity

8. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed.

Reason: In the interests of residential amenity

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

Reason: In the interests of residential amenity

10. The separating floor between the ground floor plant room and any habitable rooms directly above shall be constructed to ensure a sound reduction performance as per the recommendation in section 6 of the Irwin Carr Consulting NIA dated 28th May 2021, reference: Rp003N2020187.

Reason: In the interests of the residential amenity

11. The roof construction to the hereby permitted development shall incorporate an additional layer of 12.5mm plasterboard with staggered joints to ensure an overall sound reduction of 49dBRw is achieved by the roof.

Reason: In the interests of residential amenity

12. Access to and use of any communal external amenity area shall not be permitted between the hours of 22:30-08:00hrs

Reason: In the interests of residential amenity

13. The external communal amenity areas shall incorporate a 1.2m high glazed barrier to a minimum thickness of 10mm with no gaps below the glass or between sections of barrier.

Reason: In the interests of residential amenity

14. Prior to installation of any plant and equipment associated with the proposed development, details shall be provided to the planning authority for review and approval in writing. The details submitted shall be accompanied by comment by an acoustic consultant demonstrating that the rating level (dBLAr,T) of the plant/ equipment when in operation will not exceed the representative background sound level (dBLA90,T) at night when measured and/or determined in accordance with BS4142:2014. The details will be required to be supported with representative background noise levels taken at night in the location where the plant is proposed.

Reason: In the interests of residential amenity

15. The plant and equipment at the development shall be installed in accordance with the approved details.

Reason: In the interests of residential amenity

16. Prior to demolition, site clearance or site preparation, a Construction Environmental Management Plan (CEMP) shall be submitted to the Council for review and approval in writing. The CEMP shall include site specific measures to be employed by the appointed

contractor to control noise, dust and vibration during the demolition demonstrating the use of 'best practicable means'. The CEMP shall have due regard to Parts 1 and 2 of BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

Reason: In the interests of residential amenity

17. Prior to commencement of construction on site, a Construction Environmental Management Plan (CEMP) shall be submitted to the planning authority for review and approval in writing. The CEMP shall include site specific measures to control noise, dust and vibration during the construction phase, demonstrating the use of 'best practicable means'. The CEMP shall include rationale for and details of any chosen piling method and demonstrate that noise and vibration levels will not have an adverse impact on nearby premises. The CEMP shall have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

Reason: Protection of residential amenity

18. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: Protection of human health.

19. If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.

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

20. After completing any remediation works required under Condition 19, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks>. The verification

report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

21. In the event that a combustion plant is proposed at a subsequent design stage of the development, which has a single or combined NO_x emission rate greater than 5mgs-1, the applicant must submit an air quality impact assessment for the development. The assessment shall include a specification for the combustion plant to be installed, to include emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The assessment must demonstrate that occupants of the proposed development will not be exposed to concentrations of air pollution in excess of air strategy objectives.

Reason: protection against adverse health effects.

22. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with drawing No.P306/R01 Rev.E uploaded to the Planning Portal 21st December 2023, prior to the occupation of any other works or other development hereby permitted.

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

23. The vehicular access hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of the Department for Infrastructure.

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

24. The development hereby permitted shall not be occupied until the redundant lowered kerbing to the southern frontage of the development at Gaffikin Street is removed and the footway reinstated to the satisfaction of the Department for Infrastructure.

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

25. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with drawing No.P306/R01 Rev.E uploaded to the Planning Portal 21st December 2023, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

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

26. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with drawing No.P306/R01 Rev.E uploaded to the Planning Portal 21st December 2023.

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

27. The development hereby permitted shall operate in accordance with the Residential Travel Plan Rev.2 dated November 2021.

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

28. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to and have been approved in writing by the Council. These include brick, PPC aluminium windows/doors and precast concrete lintel window headers as well as GF hedge railings, render, metal louvres and vehicle entrance details. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of visual amenity.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 th February 2023	
Application ID: LA04/2020/2105/F	
Proposal: Residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.	Location: 1-5 Gaffikin Street Belfast
Referral Route: Major development	
Recommendation:	Approval
Applicant Name and Address: Benmara Property Ltd 181 Templepatrick Road Ballyclare	Agent Name and Address: Footprint Architectural Design 181 Templepatrick Road Ballyclare
Executive Summary: <p>This application seeks full permission for a residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> - Principle of use on the site - Demolition - Access, movement and parking - Impact on natural heritage - Impact on built heritage - Design and layout - Open space and landscaping - Flood risk - Waste water treatment - Other environmental matters <p>The application site measures approximately 0.17ha and is located at lands bounded by Gaffikin St, Donegall Road, Blondin St and Oban St, Belfast. There is an existing car accessory shop, tyre centre and boxing club all within one large building on site at present. It displays a pitched roof and predominantly red bricked finish.</p> <p>The site is within the development limits of Belfast in BUAP, and both versions of Draft BMAP (2004 and 2014), and unzoned land within all. The site is located within Belfast City Centre and is identified as being within Shaftesbury Square Character Area CC013 within dBMAP. The immediate area is mostly residential with a mix of single and two storey terraced dwellings and a six storey apartment development directly adjacent (Whitehall Square).</p> <p>Following advertisement in the local press as well as neighbour notification, 118 letters of objection are recorded as being received from local residents, as well as 1 petition raising the following issues (summarised):</p> <ul style="list-style-type: none"> - Overlooking, overshadowing and loss of private amenity - Traffic and insufficient parking - Social (and affordable) housing needed and not private - Out of keeping with the existing built environment - Inappropriate scale - Negative visual impact - Existing resentment towards existing apartments in the area will worsen 	

- Dominance
- Overburdening the existing sewerage system
- Construction work and noise will impact on residential amenity
- Too many apartments are in the area already
- Community will not benefit from private rentals
- Developer was reluctant to meet with local residents
- Large number of dwellings in Gaffikin St are blocked up
- Travel Plan submitted is inaccurate
- Safety concerns
- Loss of existing boxing club
- Safe access required for ambulances and care workers
- PAN shows the development is not wanted in the area

In addition, a number of letters state their objection to the proposal but do not expand on the reasons why. Within a letter of objection from Blackstaff Residents Association, a request for a time extension was made for the submission of objection letters during Covid restrictions, and this was granted. Details were also included regarding a proposed "Traditional Family Residential Protection Areas" to be presented to DfC.

The proposal was amended from that initially submitted during the assessment of the application. The original submission was for a residential development of 55 apartments with no social or intermediate dwellings included.

The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), PPS2, PPS3, PPS6, PPS7, PPS8, PPS12, PPS13, PPS15, Parking Standards, and Creating Places.

No objections were raised by Consultees, subject to Conditions should approval be granted, with the exception of NI Water who requested an up to date Waste Water Impact Assessment. This is addressed in the main report.

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

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

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None received
Letters of Objection	118
Number of Support Petitions and signatures	None received
Number of Petitions of Objection and signatures	1 received containing 28 signatures

Characteristics of the Site and Area

1.0 Description of Proposed Development

The application seeks full planning permission for a residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.

1.1 The application follows a lengthy Pre-Application Discussion (PAD) process with officers.

2.0 Description of Site

The site measures 0.17 hectares approximately, located at lands bounded by Gaffikin St, Donegall Road, Blondin St and Oban St, Belfast. There is an existing car accessory shop, tyre centre and boxing club all within one single storey large building on site at present. It displays a pitched roof and predominantly red bricked finish. There are commercial/warehouse type buildings to the rear of the site, and residential dwellings in the rest of the immediate area. They take the form of apartments and terraced dwellings.

Planning Assessment of Policy and Other Material Considerations

3.0 Site history

3.1 There are a number of Planning Approvals on the site itself which are relevant, as detailed below:

Z/2007/1490/O - Site for residential development comprising 48 apartments – Approved 05/12/07

Z/2010/0777/F - Residential development comprising 51no. apartments – Approved 05/08/11

LA04/2015/0617/O – Residential development comprising 42 no. apartments – Approved 17/08/16
LA04/2018/0021/RM - Residential development comprising 42 apartments – Approved 13/11/18

3.2 The proposal falls under the category of Major Development, and therefore Pre-Application Community Consultation was carried out under the planning reference LA04/2020/0872/PAN. Feedback given was both supportive and unsupportive of the proposal.

3.3 Whilst some representations raised the issue that the developer was reluctant to meet with locals Community Consultation was carried out through the PAN process, and complied with The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020, which applied to this application.

4.0 Policy Framework

- 4.1 Belfast Urban Area Plan 2001 (BUAP)
- 4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) v2004
- 4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) v2014
- 4.4 Belfast Local Development Plan Draft Plan Strategy 2035
- 4.5 Strategic Planning Policy Statement (SPPS)
- 4.6 Planning Policy Statement (PPS) 2: Natural Heritage
- 4.7 Planning Policy Statement (PPS) 3: Access, Movement and Parking
- 4.8 Planning Policy Statement (PPS) 6: Planning Archaeology and the Built Environment
- 4.9 Planning Policy Statement (PPS) 7: Quality Residential Environments
- 4.10 Planning Policy Statement (PPS) 8: Open Space, Sport and Outdoor Recreation
- 4.11 Planning Policy Statement (PPS) 12: Housing in Settlements
- 4.12 Planning Policy Statement (PPS) 13: Transportation and Land Use
- 4.13 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees

- 5.1 DfI Roads – No objection subject to conditions
- 5.2 Northern Ireland Water – Issues raised
- 5.3 DfI Rivers Agency – No objection subject to conditions
- 5.4 DAERA Natural Environment Division – No objection
- 5.5 DAERA Regulation Unit – No objection subject to conditions
- 5.6 DAERA Water Management Unit – No objection
- 5.7 DfC Historic Environment Division (HED) Historic Buildings – No objection
- 5.8 DfC Historic Environment Division (HED) Historic Monuments – No objection

6.0 Non-Statutory Consultees

- 6.1 Belfast City Council (BCC) Environmental Health – No objection subject to conditions
- 6.2 BCC Urban Design Officer – No objection subject to conditions
- 6.3 Northern Ireland Housing Executive (NIHE) - No objection
- 6.4 BCC Landscape, Planning and Development – No objection
- 6.5 Shared Environmental Services – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. Additional information/amendments have been received during the processing of the application in response to requests for clarification from consultees, as well as the Applicant's wishes. Re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt.

7.2 118 letters of objection were recorded as being received from local residents, as well as 1 petition raising the following issues (summarised):

- Overlooking, overshadowing and loss of private amenity
- Traffic and insufficient parking
- Social (and affordable) housing needed and not private

- Out of keeping with the existing built environment
- Inappropriate scale
- Negative visual impact
- Existing resentment towards existing apartments in the area will worsen
- Dominance
- Overburdening the existing sewerage system
- Construction work and noise will impact on residential amenity
- Too many apartments are in the area already
- Community will not benefit from private rentals
- Developer was reluctant to meet with local residents
- Large number of dwellings in Gaffikin St are blocked up
- Travel Plan submitted is inaccurate
- Safety concerns
- Loss of existing boxing club
- Safe access required for ambulances and care workers
- PAN shows the development is not wanted in the area

7.3 These issues will be considered within the written assessment however a number of these issues are not planning considerations and outside the remit of planning legislation and guidance. Namely parking obstructions during construction as well as access; loss of the existing boxing club; resentment within the community towards existing apartments; number of existing apartments; proposed ideas for a “Traditional Family Residential Protection Areas” to be presented to DfC; incomes from private rentals; and quantum of existing dwellings which are in disrepair.

8.0 Other Material Considerations

8.1 Parking Standards

8.2 The Belfast Agenda (Community Plan)

8.3 Creating Places

9.0 Assessment

9.1 Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

9.2 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remain contentious). The site is within the development limits of Belfast within (Draft) Belfast Metropolitan Area Plan (BMAP) 2004; BMAP 2015 and, the Belfast Urban Area Plan 2001 (BUAP). It is also located adjacent to an Arterial Route (Donegall Road).

9.3 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council’s Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.

9.4 The proposed development is for a residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.

9.5 The key issues are:

- Principle of use
- Demolition
- Access, movement and parking
- Impact on natural heritage
- Impact on built heritage
- Design and layout
- Open space and landscaping
- Flood risk
- Waste water treatment
- Other environmental matters

9.6 Principle of use

The site is within the development limits in BUAP, Draft BMAP and the unlawfully adopted version of BMAP and is not subject to any zonings. The area is characterised by a mix of uses as stated previously. The proposed development is residential and considered acceptable in principle at this location and in keeping with the mix of existing uses in the locality, subject to the consideration and resolution of other planning and environmental matters. The initial submission was for 55 private apartments, however the applicant amended this proposal to 55 apartments, 6 of which are social and 6 are intermediate. The request for social housing had been raised repeatedly within submitted representations. NIHE welcomed the inclusion of social and intermediate dwellings within the proposal also within their response dated 15/02/22.

9.7 Demolition

The development proposes the demolition of an existing single storey building. The building is considered to be of no architectural or historic interest, is not listed or located in an Area of Townscape Character or Conservation Area. The proposed demolition is considered by officers as acceptable in principle.

9.8 Access, movement and parking

The proposed development includes car parking provision of 23 spaces (0.4 spaces per apartment). The site is located on an arterial route and is well served by public transport with good access to the bus and railway stations/stops. Cycle parking spaces (32no) are also provided within the car park.

9.9 A number of versions of Transport Assessment Form, Parking Statement, and Travel Plan were submitted. The most recent Travel Plan submitted November 2021 proposes : -

- Funding for travel passes for three years to help establish sustainable travel and cycle hire membership.
- Funding for cycle hire membership for three years
- Commitment given by applicant the plan will be promoted by a Travel Coordinator. This will reduce dependence on the car and therefore contribute to reduced growth in car journeys in the future.

9.10 Whilst objectors raised concerns regarding the lack of parking and traffic increase, the scale of development and transport implications of the proposal were assessed by DFI Roads Service, the authoritative body on road safety and parking. Having considered the supporting information submitted as well as the plans, they have no objections to the development proposal on road safety and traffic progression grounds subject to conditions and securing the proposed green travel measures. They also did not raise any concern regarding the accuracy of the Travel Plan submitted.

9.11 Impact on natural heritage

With respect to the natural heritage on the site a Biodiversity Checklist including bat roosting and bird nesting potential assessment were considered by Natural Environment Division (NED). They responded with no objections to the proposal. The existing structure was assessed as having negligible bat roosting potential given a complete lack of potential roost features (PRFs). No evidence of nesting or roosting birds were identified inside the building by the ecologist, and NED are content that the demolition of the existing built structure will have no significant impacts on protected/priority species, including bats and breeding/nesting birds. Therefore, the proposal complies with the requirements of Policy NH2 of PPS2.

9.12 Impact on built heritage

The proposed site is in close proximity to No.1-29 Malone Place (Grade B2x8 & B1x1) which is a terrace of nine listed buildings. HED Historic Buildings was consulted and has no objections and the proposal complies with paragraph 6.12 of the SPPS and Policy BH11 of PPS6. HED (Historic Monuments) also noted they were content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

9.13 Design and layout

The proposal was subject to a lengthy and detailed PAD process, much of which focused on the design and layout of the proposed building. The proposal is of a modern design. The building can be viewed as 3 sections, a five storey element with a part setback sixth floor at the corner of Donegall Road/Blondin Street, a central five storey element and a three storey plus setback floor at the corner of Donegall Road/Oban Street. Whilst this is an increase in height from what is existing on the site there are a number of taller buildings, Whitehall Square immediately adjacent (6 storeys to Donegall Road and 5 elsewhere) and Ulidia House (4 storeys with 1 storey set back on the top), located in the immediate area. The Urban Design Criteria (UDC) for this location in dBMAP 2015 for this character area states that 'new development shall respect the established building line and that building heights shall be a minimum of 2 storeys and a maximum of 3 storeys'. Previous approvals on the site itself must be acknowledged however as well as existing buildings in the area, and the proposed height is considered acceptable, especially in the context of existing developments in the immediate area which exhibits a variety in terms of building heights and designs.

9.14 The taller element of the building will be situated to the east of the site, and therefore adjacent to Whitehall Square. The opposite side of the building adjacent to Oban Street displays a 3 storey element with 1 storey set back, which is considered to respect the residential scale of the dwellings adjacent on the Donegall Road.

9.15 In regards to impact on residential amenity, criterion (h) of QD 1 of PPS 7 requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and the orientation of the development in relation to the existing dwellings. With regards to the potential loss of light to the existing residential properties a detailed Daylight and Sunlight Assessment was submitted, which includes a consideration of the impact on neighbouring properties. The report demonstrates that the development meets BRE guidelines and on balance is considered acceptable from a daylight and sunlight perspective.

9.16 With consideration to the orientation of the development as well as the layout of the apartments there will not be an unacceptable degree of overlooking to residential amenity, particularly at Nos 70-80 Donegall Road and Whitehall Square as raised as a concern within some representations received. This can be said for overshadowing also, especially considering the set backs for proposed terraces.

9.17 The development is accessed via Gaffikin Street and Donegall Road both for pedestrians, and Gaffikin St for the car park. Defensible space is provided to the front of the ground floor apartments in the form of a 1.1m metal railing with a hedge. This should alleviate any safety concerns.

9.18 Of the 55 apartments, there are eleven 1 bed apartments, with the remainder are 2 bed apartments. A large roof top terrace is proposed, as well as a much smaller terrace on the fourth floor. 45 of the apartments also display recessed balconies. The apartments range in size from 41-56sqm for a 1 bed apartment, and from 60-66sqm for a 2 bed apartment. The proposed apartments meet the recommended space standards as set out in the Addendum to PPS7, Safeguarding the Character of Established Residential Areas.

9.19 The proposed materials are predominantly brick alongside PPC aluminium windows/doors, zinc cladding at the fifth floor, frameless glass balustrades around both terraces, precast concrete lintel window headers and at ground floor hedge railings, render and metal louvres. The proposed materials are considered acceptable for the area which is characterised by a variety of building types and elevation treatment, however as suggested by BCC Urban Design Officer samples of these should be submitted and agreed in writing with the Council prior to work commencement.

9.20 Open Space and landscaping

The proposed development has been assessed against the SPPS, Policy QD 1 of PPS7, Policy OS 2 of PPS 8 (Open Space, Sport and Recreation) and Creating Places. Recessed balconies are provided for 45 of the proposed apartments. Private communal external terraces are provided on the fourth and fifth floors. Overall an average of approximately 10sqm of amenity provision per unit has been proposed which is in line with Creating Places.

9.21 Policy OS 2 of PPS 8 states that proposals for new residential development of 25 or more units will only be permitted where public open space is provided as an integral part of the development. An exception to this requirement is in the case of apartment developments where a reasonable level of private communal open space is provided. The level of private open space is comparable with other developments in the area. The site is also in close proximity to existing areas of open space including Botanic Gardens. Taking account of the level of private amenity space proposed and accessibility to a number of existing areas of open space within reasonable walking distance the proposal is on balance considered acceptable.

9.22 Flood Risk

Since the proposal is for development of more than 10 units FLD 3 of PPS 15 applies. A Drainage Assessment was submitted and forwarded to DfI Rivers Agency for comment. They responded on 09/12/20 stating the Drainage Assessment “lacks a current letter from NIW for consent to discharge storm water to their system”. They requested that should Approval be granted a Condition is included stating a final Drainage Assessment must be submitted to and agreed in writing with the Council prior to work commencing.

9.23 Following receipt of their response the Applicant submitted a copy of a Conditional Response dated 30/08/18 to an Article 154 application they had made, showing NI Water’s consent to connect storm (attenuated) to the combined sewer. This was forwarded to DfI Rivers Agency for comment. They responded on 19/07/22 acknowledging the Drainage Assessment demonstrated the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event will be contained within the network, when discharging at existing greenfield runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NIW prior to adoption, however, in order ensure compliance with PPS 15, they suggested the potential flood risk from exceedance of the network, in the 1 in 100 year event, is managed by way of a condition, which shall be included should approval be granted.

9.24 Waste Water Treatment

DAERA Waste Management Unit has expressed concern that the sewage loading associated with the proposal has the potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Works (WWTW) and recommended that the Case Officer consult with Northern Ireland Water Limited (NIW) to determine if the WWTW will be able to cope with the additional load or whether the existing WWTW would need to be upgraded. NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development.

9.25 NI Water confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. These works are estimated to be completed within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues.

9.26 In practical terms it is considered unreasonable for the Council to withhold planning permission for the proposed development given NI Water’s pre-existing commitments to connect to significant levels of un-implemented development across the city. Moreover, NI Water has not provided evidence that the proposed development would have a direct and detrimental impact on waste-water infrastructure or environment, particularly in the context of impacts over and above what has already been committed across the city.

9.27 In light of the NI Water response dated 25/04/22 a negative planning condition shall be included in any approval to require full details of the how foul/waste water is to be disposed of prior to commencement of the development. As this matter can be addressed by a suitably worded planning condition this issue is not considered to be a refusal reason.

9.28 Shared Environmental Service (SES) carried out a Habitats Regulation Assessment on behalf of the Council and advise that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects subject to mitigation measures which are recommended as a condition. Consent is required for the method of sewage disposal, agreed in writing with Northern Ireland Water (NIW) or Consent to discharge has been granted under the terms of the Water (NI) Order 1999, prior to the commencement of development. DAERA WMU whilst expressing concern also suggested this condition to be attached, but noted that Consent is not guaranteed.

9.29 Other Environmental Matters

BCC Environmental Health reviewed a number of documents submitted relating to noise, and contaminated land.

9.30 The issue of noise was raised in the representations, as a result of demolition/construction work. All construction work should be undertaken in line with best practice guidelines, however a condition was recommended by BCC EHO requiring that detailed Construction Environmental Management Plan (CEMP) be submitted and agreed with the Council, prior to demolition and then again prior to construction commencing (as often different contractors may be involved). The CEMP should demonstrate best practicable means will be employed in controlling adverse impacts associated with dust, noise and vibration and shall include arrangements and evidence of neighbour liaison/communication in advance of works commencing.

9.31 With regards to potential noise impact from the use of communal amenity areas which in noise terms do not benefit from being enclosed within a courtyard a condition has been recommended regarding access to the communal areas being restricted between certain hours to reduce the potential for noise in these areas affecting nearby off site sensitive residents.

9.32 While reduction by screening and distance from the road has been predicted in noise report submitted to achieve levels of noise just below the upper limits recommended in relevant guidance for the communal external amenity areas at fourth and fifth floor levels, a number of private balconies are likely to experience external noise levels significantly in excess of the recommended upper limit of 55dB_LAeq,16hr outlined in the WHO guidelines. On balance given its urban location this is acceptable. BCC EHO suggested a number of very detailed conditions to be attached should be approval granted relating to all noise mitigation measures.

9.33 A Generic Quantitative Risk Assessment was submitted relating to the risk of contaminated land on the site. Comments were invited from both BCC EHO and DEARA's Regulation Unit, who both responded with no objections, suggesting conditions to be included should approval be granted.

9.34 BCC EPU has no objection to the proposal from an air quality perspective subject to the request for technical information to be submitted and agreed should any centralised combustion plants (boilers/CHP, biomass) be proposed. Based on this, an Air Quality Impact Assessment may be required for relevant human health receptors.

9.35 Conclusion

Having regard to the policy context, planning history on the site and other material considerations above, the proposal is considered on balance acceptable and planning permission is recommended for approval subject to conditions. It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to Conditions

Conditions

29. 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.

30. Prior to the commencement of the approved development, the applicant must demonstrate how any out of sewer flooding, emanating from the surface water drainage network agreed under Article 161 of The Water and Sewerage Services (NI) Order 2006, in a 1 in 100 year event, will be safely managed so as not to create a flood risk to the development or from the development to elsewhere. Details of which shall be submitted and agreed in writing with the Council.

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

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

Reason: To ensure appropriate foul and surface water drainage of the site is in place for the operational phase of the proposal that will ensure no impacts to European Sites. Approval is required upfront because the design of drainage is an integral part of the development and its acceptability.

32. No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

33. Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of the hereby permitted development. The window specification for habitable rooms shall be in line with recommendations of section 5 of the Irwin Carr Consulting Noise Impact Assessment (dated 28th May 2021, referenced Rp003N2020187).

Reason: In the interests of residential amenity

34. Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, confirmation of the specification of alternative means of ventilation. Windows shall be capable of a sound reduction of 40dB(Rw+Ctr) to the Donegall Rd northern façade, 36 dB(Rw+Ctr) to the Eastern (Blondin Street) and Western façade and 33dB(Rw+Ctr) to the rear southern façade along Gaffikin Street as recommended in section 5.4 of the Irwin Carr Consulting NIA dated 28th May 2021 Rp003N2020187. The sound reduction specification (dBD,n,e +Ctr) for the alternative means of ventilation shall be the same as or greater than the sound reduction specification for the windows of each façade to ensure suitable internal noise levels of habitable rooms outlined in British Standard BS8233:2014 are achieved with the windows shut and the alternative means of ventilation operating or in the open position.

Reason: In the interests of residential amenity

35. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided

Reason: In the interests of residential amenity

36. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed.

Reason: In the interests of residential amenity

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

Reason: In the interests of residential amenity

38. The separating floor between the ground floor plant room and any habitable rooms directly above shall be constructed to ensure a sound reduction performance as per the recommendation in section 6 of the Irwin Carr Consulting NIA dated 28th May 2021, reference: Rp003N2020187.

Reason: In the interests of the residential amenity

39. The roof construction to the hereby permitted development shall incorporate an additional layer of 12.5mm plasterboard with staggered joints to ensure an overall sound reduction of 49dBRw is achieved by the roof.

Reason: In the interests of residential amenity

40. Access to and use of any communal external amenity area shall not be permitted between the hours of 22:30-08:00hrs

Reason: In the interests of residential amenity

41. The external communal amenity areas shall incorporate a 1.2m high glazed barrier to a minimum thickness of 10mm with no gaps below the glass or between sections of barrier.

Reason: In the interests of residential amenity

42. Prior to installation of any plant and equipment associated with the proposed development, details shall be provided to the planning authority for review and approval in writing. The details submitted shall be accompanied by comment by an acoustic consultant demonstrating that the rating level (dBLAr,T) of the plant/ equipment when in operation will not exceed the representative background sound level (dBLA90,T) at night when measured and/or determined in accordance with BS4142:2014. The details will be required to be supported with representative background noise levels taken at night in the location where the plant is proposed.

Reason: In the interests of residential amenity

43. The plant and equipment at the development shall be installed in accordance with the approved details.

Reason: In the interests of residential amenity

44. Prior to demolition, site clearance or site preparation, a Construction Environmental Management Plan (CEMP) shall be submitted to the Council for review and approval in writing. The CEMP shall include site specific measures to be employed by the appointed contractor to control noise, dust and vibration during the demolition demonstrating the use of 'best practicable means'. The CEMP shall have due regard to Parts 1 and 2 of BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

Reason: In the interests of residential amenity

45. Prior to commencement of construction on site, a Construction Environmental Management Plan (CEMP) shall be submitted to the planning authority for review and approval in writing. The CEMP shall include site specific measures to control noise, dust and vibration during the construction phase, demonstrating the use of 'best practicable means'. The CEMP shall include rationale for and details of any chosen piling method and demonstrate that noise and vibration levels will not have an adverse impact on nearby premises. The CEMP

shall have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

Reason: Protection of residential amenity

46. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: Protection of human health.

47. If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.

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

48. After completing any remediation works required under Condition 19, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

49. In the event that a combustion plant is proposed at a subsequent design stage of the development, which has a single or combined NOx emission rate greater than 5mgs-1, the applicant must submit an air quality impact assessment for the development. The assessment shall include a specification for the combustion plant to be installed, to include emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The assessment must demonstrate that occupants of the proposed development will not be exposed to concentrations of air pollution in excess of air strategy objectives.

Reason: protection against adverse health effects.

50. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with drawing No.P306/R01 Rev.C uploaded to the Planning Portal 20th December 2021, prior to the occupation of any other works or other development hereby permitted.

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

51. The vehicular access hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of the Department for Infrastructure.

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

52. The development hereby permitted shall not be occupied until the redundant lowered kerbing to the southern frontage of the development at Gaffikin Street is removed and the footway reinstated to the satisfaction of the Department for Infrastructure.

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

53. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with drawing No.P306/R01 Rev.C uploaded to the Planning Portal 20th December 2021, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

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

54. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with drawing No.P306/R01 Rev.C uploaded to the Planning Portal 20th December 2021.

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

55. The development hereby permitted shall operate in accordance with the Residential Travel Plan Rev.2 uploaded to the Planning Portal 20th December 2021.

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

56. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to and have been approved in writing by the Council. These include brick, PPC aluminium windows/doors and precast concrete lintel window headers as well as GF hedge railings, render, metal louvres and vehicle entrance details. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of visual amenity.

ANNEX	
Date Valid	21/10/20
Date First Advertised	20/11/20
Date Last Advertised	31/12/21
Date of Last Neighbour Notification	20/12/21
Date of EIA Determination	N/A
ES Requested	No
Notification to Department (if relevant) Date of Notification to Department: N/A Response of Department: N/A	

Development Management Addendum Report 2

Summary	
Application Ref: LA04/2023/4021/F	Committee Meeting Date: 19 th March 2024
Proposal: Change of use from dwelling to 5 Bed House in Multiple Occupation.	Location: 166 Upper Newtownards Road, Belfast, BT4 3ES
Referral Route: Request to be presented to Planning Committee by Elected Member (Cllr Anthony Flynn)	
Recommendation:	Approval
Applicant Name and Address: Sikkim Properties 34 Dufferin Ave Bangor BT20 3AA	Agent Name and Address: Gravis Planning Unit 1, Pavilions Office Park Kinnegar Drive Holywood
<p><u>Background</u></p> <p>This application was approved by the Committee at its 13th February 2024 meeting. The Committee's decision was recorded as having '<i>...granted planning permission, subject to conditions and a Section 76 planning agreement [emphasis], and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that may arise, provided that they are not substantive.</i>'</p> <p>Reference was made in the Committee's decision to the requirement for a Section 76 planning agreement. However, the Committee will know from the planning assessment in the original report to the 16th January Committee that a Section 76 planning agreement was never identified as being necessary to make the proposal acceptable – indeed it would not be for a proposal of this nature.</p> <p>The Committee's decision to require a Section 76 planning agreement was due to a typographical error in the recommendation set out in Addendum Report 1, appended and highlighted yellow. It is therefore necessary to report the application back to the Committee which is asked to confirm that a Section 76 planning agreement is <u>not</u> required, so that the decision can be issued.</p> <p>This report should be read in conjunction with the original report to the January 2024 Committee and Addendum Report to the February 2024 Committee, appended.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other issues that arise provided that they are not substantive.</p>	

Development Management Addendum Report 1

Addendum	
Application Ref: LA04/2023/4021/F	Committee Meeting Date: 13 th February 2024
Proposal: Change of use from dwelling to 5 Bed House in Multiple Occupation.	Location: 166 Upper Newtownards Road, Belfast, BT4 3ES
Referral Route: Request to be presented to Planning Committee by Elected Member (Cllr Anthony Flynn)	
Recommendation:	Approval
Applicant Name and Address: Sikkim Properties 34 Dufferin Ave Bangor BT20 3AA	Agent Name and Address: Gravis Planning Unit 1, Pavilions Office Park Kinnegar Drive Holywood
<u>Addendum Report 1</u> This full application was presented to Planning Committee on Tuesday 16 th January 2024 and was deferred to allow members of the Committee to visit the site. The site visit will take place on Wednesday 7 th February 2024. Recommendation The case officer recommendation is unchanged. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions subject to S76, and deal with any other issues that arise provided that they are not substantive.	

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/4021/F	Committee Meeting Date: 16 th January 2024
Proposal: Change of use from dwelling to 5 Bed House in Multiple Occupation.	Location: 166 Upper Newtownards Road, Belfast, BT4 3ES
Referral Route: Request to be presented to Planning Committee by Elected Member (Cllr Anthony Flynn)	
Recommendation:	Approval
Applicant Name and Address: Sikkim Properties 34 Dufferin Ave Bangor BT20 3AA	Agent Name and Address: Gravis Planning Unit 1, Pavilions Office Park Kinnegar Drive Holywood
<p>Executive Summary: This application seeks full planning permission for Change of use from dwelling to 5 Bed House in Multiple Occupation.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> The principle of an HMO at this location; Impact on surrounding residential amenity/character including policy analysis Traffic, Parking and Access Waste and refuse collection Over-occupation/anti-social behaviour Climate change <p>22 objections have been received with the issues raised addressed within the main report.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>	

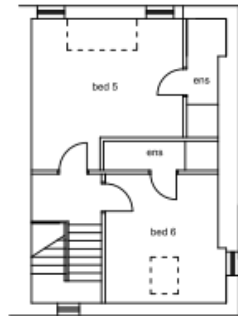
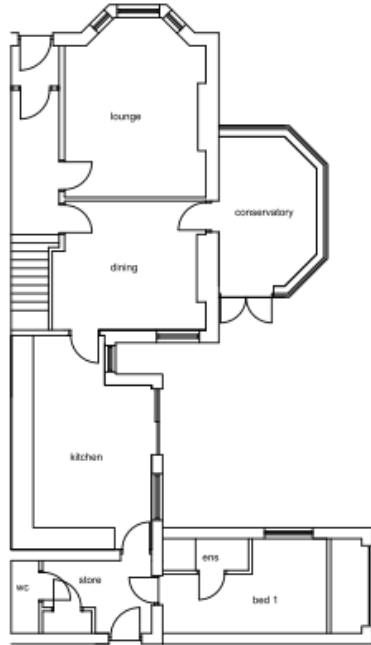
Officer Report

1.0

Drawings

1.1

Existing Floor Plans



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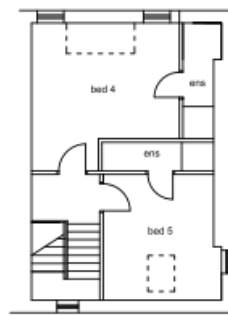
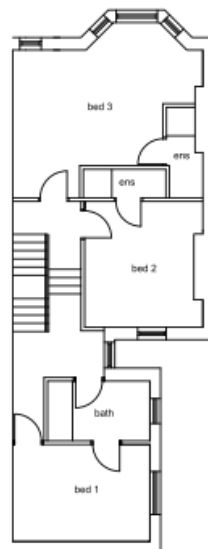
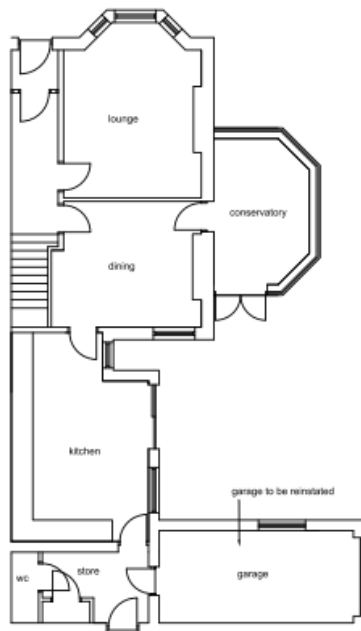
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Proposed Floor Plans



Please note there are no external alterations and therefore elevations have not been shown here.

2.0	Characteristics of the Site and Area
2.1	The application site is located at 166 Upper Newtownards Road, a corner plot that adjoins Oakland Avenue.
2.2	The building is three storey semi-detached dwelling finished in white render. There is a small amount of amenity space to the front with pedestrian access, characterised by vegetation which screens the site from the road. There is a small amenity space to the rear/side between the rear return and the side boundary which also hosts an in-curtilage garage.
2.3	The site falls within houses in multiple occupation (HMOS) subject plan for Belfast city council area 2015 - zoning HMO 4/10 HMO development node.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for change of use from dwelling to 5 Bed House in Multiple Occupation (amended description).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History N/A
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections
5.2	Non-Statutory Consultations BCC Plans & Policy team – No objections
5.3	Representations The application has been advertised and neighbours notified. The Council has received 22 objections which are summarised as follows: <ol style="list-style-type: none"> 1. Parking, traffic, road safety and enforcement 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise 5. Negatively impact on the character of the area

	<p>6. Non-compliance with Policy RD2</p> <p>7. Lack of cycle parking provision</p> <p>8. Additional guests staying over/anti-social behaviour</p> <p>9. Precedent for further HMOs in the area</p> <p>10. Alleged previous internal works to the property</p> <p>11. Impact on the provision of family homes in the area</p> <p>Issues 1-8 are covered in the main body of the report. Additional points are considered as follows:</p> <p>9. Precedent for further HMOs in the area/domino effect - Each application is decided on its own merit. Officers consider that this scheme is compliant with policy considerations.</p> <p>10. Alleged previous internal works to the property - This would be outside the remit of planning and not relevant to the assessment of the application as internal works do not require planning permission.</p> <p>11. Impact on the provision of family homes in the area - This HMO is for 5 bedrooms, the licensing process will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located within one of three HMO Development Nodes on the Upper Newtownards Road which are designated due to their proximity to services and access to public transport.</p>
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.1.1	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.2	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published. For this reason, the assessment of this application still considers that the property is in an HMO Node, as designated under the HMO Subject Plan (2015) and will remain so until the LPP is adopted.
6.2	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.3	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.

6.4	<p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location; • Impact on surrounding residential amenity/character including policy analysis • Traffic, Parking and Access • Waste and refuse collection • Over-occupation/anti-social behaviour • Climate change
6.5	<p>Principle of development</p> <p>The Upper Newtownards Road is not within a HMA however the site is located within the Upper Newtownards Road HMO Development Node (HMO 4/10) as designated in the HMO Subject Plan for Belfast City Council Area 2015.</p>
6.5.1	<p>Policy HOU11 states “Within designated intensive housing nodes, planning permission will be granted for HMOs and flats/apartments. This will be subject to meeting all other policy requirements.”</p>
6.5.2	<p>Para 7.1.76 of Policy HOU 11 states that proposals for HMOs and flats/apartments within intensive housing areas will still be carefully assessed against the relevant residential design requirements set out in policies RD1, RD2 and RD3.</p>
6.6	<p>Impact on surrounding amenity/character of the area</p> <p>When considering the policy context, the proposed development in terms of scale, layout, design and materials must be in keeping with the site and its surrounding area. The character and appearance of the area in this case would be preserved. Appropriate open space is provided and/or the site has good access to existing open space infrastructure. The proposal complies with the HMO space standards for a 5 bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment. The HMO will further require to be licensed with BCC which mitigates amenity concerns by enforcing an anti-social behaviour plan and ensuring the HMO operator runs the property effectively.</p>
6.6.1	<p>The property is a large three-storey dwelling which has been extended over the years and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards.</p>
6.6.2	<p>The proposal is compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties, including unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The policy context is set out in Policies HOU 11, RD1, RD3 and TRAN8 below.</p>
6.7	<p>Policy HOU 11</p> <p>Policy HOU 11 para 7.1.76 states that proposals for HMOs and flats/apartments within intensive housing areas will still be carefully assessed against the relevant residential design requirements set out in policies RD1, RD2 and RD3, which have been addressed above. Policy RD2 is not relevant to this application as no extensions are proposed.</p>
6.7.1	<p>Local character, environmental quality and residential amenity, privacy of existing residents and scale and massing will continue to be particularly important considerations within intensive housing areas.</p>
6.7.2	<p>The proposed change of use of an existing dwelling into a HMO is located within an intensive housing node where HMOs are acceptable in principle under policy HOU11 of</p>

	the BPS. The use is therefore considered appropriate to the local character and surrounding area.
6.8	<p>Policy RD1</p> <p>Policy RD1 states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</p>
6.8.1	a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU 11 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and sufficient bin storage.
6.8.2	b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance - Officers consider that the scheme will not give rise to any of the issues listed in criterion B. Overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan.
6.8.3	c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure - The proposal is located on a glider bus stop and has good access to services and amenities. There is sufficient space for cycle parking.
6.8.4	d) Provides appropriate open space - The proposal maintains the current level of open space, and in addition, the area has good access to open space such as the Comber Greenway.
6.8.5	e) Keeps hard surfacing to a minimum - No hard standing is proposed as part of this application.
6.8.6	f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C - The proposal exceeds the requirements set out in the space standards and provides a significant amount of living space for the occupants of the 5 bedrooms.
6.8.7	g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street - All units have safe and secure access from the front door of the dwelling.
6.8.8	h) Ensures that living rooms, kitchens and bedrooms have access to natural light - All habitable rooms in the dwelling have access to natural light.
6.9	<p>Policy RD3</p> <p>Policy RD3 states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:</p>
6.9.1	a) Any units are self-contained - Officers consider that this criterion is met.
6.9.2	b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be

	<p>visible from the amenity space / public realm - Officers consider that this criterion is met. The property will provide 3 refuse bins for general waste, recycling and food waste.</p> <p>c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling - The property is 237.5 sq metres in total.</p> <p>d) Conversions above commercial premises do not prejudice the commercial functions of the business - This criterion is not relevant to this application.</p>
6.9.3	
6.9.4	
7.0	<p>Traffic, Parking and Access</p> <p>Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU11 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy. Policy TRAN8 – Car parking and servicing arrangements states, ‘Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements’. However, existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development. The applicant has however, following amendments, retained the in-curtilage parking space to the rear in the garage and there is ample space for cycle storage. Furthermore the site is located in an extremely sustainable location with the glider service running alongside the site. In this context adequate provision is considered provided to meet TRAN8.</p>
7.0.1	Objectors raised concern regarding parking and parking enforcement, both the PSNI and DFI would be responsible for dealing with any congestion or enforcement issues.
7.1	<p>Waste and Refuse Collection</p> <p>Objectors have alluded to previous issues with bin lorries getting down Oakland Avenue, builders’ vehicles which will block the street during construction and build-up of waste in the alleyway to the rear of the site which is the main refuse collection point on Oakland Avenue.</p>
7.1.1	Policy RD3 criterion B, states that adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm. Officers consider that this policy is complied with. The alleyway to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. These three bins should be collected in the same manner as before.
7.2	<p>Impact on the sewage network</p> <p>There is no evidence that change of use from a dwelling to a HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street.</p>
7.3	<p>Over-occupation/anti-social behaviour</p> <p>Officers consider that the scheme complies with space standards and provides a suitable number of bedrooms. The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord’s responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties.</p>
7.3.1	The NIHMO Unit within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate

	compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.
7.3.2	Climate Change The proposal will incorporate measures such as improved insulation which will increase the energy efficiency of the building. The proposal is also located in a prime location with access to public transport.
7.4	Summary The proposal is acceptable having regard to policies within the Belfast local development plan: plan strategy 2035; and paragraphs 6.135, 6.136 and 6.137 of the Strategic Planning Policy statement for Northern Ireland 2015 and taking account of all material planning considerations.
8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.
DRAFT CONDITIONS: <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. DRAFT INFORMATIVES: <ol style="list-style-type: none"> Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. 	

ANNEX	
Date Valid	25/09/2023
Date First Advertised	06/10/2023
Date Last Advertised	15/12/2023
Details of Neighbour Notification (all addresses) 1 OAKLAND AVENUE 164 UPPER NEWTOWNARDS ROAD 168 UPPER NEWTOWNARDS ROAD 170 UPPER NEWTOWNARDS ROAD 172 UPPER NEWTOWNARDS ROAD 2 OAKLAND AVENUE 2A OAKLAND AVENUE 2B OAKLAND AVENUE 3 OAKLAND AVENUE 5 OAKLAND AVENUE 7 OAKLAND AVENUE	

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Development Management Officer Report Committee Application

Addendum	
Application ID: LA04/2022/1384/F	Committee Meeting Date: 19 th March 2024
Proposal: Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks.	Location: Lands at 12 Inverary Avenue Sydenham Belfast BT4 1RN
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval	
Applicant Name and Address: MINT Properties 41 Donegall Street Belfast BT1 2FG	Agent Name and Address: Campbell Architects Ltd 50 High Street Holywood BT18 9AE
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 13th February 2024 and was deferred to allow members of the Committee to visit the site. The site visit took place on Tuesday 12th March.</p> <p>Furthermore, following Planning Committee on the 13th February, the outstanding consultation response has been received from DFI Rivers Agency who offered no objection subject to the addition of the following condition;</p> <p><i>Condition - Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with 4.8 and Appendix E of SPG, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%).</i></p> <p><i>Reason – In order to safeguard against surface water flood risk.</i></p> <p>This Addendum report should be read in conjunction with the original report to the February Committee, which is appended.</p> <p>Recommendation</p> <p>The case officer recommendation is unchanged. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement being entered into to secure affordable housing.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise provided that they are not substantive.</p>	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2022/1384/F	Committee Meeting Date: 16 th February 2024
Proposal: Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks.	Location: Lands at 12 Inverary Avenue Sydenham Belfast BT4 1RN
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval	
Applicant Name and Address: MINT Properties 41 Donegall Street Belfast BT1 2FG	Agent Name and Address: Campbell Architects Ltd 50 High Street Holywood BT18 9AE
<p>Executive Summary: This application seeks full planning permission for a residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Design, scale, layout and impact upon the character and appearance of the area including residential amenity • Impact on Amenity • Affordable Housing and Housing Mix • Accessible and Adaptable Accommodation • Climate Change • Drainage • Traffic, Movement and Parking • Waste-water Infrastructure <p>Noise, odour and other environmental impacts including contamination.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement being entered into to secure affordable housing.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding Rivers Agency consultation, provided that they are not substantive.</p>	

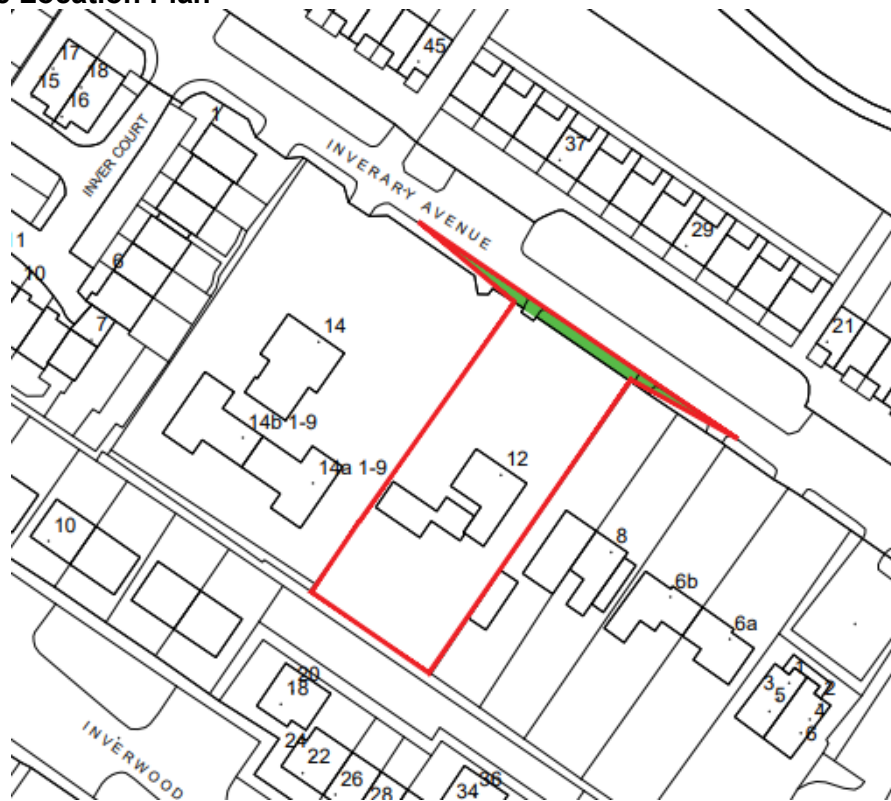
Officer Report

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Drawings

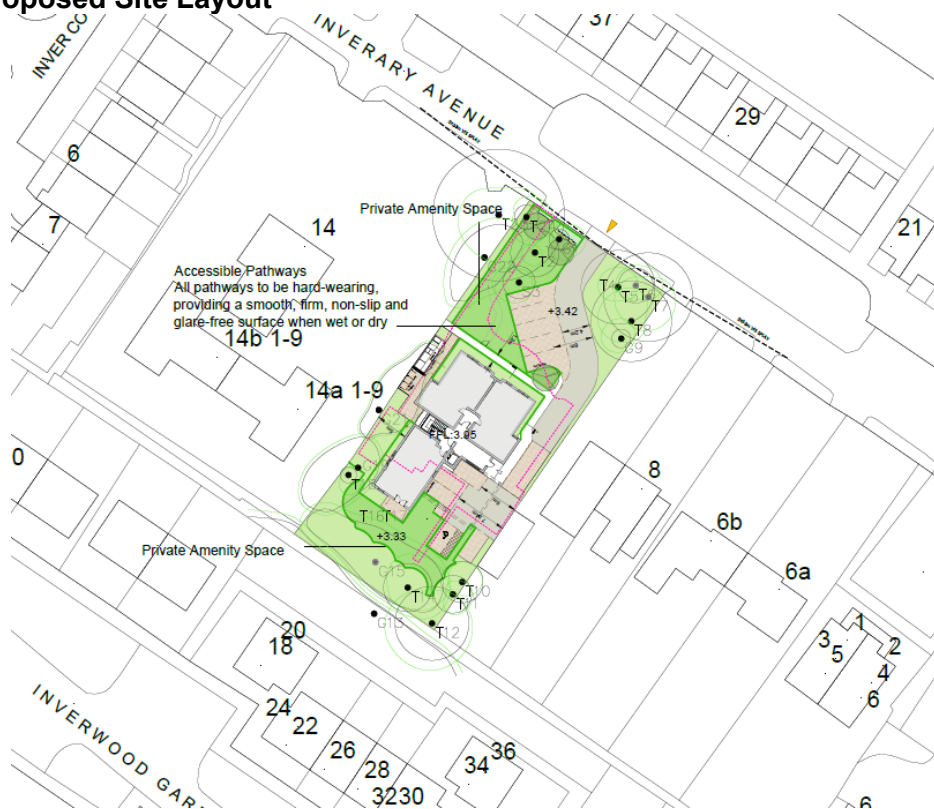
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Fig 1. Site Location Plan



1.2

Fig.2 Proposed Site Layout



2.0	Characteristics of the Site and Area
2.1	The site is located at 12 Inverary Avenue. The application site is currently occupied by a 2 storey detached dwelling and ancillary domestic garage, set within a relatively large plot, with existing trees and other vegetation along its boundaries. An existing vehicular access from Inverary Avenue serves the site. The surrounding area contains a mix of house types and densities, which includes detached, semi-detached, terraced and apartment buildings. The application site is on the south side of Inverary Avenue and existing buildings on this side of the street are 2/2.5 storey in height, and predominately finished in render, red or buff brick with grey/blue slate or tiled roofs.
3.0	Description of Proposal
3.1	Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated sitework
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History
4.6	No significant recent history on the application site.
5.0	Consultations and Representations
5.1	Statutory Consultations <ul style="list-style-type: none"> • DfI Roads – Content subject to conditions • DfI Rivers – Content • NI Water – Approval • DAERA- Concerns raised from Water Regulation Unit and no concerns from the Natural Environment Division • Shared Environmental Services- Content subject to conditions
5.2	Non-Statutory Consultations <ul style="list-style-type: none"> • BCC Environmental Health – Content subject to conditions • BCC Senior Urban Design Officer– Advice. • BCC Trees and Landscape Team- Content subject to conditions
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the

5.4	<p>same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received the following representations in support and objection.</p> <p>Objections: 11</p> <p>The objections raise issues regarding the below:</p> <ul style="list-style-type: none"> • Increased traffic • Parking • Noise • Loss of light and overshadowing • Overdevelopment • Loss of privacy
6.0	<p>PLANNING ASSESSMENT</p>
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p>

	<p><i>Strategic Policies</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery</p> <p>Policy SP2 – sustainable development</p> <p>Policy SP3 – improving health and wellbeing</p> <p>Policy SP5 – positive placemaking</p> <p>Policy SP6 – environmental resilience</p> <p>Policy SP7 – connectivity</p> <p>Policy SP8 – green and blue infrastructure network</p> <p><i>Spatial Development Strategy</i></p> <p>Policy SD1 – Settlement hierarchy</p> <p>Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i></p> <p>Policy HOU1 – Accommodating new homes</p> <p>Policy HOU2 – Windfall housing</p> <p>Policy HOU4 – Density of Residential Development</p> <p>Policy HOU5 – Affordable Housing</p> <p>Policy HOU6 – Housing Mix</p> <p>Policy HOU7 – Adaptable and Accessible Accommodation</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy RD1 – New Residential Developments</p> <p><i>Transport</i></p> <p>Policy TRAN1 – Active travel – walking and cycling</p> <p>Policy TRAN 2 – Creating an accessible environment</p> <p>Policy TRAN4 – Travel plan</p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy TRAN10- Design of Car Parking</p> <p><i>Building a Smart Connected and Resilient Place</i></p> <p>Policy ENV1 – Environmental Quality</p> <p>Policy ENV2 – Mitigating Environmental Change</p> <p>Policy ENV3 – Adapting to Environmental Change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p><i>Promoting a Green and Active Place</i></p> <p>Policy OS1 – Protection of Open Space</p> <p>Policy OS3 – Ancillary Open Space</p> <p>Policy TRE1 – Trees</p> <p>Policy LC1 – Landscape</p>
6.7	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix</p> <p>Residential Design</p> <p>Placemaking and Urban Design</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Trees and Development</p>
6.8	<p>Key Issues</p> <p>The key issues are:</p>

	<ul style="list-style-type: none"> • Principle of development • Design, scale, layout and impact upon the character and appearance of the area including residential amenity • Impact on Amenity • Affordable Housing and Housing Mix • Accessible and Adaptable Accommodation • Climate Change • Drainage • Traffic, Movement and Parking • Waste-water Infrastructure <p>Noise, odour and other environmental impacts including contamination</p>
6.9	The adoption of the Plan Strategy requires the following updated assessment.
6.10	<p><u>Additional Information</u></p> <p>Officers requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p>
6.11	The Planning Service’s Plans and Policy team has been consulted on the applicant’s Plan Strategy. No further consultations have been considered necessary following adoption of the Plan Strategy.
6.12	<p><u>Principle of development</u></p> <p>The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site is also designated as white land within the draft Belfast Metropolitan Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below.</p>
6.13	The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in the Belfast City Council area. Policy HOU2, Windfall Housing is also met as the proposal is situated on previously developed land and is currently white land within the BMAP 2004 and 2015 versions. The proposed scheme is considered to be a suitable site for an apartment scheme, it is accessible and convenient to public transport and walking and cycling infrastructure.
6.14	<p><u>Design, layout and impact upon the character and appearance of the area including residential amenity:</u></p> <p>Policy RD1 seeks to promote quality residential development that creates places that are attractive, locally distinctive, and appropriate to their surroundings. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:</p> <p><i>a. Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:</i></p> <p>Inverary Avenue contains an eclectic range of development types and architectural styles. The scale of development on the southern side of the street is relatively consistent at 2 or 2.5 storey. Roof profiles vary but are mainly double pitched. The proposal is approximately 10.42m in height to the ridge and ties in with the</p>

surrounding apartment developments. The proposal responds positively to the context and character of the area by respecting the established building line, scale and form of development found in the area. The materials to be used are select facing brick with a light grey colour to ground floor and off-white to first and second floor. This is considered to tie in with the surrounding area as there is a mix of red brick and rendered dwellings/apartment blocks.

- b. Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:*

Concerns have been raised with regards to overlooking and loss of privacy. However, the layout/aspect of the building within the site is such that there will be no significant overlooking into neighbouring properties. No adverse impacts will incur on the amenity of the neighbouring residents, there are no upper floor windows on the south-eastern elevations looking towards No.10. Views from the north-eastern facing windows towards the neighbouring apartments on that side are screened by the retained vegetation. A separation distance of over 30m is provided to the dwelling to the rear, with mature vegetation acting as a natural buffer/screen between the two sites. It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.

- c. Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure*

The development site is located within walking distance from bus stops along Inverary Avenue and Holywood Road which are accessible through footpaths to the front of the site. There are also cycle lanes along the Holywood Road.

- d. Provides adequate open space:*

The proposal includes 222sqm of communal open space within the curtilage of the site, equating to 22.2sqm per unit which is in line with the guidance in Creating Places. In addition to this, private defensible space is located at ground floor level, directly adjacent to the building, to serve apartments 1-3, whilst additional private amenity areas are proposed to the rear boundary of the site, to offer areas to grow plants or vegetables to service the dwellings on the upper floors. In addition to this there are various public open space, recreation and leisure facilities within close proximity of the application site, including the Alderman Tommy Patton Memorial Park, an extensive area of open space with a children's play park, dog walking areas, and sporting facilities. This is approximately a 5-minute walk from the site (google maps).

- e. Keeps hard surfacing to a minimum*

Car parking is considered to not dominate the residential development as parking is provided on street

- f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.*

The apartment schedule is as follows:

APT 1- (3P2B) 63sqm

APT 2- (3P2B) 63sqm

APT 3- (2B1P) 64.3sqm

APT 4- (3P2B) 63sqm

	<p>AP5 5- (3P2B) 63sqm APT 6- (3P2B) 62.4sqm APT 7- (3P2B) 66sqm APT 8- (2P1B) 55.2 sqm APT 9- (2P1B) 54.6sqm APT 10- (3P2B) 70.6sqm</p> <p>The proposed scheme is in keeping with the space standards as set out in appendix C.</p> <p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i> All apartments are accessed via the main parking area, which offers a safe private environment adjacent to the primary entrance. The area will be well supervised and dwellings that are positioned and orientated towards the rear of the plot benefits from a close relationship to adjacent amenity, whilst being surrounded by well-defined areas of landscaping, and in close proximity to active car parking areas. Each dwelling benefits from direct, safe and secure access via the private driveway within the scheme, from the public street. Suitable private lighting will be provided to ensure a well-lit, inviting access route to the building from the adopted road.</p> <p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i> In terms of prospective residents, each unit has adequate outlook. All apartments benefit from adequate outlook and access to natural light.</p> <p>Further to policy RD1, the proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.</p> <p><u>Climate change</u> Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.</p> <p>ENV2 also states that development proposals should, where feasible, seek to avoid demolition and should consider how their main structures could be reused. The proposal involves the demolition of an existing property. The applicant has stated that the site could not feasibly accommodate 10 no. apartments on the existing site. The height and layout of the existing building would not lend itself to a conversion and an extension would not be capable of accommodating 10 no. apartments. Demolition of the existing building is therefore necessary to deliver the proposed development and to ensure the most efficient land use on site. The applicant has clearly demonstrated that waste materials from the demolition will be reused and recycled. This will range from the retention and reuse of material on site, to the removal of demolished material for use on other suitable schemes within the local area.</p> <p>On balance, the council are satisfied that the existing building is not fit for the purpose of a new residential apartment scheme. In conclusion, the existing building is not viable or</p>
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6.19	<p>suitable for redevelopment. The proposed demolition is necessary to facilitate the proposal.</p> <p>The applicant has submitted a Climate Change Statement setting out that the following features are incorporated into the design to comply with both ENV2, ENV3 and ENV5:</p> <ul style="list-style-type: none"> • The drainage assessment includes SuDs proposals- underground storage, permeable paving, porous surface finishes and trees and landscaping. The applicant has stated that the site is very limited in relation to the land available to provide surface-based SUDs features, and as such, these will be introduced where feasible. • The proposed building will be designed at detailed design stage, to be constructed using a fabric first approach aim to minimise the need for energy consumption through methods such as- maximising air-tightness, increased levels of insulation, optimising solar gain through the provision of openings and shading, optimising natural ventilation and using thermal mass of the building fabric.
6.20	
6.21	<p>A total of 20 trees and shrubs are to be retained on site. Therefore, on balance the proposal is considered to mitigate and adapt to climate change and comply with Policy TRE1.</p>
6.22	<p>The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. A pre commencement condition is proposed to ensure delivery of the above measures and that soft landscaping within the site introduces SuDS measures to partially meet ENV3 and comply with ENV 5.</p>
6.23	<p><u>Density of Residential Development</u></p> <p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements.</p>
6.24	<p>The application is for a total of 10 units and given the site area, the proposed density equates to around 66dph which falls within the average density band for Inner City Belfast Character Area. The proposed density is therefore considered appropriate in the context of the lower density setting in the existing area.</p>
6.25	<p><u>Affordable housing and Housing Mix</u></p> <p>HOU5- Affordable Housing of the of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing.</p>
6.26	<p>The applicant has provided one 2 bed 3 person, and one 1 bed 2 person apartments for social rented housing which meets the definition of affordable housing. The delivery and monitoring of the DMR units will require a Section 76 planning agreement and delegated authority is requested to allow officers to finalise this.</p>
6.27	<p>The application is considered to comply with HOU5 of the Plan Strategy subject to the S.76.</p> <p>Further to this, Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ol style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area;

6.28	<ul style="list-style-type: none"> b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities <p>The development contains a mix of one- and two-bedroom apartments. A total of ten units are proposed with seven 2-bed, 3 person units, two, 1 bed, 2 person units and one, 1 bed, 2-person unit as accessible. With regards to the affordable units as described above, the NIHE has informed the applicant that this area is in need of one and two bed apartments to meet the needs of single adults and small family occupants. The proposal offers a suitable mix of house types and sizes to promote choice and assist in the surrounding community needs.</p>
6.29	<p><u>Adaptable and Accessible Housing</u></p> <p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet. The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f. In addition to this, the applicant has provided one adaptable and accessible unit on the ground floor to comply with criteria g. to, o.</p>
6.30	
6.31	<p><u>Access, movement, and parking</u></p>
6.32	<p>The proposal has been assessed against the following policies TRAN 1, TRAN 6, TRAN 8, TRAN 10.</p>
6.33	<p>TRAN 1 is met in that cycle parking has been provided to the rear of the apartment development. In addition, it is proposed that provision will be made to provide able routes for future introduction of EV charging points to each parking space.</p>
6.34	<p>Policy TRAN 6- DfI Roads were consulted and is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. The means of access to the development would be safe. There is sufficient parking available having regard to the location and sustainability of the site.</p>
6.35	<p>Policy TRAN 8- Car Parking and Servicing Arrangements. It is considered that adequate parking has been provided for the proposal. 1 no. parking space has been provided per apartment, with the inclusion of one accessible parking space located in close proximity to the primary entrance to the apartment building. This is considered adequate, given the location and choice of other transport modes available and the Travel Plan, which will promote alternative forms of transport to the use of private cars. It has also been demonstrated in the submitted TAF and Parking Statement that there is also adequate spare capacity on-street available to accommodate any possible overspill of parking from the development.</p> <p>Policy TRAN 10 has been met in that the design of car parking meets the following criteria:</p> <ul style="list-style-type: none"> a. It respects the character of the local townscape/landscape as the majority of parking is to the rear of the building. The extent of parking retained at the front of the property is consider consistent with other development in the area and is screened by the retained vegetation along the site frontage. b. It will not adversely affect visual and residential amenity as it is extensively screened from view of the street scene. c. Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site as all parking is overlooked and located adjacent to, or within a short distance of, the entrance to the building.

6.36	d. Provision of one parking space has been made for accessible parking bays which facilitate safe, convenient access for people with a disability or impaired mobility.
6.37	The proposal is considered compliant to Policies, TRAN 1, 2, 4, 6, 8 and 10.
6.38	<p><u>Drainage</u> Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.</p>
6.39	DfI Rivers is currently considering additional information from the applicant. Delegated authority is therefore requested to the Director of Planning and Building Control to finalise any conditions and resolve any matters arising from the outstanding consultation response from DfI Rivers in the event this is not received prior to Committee.
6.40	<p><u>Waste-water infrastructure</u> NI Water have advised that if a solution is agreed between the developer and NIW, they will be in a position to change their response to a positive one. The applicant has submitted further information to demonstrate that a solution has been found, however we are awaiting confirmation from NI Water.</p>
6.41	NIW is currently considering additional information from the applicant. Delegated authority is therefore requested to the Director of Planning and Building Control to finalise the conditions and resolve any matters arising from the outstanding consultation response from NIW in the event this is not received prior to Committee.
6.42	<p><u>Noise, odour and other environmental impacts including Contamination</u> Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p>
6.43	<p><u>Contaminated land</u> Environmental Health (EH) is of the opinion that past land-use on or in close proximity to this proposed development will not cause a potential impact on the health of the future occupants of the proposed development.</p>
6.44	<p><u>Air quality</u> EH has reviewed the proposal with regards to air quality and has requested that in order to determine if an Air Quality Impact Assessment will be required for the proposed development, the service would request that technical information on the proposed centralised combustion plant be provided to the Planning Service and therefore request that consideration is given to this through a condition.</p> <p><u>Noise</u> EH offered no objection with regards to noise impacts from the development.</p>

6.45	The proposal is therefore considered to accord with Policy ENV1.
6.46	<p>Representations: Eleven objections raise issues regarding increased traffic, parking, noise, loss of light and overshadowing, overdevelopment and loss of privacy.</p> <p>These issues have been fully assessed above; however, the application is considered acceptable for the reasons set out in the above assessment.</p>
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions and a S.76 planning agreement to secure 20% affordable housing.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding Rivers Agency consultation, provided that they are not substantive.
DRAFT CONDITIONS: <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans. Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development. Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site. The vehicular access, including visibility splays, shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site. 	

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

6. The development hereby permitted shall not be occupied until all existing redundant accesses have been closed off 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.

7. The development hereby permitted shall operate in accordance with the approved Travel Plan.

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

8. In the event that any centralised combustion sources (boilers, CHP or biomass) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-Use Planning & Development Control: Planning for Air Quality (January 2017), this Service would request that an updated Air Quality Impact Assessment be submitted in writing to the Planning Authority for review and approval. Where the Air Quality Impact Assessment indicates exceedances of air quality objectives, appropriate mitigation measures shall be presented and these mitigation measures shall be installed and retained thereafter.

Reason: Protection of Human Health

9. Prior to the commencement of the development hereby approved a landscape management plan shall be submitted and agreed in writing with the council. The landscape management plan should detail all soft landscaping including species, size and type, and include details of appropriate SUDs measures to assist in minimising flood risk. All agreed landscaping and SUDs measures shall thereafter be retained and managed as agreed.

Reason: In the interests of mitigating against environmental change.

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

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

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

Reason: In the interests of visual amenity.

12. All landscaping works shall be carried out in accordance with the approved details on drawing no 14, uploaded to the planning portal on 05/02/2024 . The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. 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

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

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

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

Reason: To avoid compaction within the RPA.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers: 01 02 03A 04A 05 06 07 08 09 10 11 12 13 14 15 16
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer

depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	05/08/2022
Date First Advertised	10/03/2023
Date Last Advertised	02/03/2023
Flat 8, 14a Inverary Avenue 39 Inverary Avenue 33 Inverary Avenue 24 Inverwood Gardens 24 Inverary Avenue Flat 1, 14b Inverary Avenue 3 Inverary Avenue 16 Inverwood Gardens Flat 6, 14a Inverary Avenue Flat 9, 14b Inverary Avenue 18 Inverwood Gardens 14 Inverwood Gardens Flat 3, 14a Inverary Avenue 12 Inverary Avenue 10 Inverary Avenue Flat 4, 14a Inverary Avenue 24a Inverary Avenue 2 Inverary Avenue 26 Inverwood Gardens 21 Inverary Avenue Flat 8 14b Inverary Avenue Flat 9 14a Inverary Avenue 14 Inverary Avenue 25 Inverary Avenue Flat 1, 14a Inverary Avenue 20 Inverwood Gardens Flat 6, 14b Inverary Avenue Flat 3, 14b Inverary Avenue Flat 5, 14a Inverary Avenue 6b Inverary Avenue 8 Inverary Avenue	

Flat 4, 14b Inverary Avenue
31 Inverary Avenue
Flat 7, 14b Inverary Avenue
Flat 7, 14a Inverary Avenue
20 Inverwood Gardens
41 Inverary Avenue
Flat 5, 14b Inverary Avenue
27 Inverary Avenue
20 Inverary Avenue
1 Inverary Avenue
43 Inverary Avenue
23 Inverary Avenue
Flat 2, 14a Inverary Avenue
Flat 2, 14b Inverary Avenue
22 Inverwood Gardens
37 Inverary Avenue
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19 Inverary Avenue
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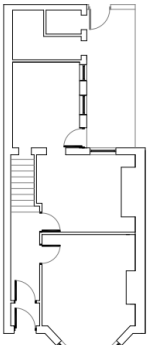
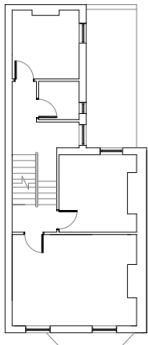
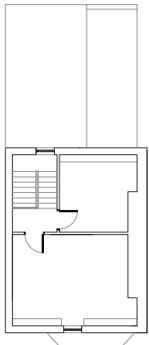

Development Management Officer Report Committee Application


Addendum	
Application Ref: LA04/2023/3481/F	Committee Meeting Date: 19 th March 2024
Proposal: Change of use from dwelling to 6 bed HMO (sui generis)	Location: 272 Limestone Road, Belfast, BT15 3AR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Conor Maskey)	
Recommendation:	Approval subject to condition
Applicant Name and Address: JJ McWilliams Property LTD 113 Cavehill Road Belfast BT15 5BJ	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 51 Malone Road Belfast
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 13th February 2024 and was deferred to allow members of the Committee to visit the site. The site visit took place on Tuesday 12th March 2024.</p> <p>Two additional representations were received following the publication of the initial committee report (attached) comprising one letter of support and one letter of objection. The letter of support states that the proposal provides high quality affordable housing options. The letter of objection raises issues raised regarding sewage, parking and anti-social behaviour. These matters were raised in previous objections and have been considered in the Committee report appended.</p> <p>Recommendation</p> <p>The case officer recommendation is unchanged. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>	

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/3481/F	Committee Meeting Date: 13 th February 2024
Proposal: Change of use from dwelling to 6 bed HMO (sui generis)	Location: 272 Limestone Road, Belfast, BT15 3AR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Conor Maskey)	
Recommendation:	Approval subject to condition
Applicant Name and Address: JJ McWilliams Property LTD 113 Cavehill Road Belfast BT15 5BJ	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 51 Malone Road Belfast
Executive Summary: <p>This application seeks full planning permission for Change of use from dwelling to a 6 Bed House in Multiple Occupation. The site is No. 272 Limestone Road.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> The principle of an HMO at this location Impact on the character and appearance of the Alexandra Park ATC Impact on residential amenity Traffic, Parking and Access Waste and refuse collection <p>26 objections have been received with the issues raised addressed within the main report. 26 letters of support have been received and will be addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> The application may negatively effect parking and traffic in the street (and surrounding area) and; The application may have a negative impact on the character of the street (and surrounding area). <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMO's on this stretch of the Limestone Road has not yet been reached. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area or the Alexandra Park Area of Townscape Character.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to</p>	

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

Officer Report	
1.0	Drawings
1.1	Site Location
<div><p>SITE LOCATION MAP 1:1250  OS MAP REF: 13009 NE3</p></div>	
Existing Floor Plans and Elevations	
<div><p>EXISTING GROUND FLOOR 1:100</p><p>EXISTING FIRST FLOOR 1:100</p><p>EXISTING SECOND FLOOR 1:100</p><p>EXISTING FRONT ELEVATION 1:100</p></div>	

	<p>Proposed Floor Plans</p>  <p>PROPOSED GROUND FLOOR 1:100 PROPOSED FIRST FLOOR 1:100 PROPOSED SECOND FLOOR 1:100 PROPOSED FRONT ELEVATION 1:100</p> <p>Please note there are no external alterations proposed.</p>
2.0	Characteristics of the Site and Area
2.1	The application site is located at 272 Limestone Road. The property is a 2.5 storey residential terrace with a two-storey rear return. There is a small, enclosed amenity space to the rear of the building, accessed by a gate from a rear service alley located on Oceanic Avenue. The immediate area is predominantly residential.
2.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. In the draft BMAP 2015, the site is located within a proposed Area of Townscape Character, Alexandra Park. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
3.0	Description of Proposal
3.1	The application is seeking full planning permission to change of use to dwelling to 6 bed HMO (sui generis).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Relevant Planning History

	Z/2004/1765/F - 234-274 (evens only) Limestone Road, 1-39 (odds only) Lothair Avenue, 12-34 (evens only) Oceans Avenue, Belfast BT15 - Proposed group repair scheme to include provision of new dormers in place of rooflights and alterations to front bays. – Decision: Permission Granted.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections
5.2	Non-Statutory Consultations BCC Plans & Policy Team – No objections. HMO considered acceptable at this location.
5.3	Representations
5.3.1	<p>The application has been advertised and neighbours notified. The Council has received 52 letters of representations. 26 letters of objections and 26 letters of support have been received. The issues raised in the objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise 5. Negative impact on the character of the area 6. Adverse visual impact/anti-social behaviour/noise pollution 7. Precedent for further HMOs in the area 8. Impact on the provision of family homes in the area 9. 2 properties being potentially used as alternative uses. 10. Newington community being eroded. 11. Safety and Fire Hazard
5.3.2	Issues 1-3, 5-8 and 10 are addressed in the main body of the report.
5.3.3	<p>Additional points are considered as follows:</p> <p>4. Anti-social behaviour/noise Officers consider that the scheme complies with space standards and provides a suitable number of bedrooms. The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will be in place as part of the HMO licensing process, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties.</p> <p>The NIHMO Unit within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.</p> <p>9. 2 properties being potentially used as alternative uses- The representations refer to an application for a short term let, planning reference (LA04/2022/1831/F) This has been assessed against a different policy context, and is therefore not a like-like comparison for this proposed use. Use of this property as a short term let (suis generis use) would require planning permission in its own right. Planning application LA04/2022/1831/F for Change of Use from Residential to short term stay</p>

5.3.4	<p>accommodation at 258 Limestone Road was refused on 04 December 2023, which is the subject of an appeal.</p> <p>11.Fire and Safety Hazards: This is outside the remit of planning and not relevant to the assessment of the application as fire and safety hazards are dealt with under the Building Control regulations.</p> <p>26 Letters of support were received. The issues raised in the letters of support are summarised as follows:</p> <ol style="list-style-type: none"> 1. Brings benefits to the community. 2. Address housing demand/shortages. 3. Economic Benefits. 4. Creating local houses. 5. Lack of residential accommodation/ helps the housing crisis/flexible housing option. 6. HMOs are highly regulated. 7. Planning legislation/policy carefully considers over saturation.
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.1.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.1.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
6.1.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The site is located within the settlement development limit in the BUAP and is not zoned for any use. In draft BMAP 2015 (v2004)

	<p>the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Alexandra Park (Ref: BT 030). In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Alexandra Park (Ref: BT 013). The site is not located in a Housing Policy Area or a HMO Development Node in the Belfast HMO Subject Plan 2015.</p>
6.2	Relevant Planning Policies
6.2.1	<p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space • Policy BH3 – Area of townscape character
6.3	Key Issues
6.3.1	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Alexandra Park ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
6.4	The principle of an HMO at this location
6.4.1	<p>The site is outside Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p>
6.4.2	<p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, <p>with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.</p>
6.4.3	<p>As Limestone Road is greater than 600m in length, the assessment is based on the stretch of road which falls between Antrim Road/Cliftonville Road (HMO 4/03) HMO Development Node and Mileriver Street, (excluding properties within Atlantic (HMO 2/02) Policy Area</p>

	where different policies apply) and the properties with addresses at Camberwell Terrace and The Glen.
6.4.4	The LPS Pointer Address database indicates that there are 88 domestic properties on this stretch of Limestone Road. Following the methodology outlined above, the HMO Licence Register and Planning records show there are no HMOs on this stretch of the street. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.
6.4.5	Concerns were raised that the proposals would set a precedent for further HMOs in the area. Each application is considered on its own merits. Officers consider that this scheme is compliant with relevant policy for the reasons stated in the report and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
6.4.6	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
6.5	Impact on the character and appearance of the Alexandra Park ATC
6.5.1	The site is located within a draft ATC Alexandra Park which is characterised by inner city 2 and 3 bedroom Victorian red brick terraced dwellings. No external changes are proposed to the dwelling and the proposal will not create conflict with the character of Alexandra Park draft ATC and the overall character of the area will be maintained. The proposal is considered to comply with Policy BH3 - Areas of townscape character.
6.6	Impact on residential amenity
6.6.1	The property is a large 3 storey dwelling and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 6 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 6 bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.
6.6.2	<p>Policy RD1 applies as set out above and states that '<i>planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</i></p> <p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas</i> - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p> <p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance</i> - Officers consider that the scheme will not give rise to any of the issues listed in criterion b. Overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</p> <p><i>c) Makes provision for, or is, accessible and convenient to public transport and</i></p>

	<p><i>walking and cycling infrastructure</i> - There is sufficient space for cycle parking. Metro services are available along the Limestone Road.</p> <p><i>d) Provides appropriate open space</i> - The existing rear amenity space is to be retained which is considered sufficient to serve the proposal. The site is located in close proximity and has good access to existing open space infrastructure at Alexandra Park and the Waterworks.</p> <p><i>e) Keeps hard surfacing to a minimum</i> - No hard standing is proposed as part of this application.</p> <p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C</i> - The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 6 bedrooms. The proposal therefore complies with the HMO space standards for a 6 bed HMO as set out within Belfast Local Development Plan: 2035.</p> <p><i>g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street</i> - All units have safe and secure access from the front door of the dwelling.</p> <p><i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light</i> - All habitable rooms in the dwelling have access to natural light.</p>
6.6.3	<p>Concerns were raised regarding the impact on the provision of family homes in the area. Concerns were also raised regarding the erosion of the Newington Community. The LDP plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 6 bedrooms and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area nor of itself result in the erosion of the Newington Community.</p>
6.6.4	<p>As indicated above, the HMO will further require to be licensed with BCC which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.</p>
6.6.5	<p>The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.</p>
6.6.6	<p>Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:</p> <p><i>a) Any units are self-contained</i> - This criterion is not applicable.</p> <p><i>b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be</i></p>

	<p><i>visible from the amenity space / public realm</i> - Officers consider that this criterion is met (refer to section 6.7 below).</p> <p>c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal.</p> <p>d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.</p>
6.6.7	Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.
6.7	<p>Traffic, Parking and Access</p> <p>Officers acknowledge the objections to parking. DfI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.</p> <p>Policy TRAN8 – Car parking and servicing arrangements states that, ‘<i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i>’. Existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development.</p> <p>However, to satisfy the concerns raised in relation to parking the Council requested a parking survey. The parking survey demonstrates that adequate parking is available within a radius of 150 metres walking distance from the application site to serve the proposal and concludes that the scheme will not be detrimental to on-street parking in the prevailing area. DfI Roads were consulted on the parking survey and advised that the survey has been carried out appropriately and that they are content with its findings. The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. Furthermore, the site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.</p>
6.8	<p>Waste and Refuse Collection</p> <p>Policy RD3 criterion b, requires that adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm. Officers consider that this policy is complied with. The alleyway to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. Bin storage is also a licensing requirement and the Council’s website states that “during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland”.</p>
6.9	<p>Impact on the sewage network</p> <p>There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.</p>

8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

DRAFT CONDITIONS:

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

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

DRAFT INFORMATIVES:

1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

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Development Management Report

Addendum	
Application Ref: LA04/2023/3319/F	Committee Meeting Date: 19 th March 2024
Proposal: Proposed Change of Use from dwelling to 6 bed House in Multiple Occupation (amended description).	Location: 27 Ponsonby Avenue Belfast BT15 2LS
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr Conor Maskey)	
Recommendation:	Approval
Applicant Name and Address: Louise Johnson 2a Bridge Street Lisburn BT28 1XY	Agent Name and Address: Louise Johnson 2a Bridge Street Lisburn BT28 1XY
<p><u>Addendum Report</u></p> <p>This application for full planning permission was presented to Planning Committee on Tuesday 13th February and was deferred to allow members of the Committee for a site visit which occurred on Tuesday 12th March.</p> <p>This Addendum report should be read in conjunction with the original report to the February Committee, which is appended.</p> <p>Recommendation</p> <p>The case officer recommendation is unchanged.</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

Development Management Officer Report Committee Application

Addendum	
Application Ref: LA04/2023/3319/F	Committee Meeting Date: 13 th February 2024
Proposal: Proposed Change of Use from dwelling to 6 bed House in Multiple Occupation (amended description).	Location: 27 Ponsonby Avenue Belfast BT15 2LS
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr Conor Maskey)	
Recommendation:	Approval
Applicant Name and Address: Louise Johnson 2a Bridge Street Lisburn BT28 1XY	Agent Name and Address: Louise Johnson 2a Bridge Street Lisburn BT28 1XY
<p>Executive Summary: This application seeks full planning permission for Change of use from dwelling to 6 Bed House in Multiple Occupation (HMO). The site is No. 27 Ponsonby Avenue.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> The principle of an HMO at this location Impact on the character and appearance of the Alexandra Park ATC Impact on residential amenity Traffic, Parking and Access Waste and refuse collection Other matters <p>87 objections and 1 letter of support have been received with the issues raised addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> The application may negatively effect parking and traffic in the street (and surrounding area) and; The application may have a negative impact on the character of the street (and surrounding area). <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMO's on Ponsonby Avenue has not yet been reached. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area or the Alexandra Park Area of Townscape Character.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

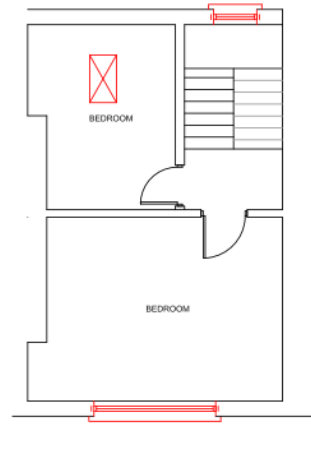
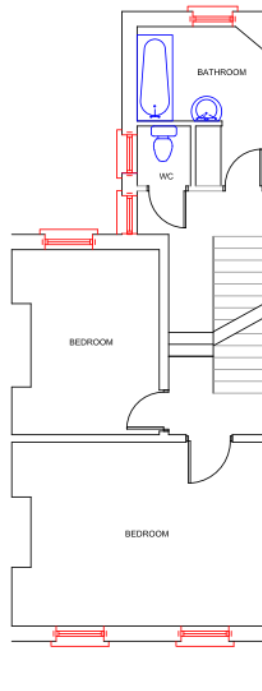
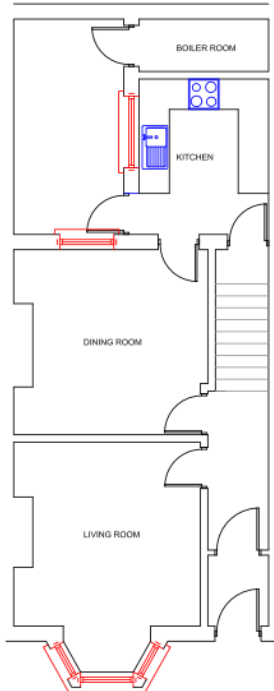
Officer Report

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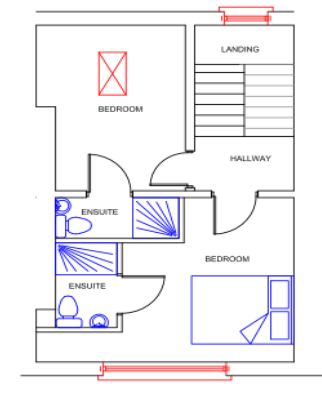
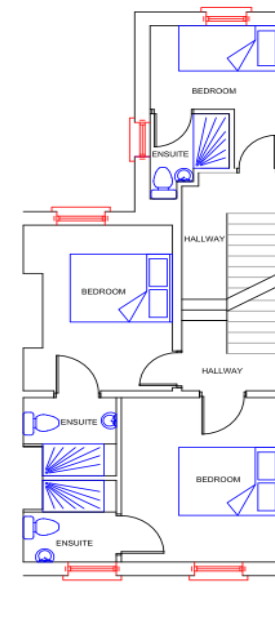
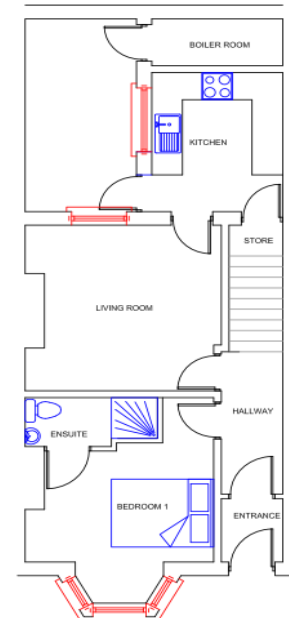
Drawings

1.1

Existing Floor Plans



Proposed Floor Plans



Please note that no external alterations are proposed and therefore elevations have not been provided.

2.0	Characteristics of the Site and Area
2.1	The application site is located at 27 Ponsonby Avenue in the Newington area of North Belfast.
2.2	The building is a 2.5 storey terraced dwelling finished in red brick. There is a small, enclosed amenity space to the front with pedestrian access. There is also a small amenity space to the rear which backs onto an alleyway.
2.3	The site does not fall within any of the existing HMO Policy Areas or Development Nodes, therefore the 10% threshold applies.
2.4	The site is in Draft Belfast Metropolitan Area Plan 2015 - Designation BT 030 Area of Townscape Character: Alexandra Park, Belfast.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for change of use from dwelling to 6 Bed House in Multiple Occupation (amended description).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Relevant Planning History There is no relevant planning history.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections
5.2	Non-Statutory Consultations BCC Plans & Policy team – No objections. HMO considered acceptable at this location
5.3	Representations The application has been advertised and neighbours notified. The Council has received 87 objections, issues raised are summarised as follows: <ul style="list-style-type: none"> 1. Parking, traffic, road safety and enforcement 2. Waste and refuse collection 3. Anti-social behaviour/noise 4. Negatively impact on the character of the area 5. Anti-social behaviour <p>Issues 1-5 are covered in the main body of the report. Additional points are considered as follows:</p>

	<p>6. Precedent for further HMOs in the area - Each application is decided on its own merit. Officers consider that this scheme is compliant with policy considerations.</p> <p>7. Impact on the provision of family homes in the area - This HMO is for 6 bedrooms, the licensing process will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located close to services and public transport. The policy considerations are dealt with in the main body of the report.</p> <p>8. The dwelling does not have the appropriate fire safety measures This would be an issue for building control and licensing to deal with if the application is approved.</p> <p>9. The consultation response from BCC Housing Team does not include No. 31 Ponsonby Avenue. This issue has been resolved with the housing team. The initial response alluded to No. 37 Ponsonby Avenue, which was a typographical error and should have said No. 31.</p> <p>10. Over-occupation/anti-social behaviour Officers consider that the scheme complies with space standards and provides a suitable number of bedrooms. The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties.</p> <p>The NIHMO Unit within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.</p>
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>6.1.1 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>6.1.2 The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.</p>

6.2	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>
6.3	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.4	<p>The site is designated within the limits of Belfast under both Draft and adopted Belfast Metropolitan Area Plan 2015 - Designation BT 001 Development Limit: Belfast City. The site is whiteland under Belfast Urban Area Plan 2015.</p> <p>Operational Policies</p> <ul style="list-style-type: none"> • HOU10 – Housing Management Areas • BH3 – Areas of Townscape Character • RD1 – New Residential Developments • TRAN8 – Car Parking and Servicing Arrangements
6.5	<p>Key Issues</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Alexandra Park ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Climate change • Other matters
6.6	<p>The principle of an HMO at this location</p> <p>27 Ponsonby Avenue is not within a Housing Management Area (HMA) or HMO Development node, therefore Policy HOU 10 applies.</p> <p>Policy HOU10 states:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street.’</i></p> <p>According to the LPS Pointer Address database there are 48 domestic properties on Ponsonby Avenue. Following the methodology outlined above, the HMO Licence Register and Planning records show there are 2 HMOs on the street (Nos. 31 and 57). Taking account of the number of dwelling units within Ponsonby Avenue, two further HMOs would</p>

	<p>be permitted before the 10% threshold would be exceeded. Therefore, the principle of an HMO at this location is acceptable.</p>
6.7	<p>Impact on the character and appearance of the Alexandra Park ATC</p> <p>When considering the prevailing area, the proposed development in terms of scale, layout, design and materials must be in keeping with the site and its surrounding area. The character and appearance of the ATC in this case would be preserved as the application is for change of use only and no external alterations to the property are proposed.</p> <p>The proposal is compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties, including unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The policy context is set out in Policies HOU 10, BH3, RD1 & TRAN8 below which further address amenity.</p>
6.8	<p>Impact on residential amenity</p> <p>The proposal generally complies with the HMO space standards for a 6-bed HMO as set out within Belfast Local Development Plan: 2035, Appendix C, table C3. Whilst one bedroom is marginally under 6.5m², although this bedroom has an ensuite which mitigates this and is deemed acceptable. The kitchen and dining room combined are 23.5m² whilst the LDP space standards recommend 19.5m². The proposal would provide a quality and sustainable residential environment.</p> <p>It is considered that there will be no adverse impact on the amenity of adjacent properties and the wider street. The HMO will further require to be licensed with BCC which mitigates amenity concerns by enforcing an anti-social behaviour plan and ensuring the HMO operator runs the property effectively. The property will be served by appropriate refuse storage which will be collected as normal.</p> <p>The property is a 2.5 storey dwelling and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 6 people whilst still meeting the space standards.</p>
6.9	<p>Policy RD1</p> <p>Policy RD1 states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</p> <ul style="list-style-type: none"> a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas – it is considered that the proposed use does not conflict with adjacent land uses. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and sufficient bin storage. b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance – it is considered that the scheme will not give rise to any of the issues listed in criterion b. Overlooking, loss of light, overshadowing and dominance will not be changing from the current situation. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement. c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure – the proposal is located 1 minute from the Antrim Road which has several bus stops and has good access to services and amenities. There is sufficient space for cycle parking to the front and rear.

	<ul style="list-style-type: none"> d) Provides appropriate open space – the proposal maintains the current level of open space, and in addition, the area has good access to open space such as the Waterworks and Alexandra Park. e) Keeps hard surfacing to a minimum – no hard standing is proposed as part of this application. f) Creates a quality and sustainable residential environment in accordance with the space standards set out in Appendix C – as described, the proposal generally meets the requirements set out in the space standards and provides an appropriate amount of living space for the occupants of the 6 bedrooms. g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street – all units have safe and secure access from the front door of the dwelling. h) Ensures that living rooms, kitchens and bedrooms have access to natural light all habitable rooms in the dwelling have access to natural light.
7.0	<p>Policy RD3</p> <p>Policy RD3 states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:</p> <ul style="list-style-type: none"> a) Any units are self-contained - Officers consider that this criterion is met. b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm - Officers consider that this criterion is met. The property will provide 3 refuse bins for general waste, recycling and food waste. c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling – No subdivision is occurring. d) Conversions above commercial premises do not prejudice the commercial functions of the business - This criterion is not relevant to this application.
7.1	<p>Traffic, Parking and Access</p> <p>Officers acknowledge the objections to parking. Whilst the various policy requirements seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy. Policy TRAN8 ‘Car parking and servicing arrangements’ states: <i>‘Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements’</i>. However, existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development. Furthermore, the site is in a sustainable location with metro services running alongside the site. In this context adequate provision is provided to meet TRAN8.</p> <p>Notwithstanding, the applicant conducted a parking survey to assess parking demand in the area, which DfI Roads were consulted on and have no objection to. Officers consider that the survey is acceptable in that it displays a sufficient level of parking in the vicinity of the site. The parking survey concludes that the scheme will not be detrimental to on-street parking in the prevailing area. DfI Roads were consulted with the parking survey and responded to state that they are content with its findings.</p>

7.2	<p>Objectors raise concerns regarding parking enforcement. The PSNI and DFI would be responsible for enforcing the Highways Act and parking regulations.</p> <p>Waste and Refuse Collection</p> <p>Objectors have alluded to previous issues with bin lorries getting down Ponsonby Avenue.</p> <p>Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm. Officers consider that this policy is complied with. The yard to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. Bin storage is also a licensing requirement and the Council's website states that "during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland".</p>
8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none"> Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application 	

and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX

Date Valid	09/06/2023
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Date First Advertised	16/06/2023
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Date Last Advertised	16/06/2023
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Details of Neighbour Notification (all addresses)

16 Ponsonby Avenue
 18 Ponsonby Avenue
 20 Ponsonby Avenue
 21 Ponsonby Avenue
 22 Ponsonby Avenue
 24 Ponsonby Avenue
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 26 Ponsonby Avenue
 29 Ponsonby Avenue
 31 Ponsonby Avenue
 33 Ponsonby Avenue
 Flat 42 229 Duncairn Gardens
 Flat 43 229 Duncairn Gardens
 Flat 44 229 Duncairn Gardens
 Flat 45 229 Duncairn Gardens
 Flat 46 229 Duncairn Gardens
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 Flat 63 233 Duncairn Gardens
 Flat 64 233 Duncairn Gardens
 Flat 65 233 Duncairn Gardens

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Development Management Report

Summary	
Committee Date: 19 th March 2024	
Application ID: LA04/2020/2607/F	
Proposal: Residential development for the erection of 33 no dwellings (including 5 no affordable units) including public open space, equipped children's play area and associated development as enabling works to deliver the refurbishment of 3 no listed pavilions within the Belvoir Park Hospital complex (previously approved under Y/2014/0401/F and Y/2014/0390/LBC).	Location: Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Belvoir Park LLP 14 Holywell Road London EC2A 4JB	Agent Name and Address: Clyde Shanks 5 Oxford Street Belfast BT1 3LA
<p>Executive Summary:</p> <p>The application relates to land at the former Belvoir Park Hospital ("BHP"), which has been redeveloped for housing. The former BPH is located off Hospital Road close to the border with Lisburn Castlereagh City Council. The site is located at the rear and western edge of the complex – see site location plan in the main body of the report.</p> <p>The application seeks full planning permission for the erection of 33 dwellings including 5 affordable units. The applicant refers to the proposal as "Phase 5" of the redevelopment of the former BPH. The applicant has presented the proposal as enabling development to fund the restoration of the three remaining undeveloped Listed pavilions granted planning permission and Listed Building Consent for conversion to residential use under previous phases of the redevelopment. The proposal would also see the delivery of five social housing units (15%) for Category 1 active elderly accommodation; provision of Public Open Space facilities for both Phase 5 and previous phases of the redevelopment; and improved connectivity from the former BHP to and Ballylesson Road and into and across the adjacent woodland.</p> <p>The proposal is classed Major development as the site area exceeds 1 hectare and the applicant has undertaken pre-application community consultation.</p> <p>The application follows a Pre-Application Discussion (PAD) with officers, although the process was not completed with several key issues remaining outstanding at the time the planning application was submitted.</p>	

The key issues for consideration of the application are set out below.

- Development plan context
- The principle of housing in this location
- Enabling development
- Improved open space facilities
- Protection of open space and improved open space facilities
- Impact on the Historic Environment
- Affordable housing
- Housing density
- Housing mix
- Adaptable and accessible accommodation
- Design and placemaking
- Residential quality and impact on amenity
- Provision of open space
- Landscape impact including trees
- Access and transport
- Climate Change
- Health impacts
- Environmental protection
- Natural heritage
- Waste-water infrastructure
- Flood risk and drainage
- Section 76 planning agreement
- Pre-Application Community Consultation Report

In the **Belfast Urban Area Plan 2001 (BUAP)**, the site and previous phases are outside the development limit. They are within the “Inner Greenbelt” zoning and an “Area of High Scenic Value” (AHSV).

In the **Belfast Metropolitan Area Plan 2015 (v2004)**, the vast majority of the site is located outside the development limit. It is within Lagan Valley Regional Park (LVRP) and an Area of High Scenic Value (AHSV).

In the **Belfast Metropolitan Area Plan 2015 (v2014)**, the vast majority of the site is located outside the development limit and outside the LVRP. However, the site is within an AHSV, and adjacent to Minnowburn Site of Local Nature Conservation Importance (SLNCI). The portion of the site within the development limit was also zoned as Committed Housing.

There are Listed Buildings and an Archaeological Site and Monument within the wider Belvoir Park Hospital (BPH) site.

In terms of statutory consultees, DfI Roads, DfC HED, DAERA NIEA, DfI Rivers, HED, NIHE and NI Water were consulted. Non-statutory consultees include BCC Environmental Health, Landscape and Development team and Tree Officer. Their responses are detailed in the main report.

16 no objections and one representation in support have been received. These are detailed in the main report.

Whilst the proposal is in conflict with policies that direct new housing to previously developed land within the development limit and protect the countryside, as well as conflict with some other policies in the Plan Strategy, this has to be balanced against the benefits of the scheme. Primarily, this includes restoration of the three remaining undeveloped Listed pavilions, but also the

provision of enhanced open space facilities for new and existing residents, provision of social housing and improved connectivity to Ballylessan Road and into and across the adjacent woodland. Although the site is outside the development limit, regard is had to the limited visual impact that the proposal would have on the countryside and wider landscape. When applying the planning balance, it is considered that the benefits of the proposal outweigh the negatives. It is therefore recommended that planning permission is granted.

Recommendation

Having regard to the Development Plan and relevant material considerations, and in the planning balance, it is considered that the proposal is acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise including from the final consultation responses from DfI Roads and Tree Officer, provided that they are not substantive.

Typical street elevation:

Plots 1-7 & 25-31



Elevations of apartments:



Photo of a converted pavilion within the site:



Photos of unconverted pavilions:



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks full planning permission for the erection of 33 dwellings and is referred to by the applicant as “Phase 5” of the residential redevelopment of the former Belvoir Park Hospital (“BPH”) site.
1.2	In the BUAP, the site is outside the development limit. In both versions of dBMAP 2015, the vast majority of the application site is outside the development limit. The applicant has presented the proposal as enabling development to fund the restoration of three remaining Listed pavilions granted planning permission under previous phases of the redevelopment. The proposal would also see the provision of five (15%) social housing (Category 1 active elderly); provision of enhanced public open space facilities for residents of both Phase 5 and previous phases of the redevelopment; and improved connectivity to Ballylessan Road and into and across the adjacent woodland.
1.3	The proposal is classed as Major Development as the site area exceeds 1 hectare. The applicant has undertaken pre-application community consultation.
1.4	The application follows a Pre-Application Discussion (PAD) with officers, although the process was not completed with several key issues remaining outstanding at the time the planning application was submitted.
2.0	Description of Site and Area
2.1	<p>The wider BPH complex comprises the following main elements:</p> <ul style="list-style-type: none"> • Phases 1 to 3 – completed new build housing as well as completed conversions of three of the six listed pavilions into houses and apartments. There are three listed pavilions which have not yet been converted (located to the northern end) and the application seeks to enable their restoration; and • Phase 4 – the initial stages of Phase 4 are currently under construction (mostly conversion of listed buildings to residential use). There is a new application for the latter portion of the Phase IV site to develop lower density housing rather than the new build apartments approved.
2.2	The site is bounded by Phases 1 to 3 on its east side. Phase 4 is to the north-east. The site backs onto open countryside to the south and west, separated by a mature landscape buffer of trees and hedgerow. To the north is extensive woodland.
2.3	The site slopes gradually away from east to west. There is a small copse of mature trees within the centre of the site that is proposed to be incorporated into the proposed play area. Much of the site has been used over the last ten or so years to store building materials and machinery to facilitate the construction of the initial phases. The image below is included in the applicant’s Planning Statement and is an older image.

2.4



2.5

The most recent Google Earth image available shows that the grass has mostly reseeded:



2.6

Within the wider BPH site, there is a Scheduled monument (a Rath) of archaeological importance. There is also a confirmed Tree Preservation Order (including woodlands and the rath) and new landscaping planted from recent planning approvals within the overall site in the last number of years.

2.7

The wider area contains Lagan Valley Regional Park which is designated as an Area of Outstanding Natural Beauty (AONB).

Planning Assessment of Policy and other Material Considerations

3.0	Relevant Site History
3.1	<p><u>Phase 4</u> LA04/2020/0026/F Erection of 22 dwellings (16 semi-detached dwellings and 6 apartments), including retention and conversion of Listed mortuary building, and demolition of unlisted outbuildings. Development includes amendments to access, parking, private and communal amenity areas, landscaping and other ancillary works approved under application LA04/2018/1219/F. Status: Under Consideration</p> <p>LA04/2020/0027/LBC Retention and conversion of mortuary building to provide a pair of semi-detached dwellings, amendments to access, parking layout, communal and private amenity areas, landscaping and other ancillary works. Status: Under Consideration</p> <p>LA04/2022/2098/F and LA04/2022/2099/LBC Retention and conversion of rear return of administration building and conversion of front part of administration building to provide 28 apartments in total, amendments to access, parking layout, communal and private amenity areas, landscaping and other ancillary works. Decision: Approved/Consent Granted Decision Date: 14.10.2023</p> <p>LA04/2020/1489/LBC Alterations and extension to North Gate Lodge comprising a new single storey extension to north west, construction of terraced area, removal of a section of the rear yard wall, removal of the rear external stair, provision of insulated dry lining to inner face of external perimeter walls, the installation of slim 12mm thick double glazing, the replication of historic timberwork, detailing and all associated site works and landscaping. Decision: Consent Granted Decision Date: 04.02.2021</p> <p>LA04/2019/1515/F Proposed residential development for the erection of 6no. units comprising a new block of apartments along with car parking and associated development. Decision: Permission Granted Decision Date: 28.08.2020</p> <p>LA04/2018/1219/F and LA04/2018/1056/LBC Residential development for the erection of 79 residential units in total, comprising new build apartments ranging from 3-4 stories, inclusive of underground parking, amendments to previously approved conversion and extension/alteration of listed buildings, conversion of listed mortuary, parking, landscaping and associated site works. Decision: Approved/Consent Granted Decision Date: 13.08.2020</p>
3.2	<p><u>Phases 1 to 3</u> LA04/2015/0539/F Proposal: Application to vary condition 6 of Y/2009/0462/O to state: None of the residential units in any phase hereby approved shall be occupied until the works to restore the listed and retained building(s) within that phase have been completed in</p>

	<p>accordance with the plans approved under Y/2009/0461/F or Y/2014/0401/F relevant to the phase in question and written confirmation has been obtained from the Council</p> <p>Decision: Permission Granted Decision Date: 20.06.2017</p>
	<p>Y/2014/0401/F</p> <p>Proposal: Phase 2 development involving: Restoration of listed and unlisted pavilions through change of use and conversion from hospital wards to dwellings, including internal sub-division of buildings, removal of non-original features, amendment to external envelope to allow new doorways, minor extension, new external steps, railings and walls; removal of glazing to and partial retention of existing covered walkway, amendment to existing car parking areas and existing internal driveways; erection of 9 no. new build dwellings comprising 2 detached, 2 pairs of semi-detached and 3 town houses; amendment to access onto Hospital Road approved under Y/2009/0462/O and landscaping to external areas.</p> <p>Decision: Permission Granted Decision Date: 10.12.2015</p>
	<p>Y/2014/0390/LBC</p> <p>Proposal: Phase 2 works to listed pavilion buildings and covered walkway involving: 1. Restoration of listed pavilions through conversion from hospital wards to dwellings, including internal sub-division of buildings, removal of non-original features, amendment to external envelope to allow new doorways, minor extension, new external steps, railings and walls; and 2. removal of repair and partial reinstatement (without glazing) of existing covered walkway.</p> <p>Decision: Consent Granted Decision Date: 07.01.2016</p>
	<p>Y/2014/0223/RM</p> <p>Proposal: Phase 1 Reserve matters application-decontamination and demolition of buildings 20-27,30 and 12 (excluding observation pavilion), erection of 15 detached and 12 semi-detached (27 total) dwellings, construction of service road from hospital road access (approved under Y/2009/0462/O) and landscaping.</p> <p>Decision: Permission Granted Decision Date: 06.02.2015</p>
	<p>Y/2009/0464/LB</p> <p>Proposal: Alterations and extensions to existing buildings and other works within the curtilage of listed structures to facilitate conversion of same to provide 110 dwellings. Proposals include removal of all non-original structures, additions and other accretions to listed and non-listed structures which will include the western extension to the former Administration building and partial removal of external covered walkway.</p> <p>Decision: Consent Granted Decision Date: 25.11.2011</p>
	<p>Y/2009/0462/O</p> <p>Proposal: Site for residential development of 310 dwellings consisting of new build and conversion of existing buildings. To include retention of all listed structures and removal of all non-listed structures, site clearance and associated works. Retention of existing vehicular access point off Hospital Road, plus provision of new vehicular access off Hospital Road.</p> <p>Decision: Permission Granted Decision Date: 23.11.2011</p>
	<p>Y/2009/0461/F</p> <p>Proposal: Change of use plus alteration and extension of existing hospital buildings (existing Class C3 use) and other works to facilitate provision of 110 dwellings including removal of all non-original structures, additions and other accretions to existing listed and non-listed structures which will include the western extension to the former Administration Building and partial removal of external covered walkway.</p> <p>Decision: Permission Granted Decision Date: 24.11.2011</p>

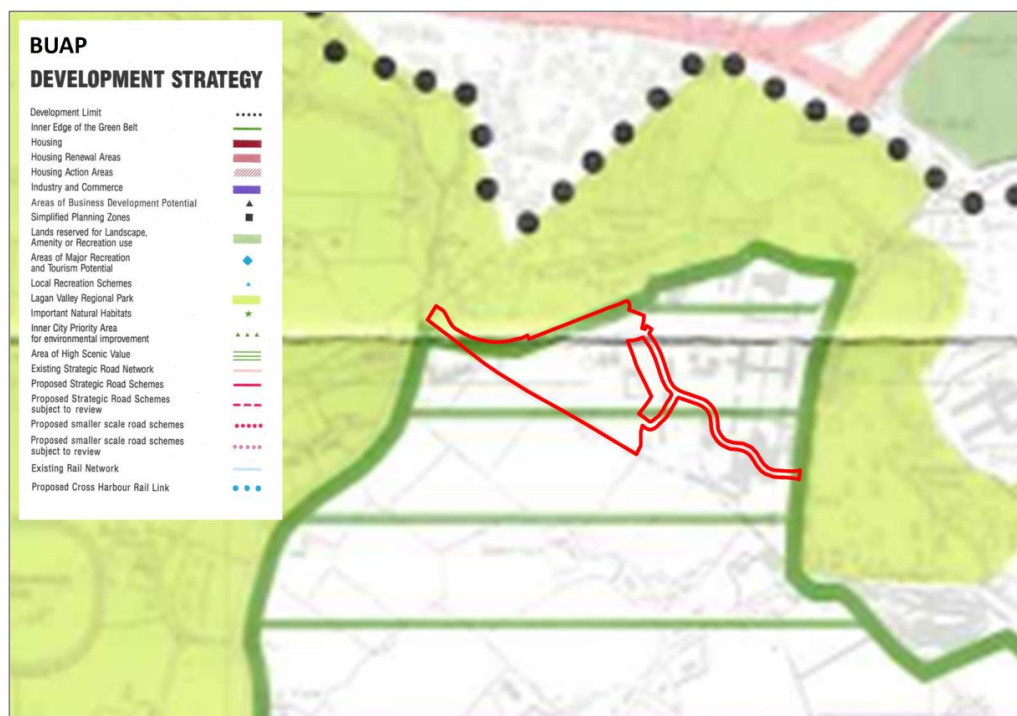
4.0	Policy Framework
4.1	<p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1 – Growth strategy Policy SP1A – Managing growth and supporting infrastructure delivery Policy SP2 – Sustainable development Policy SP3 – Improving health and wellbeing Policy SP5 – Positive placemaking Policy SP6 – Environmental resilience Policy SP7 – Connectivity Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy RD1 – New residential development Policy BH1 – Listed Buildings Policy BH5 – Archaeology Policy HC1 – Promoting healthy communities Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy OS1 – Protection of open space Policy OS3 - Ancillary open space Policy NH1 – Protection of natural heritage resources Policy LC1 – Landscape Policy LC1B – Areas of High Scenic Value Policy TRE1 – Trees Policy DC1 – All Countryside Development Policy DC2 – Housing in the countryside</p> <p><u>Supplementary Planning Guidance</u> Affordable Housing and Housing Mix Development Viability Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p>

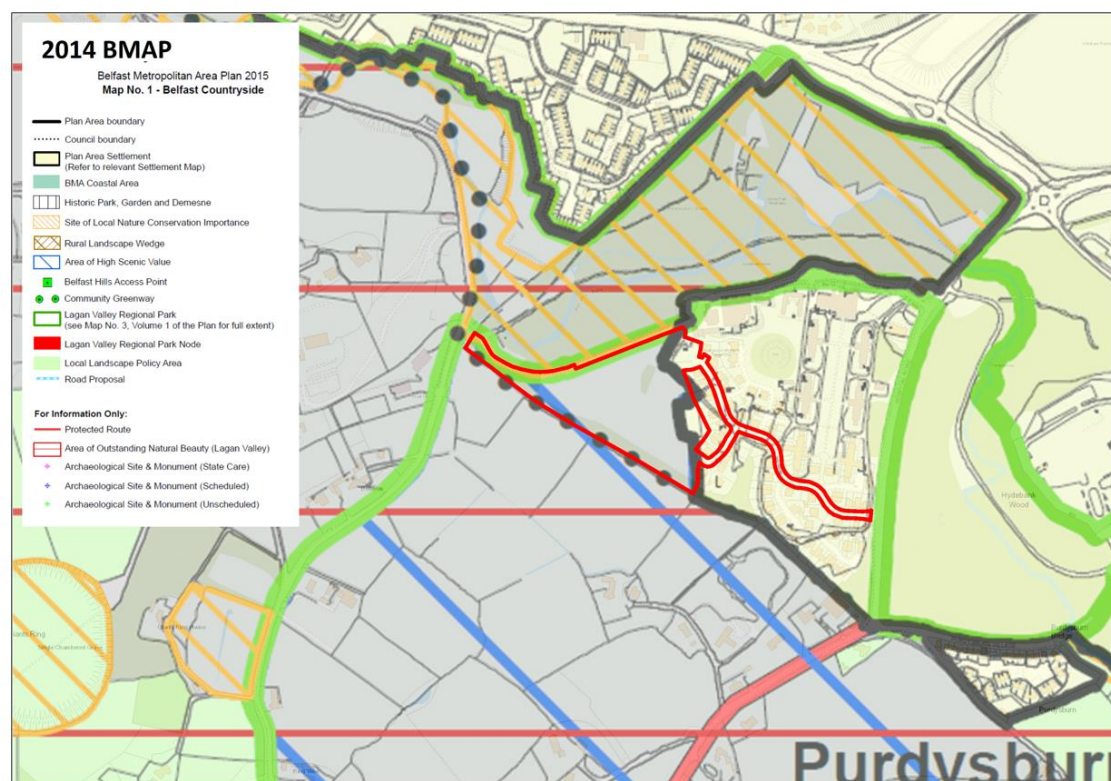
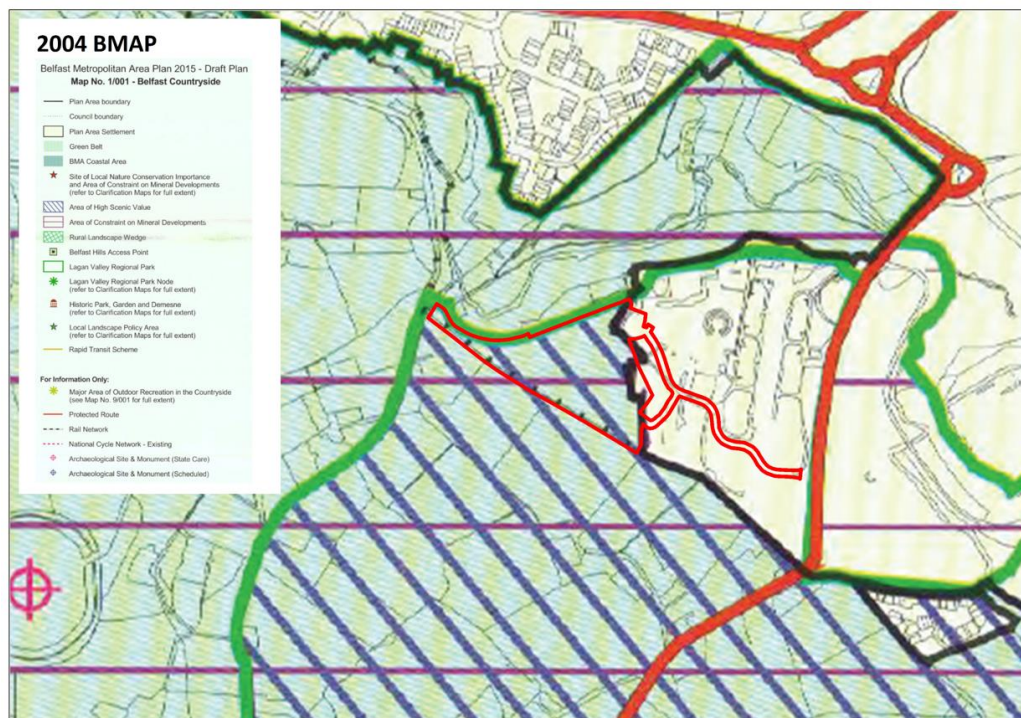
	<p>Trees and Development</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004) (dBMAP v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) (dBMAP v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan) Creating Places (2000)</p>
5.0	<p>Statutory Consultees</p> <p>DFI Roads – no objection subject to conditions. Currently considering amended private streets determination.</p> <p>DFI Rivers Agency – no objection.</p> <p>DAERA NIEA Historic Buildings Unit – no objection subject to conditions.</p> <p>DAERA NIEA Historic Monuments Unit – no objection.</p> <p>DAERA NIEA Water Management Unit – issued standing advice.</p> <p>DAERA NIEA Land, Soil, and Air – no objection subject to conditions.</p> <p>DAERA NIEA Natural Environment Division – no objection subject conditions.</p> <p>NI Water – objection on grounds of lack of waste-water capacity.</p> <p>Northern Ireland Housing Executive – advised that there is social housing need in the area, particularly for Category 1 over 55s active elderly.</p>
6.0	<p>Non-Statutory Consultees</p> <p>Environmental Health BCC – no objection subject to conditions.</p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Tree Officer BCC –Concerns about impact on trees. Amended plans received and further comments awaited.</p> <p>Landscape and Development team BCC – no objection.</p> <p>Shared Environmental Services – no objection subject to conditions.</p> <p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>

7.0	Representations
7.1	The application has been advertised in the newspaper and neighbours notified.
7.2	16 objections and one representation in support have been received.
7.3	<p>The representations are summarised below. The objections are:</p> <ul style="list-style-type: none"> • Loss of privacy and overlooking • Inappropriately high density • Traffic flow and access • Road safety concerns • Contamination • Development Plan designations including development outside the development limit • Trees and landscaping • Uncompleted development causing an eyesore • Mechanism for delivering the pavilions • Phasing of development • Overlooking/Lack of privacy (previous layout) • Failure to deliver walkways through the site
7.4	<p>In support:</p> <ul style="list-style-type: none"> • Welcoming a play area for kids
7.5	The above issues are addressed in the main assessment.
8.0	<p><u>ASSESSMENT</u></p> <p><u>Development Plan Context</u></p>
8.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
8.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
8.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan") remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
8.4	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in section 4.0 of the report.

Proposals Maps

- 8.5 Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
- 8.6 In the **Belfast Urban Area Plan 2001** (BUAP), the site and previous phases are outside the development limit. They are within the “Inner Greenbelt” zoning and an “Area of High Scenic Value” (AHSV).
- 8.7 In the **Belfast Metropolitan Area Plan 2015 (v2004)**, the site is located outside the development limit. It is within Lagan Valley Regional Park (LVRP) and an Area of High Scenic Value (AHSV).
- 8.8 In the **Belfast Metropolitan Area Plan 2015 (v2014)**, the site is located outside the development limit and outside the LVRP. However, the site is within an AHSV, and adjacent to Minnowburn Site of Local Nature Conservation Importance (SLNCI). The portion of the site within the development limit was also zoned as Committed Housing. There are Listed Buildings and an Archaeological Site and Monument within the wider Belvoir Park Hospital (BPH) site.
- 8.9 Extracts from proposals maps in the BUAP 2021 and dBMAP (v2004 and v2014), showing the relevant zonings, are reproduced below.





8.10	<p><u>Key Issues</u></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • The principle of housing in this location • Enabling development • Improved open space facilities • Protection of open space and improved open space facilities • Impact on the Historic Environment • Affordable housing • Housing density • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Residential quality and impact on amenity • Provision of open space • Landscape impact including trees • Access and transport • Climate Change • Health impacts • Environmental protection • Natural heritage • Waste-water infrastructure • Flood risk and drainage • Section 76 planning agreement • Pre-Application Community Consultation Report <p><u>The principle of housing in this location</u></p> <p><u>Development outside the development limit:</u></p>
8.11	<p>The site is outside the development limit in the BUAP. The vast majority of the site is outside the development limit in both versions of dBMAP. Outside the development, in the countryside, development is strictly controlled as the Plan Strategy seeks to <i>‘...protect and enhance the character and value of the countryside resource, including for landscape, recreation and nature conservation.’</i></p>
8.12	<p>Policy DC1 sets out general principles for new development in the countryside. There are several strands to the policy. Firstly, that the proposal is supported by justification of rural locational need and demonstrates no significant detrimental impact on rural amenity and environmental quality. All development must ensure no loss or erosion of the rural character of the area. In these regards, there is no locational need for the proposed housing per se and therefore the proposal fails to satisfy this part of the policy. Although for the reasons set out later in this report, it is considered that there would be no significant detrimental impact on rural amenity or environmental quality, nor erosion of the rural character of the area.</p>
8.13	<p>Secondly, for proposals relying on non-mains sewerage, the applicant must demonstrate that this will not create or add to a pollution problem or otherwise threaten environmental quality. In this case, there is no public surface water sewer within 20m of the development boundary, however, access is available via an extension of the existing public surface water sewer. NI Water has stated that the <i>‘downstream catchment is constrained by overloaded sewage infrastructure including one or more Unsatisfactory Intermittent Discharge (UID’s) which are causing a negative impact on</i></p>

	<p><i>the environment</i>. This issue is considered in more detail below. However, it is considered that the matter can be resolved by imposing a pre-commencement condition that requires full details of foul and surface water drainage to be submitted to and approved in writing by the Council.</p>
8.14	<p>Thirdly, all proposals must be sited and designed to integrate sympathetically with their surroundings and meet other planning environmental considerations. New development should seek to cluster with an consolidate existing built development. For the reasons stated later in the report, it is considered that the proposal would integrate sympathetically with its surroundings and satisfy other environmental considerations. The proposal would consolidate and “round off” the existing housing at the former BPH. In conclusion, Policy DC1 is partly but not wholly complied with.</p>
8.15	<p>Policy DC2 relates to housing proposals in the countryside. It states that there is a general presumption against housing unless the proposal accords with the exceptions set out in Policies DC3 to DC10. The proposal does not meet any of these exceptions and therefore does not meet the requirements of Policy DC2.</p>
8.16	<p>The Public Examination of dBMAP (v2004) considered a representation by Belfast Trust to exclude the application site from within the Area of High Scenic Value (AHSV), however, the Planning Appeal Commission’s recommendation was that the lands made a contribution to the AHSV and accordingly did not recommend any change to the zoning. During the examination, the Belfast Trust sought to extend the zoning for “Committed Housing” to include the application site. However, the Commission advised that as this had not formed part of the original representation, it unable to consider the request. The Commission did note that <i>the ‘Department stated that this triangle site slopes down from the 60 m contour to 20 m at Ballylesson Gate and there is a line of trees at the 30 m contour line (outside the western settlement limit) which could contain development - however this is not before us to consider’.</i></p>
8.17	<p>The vast majority of the site remains outside the settlement limits of draft BMAP 2015 (both versions) and the presumption is therefore against development, unless material considerations dictate otherwise.</p>
8.18	<p>The Planning Service’s Plans and Policy team notes the designations as set out in the BUAP and both versions of BMAP as well as comments made by the PAC in the BMAP Public Examination. They advise that the Belfast Housing Land Availability Report (2019/2020) indicates that there is sufficient capacity of more than 20,000 units within the development limit. They note that should officers consider that the viability and enabling development arguments to be acceptable following appropriate scrutiny, that a planning agreement should be obtained to ensure delivery of the conversion of the listed buildings.</p>
8.19	<p><u>Windfall housing</u></p> <p>Policy HOU2 relates to windfall housing. There is a presumption that all new housing development within the plan area will be delivered on previously developed land within the existing urban footprint. The site is outside the development limit in the BUAP and mostly outside the development limit in both versions of dBMAP. The site is outside the urban footprint and is not previously developed land. Therefore, the proposal is contrary to Policy HOU2.</p>

	<u>Enabling development</u>
8.20	Regional planning policy acknowledges that there may be circumstances where development that would not normally be permitted may be justified if it is to enable the long-term future of heritage assets – this is commonly referred to as “enabling development”.
8.21	<p>The SPPS defines enabling development as:</p> <p><i>‘Enabling Development is a development proposal that is contrary to established planning policy and in its own right would not be permitted. Such a proposal may however be allowed where it will secure the long-term future of a significant place and will not materially harm its heritage value or setting. Enabling development typically seeks to subsidise the cost of maintenance, major repair, conversion to the optimum viable use of a significant place where this is greater than its value to its owner or market value’</i> (par. 6.25).</p>
8.22	<p>The SPPS goes onto state:</p> <p><i>‘The justification for allowing the enabling development lies in the over-riding public benefit to the conservation of the significant place and its sustainable future use which would be derived from the implementation of the principal proposal which otherwise would have little prospect of being carried out.’</i> (par. 6.26).</p>
8.23	A key component of the applicant’s case for the granting of planning permission for housing outside the development limit and in contravention of planning policy is that the proposal is enabling development that would fund the restoration of the three remaining undeveloped listed pavilion buildings. These buildings are currently boarded up and in substandard condition. In addition, the applicant is proposing to deliver five of the 33 residential units (15%) as Category 1 social housing; provision of a woodland area and equipped area of open space to benefit residents of the development and wider former BPH complex as a whole; and improved connectivity to Ballylesson Road and into and across the adjacent woodland.
8.24	The enabling development was initially proposed under the policy provisions of PPS 23: ‘Enabling Development for the Conservation of Significant Places’. However, following adoption of the Plan Strategy, PPS 23 is no longer extant. Notwithstanding, the provisions of the SPPS and PPS 23 Best Practice Guidance (BPG) remain.
8.25	Also of note is that following adoption of the Plan Strategy, the provision of affordable housing is now a policy requirement under Policy HOU5. The proposal to provide an element of social housing was originally a “planning gain” as there was previously no such policy requirement. However, the proposal for 15% social housing is actually now below the policy requirement.
8.26	Whilst Policy ED1 of PPS 23 has been superseded, the requirements of the policy are underpinned in the BPG and so the pertinent considerations remain.
	<u>Long-term benefits to the Significant Place</u>
8.27	An important requirement of enabling development is to secure the long-term future of the Significant Place as a whole. The SPPS defines a Significant Place as <i>‘...any part of the historic environment that has heritage value including scheduled monuments, archaeological remains, historic buildings (both statutory listed or of more local significance) together with any historically related contents, industrial heritage,</i>

	<p><i>conservation areas, or a historic park, garden or demesne</i>'. Officers consider that the wider BPH complex with its multitude of heritage assets is the Significant Place in this case and this view is supported by DfC HED.</p>
8.28	<p>The BPG states that enabling development must '<i>avoid detrimental fragmentation of management of the significant place</i>' and further states that '<i>enabling development will not serve its proper purpose if it does not secure the long-term maintenance of the place</i>'. Accordingly, the applicant will be required to manage all the Listed and Scheduled heritage assets within the entire BPH complex in an integrated manner. This will be secured through the submission and implementation of a "Significant Place Management Plan" as part of the Section 76 Planning Agreement.</p> <p><u>Viability and scale of enabling development</u></p>
8.29	<p>The fundamental premise of the enabling development argument is that the three pavilions would not be financially viable for conversion in their own right and that a conservation deficit is present. The three pavilions were granted permission for conversion to housing in previous permissions granted by the Department of the Environment (DoE). However, those permissions did not appropriately control the completion of the works to these Listed Buildings and some of them remain unrestored. Three of the six pavilions have already been converted and, save for the mortuary building, all other listed buildings have either been recently occupied or are due to be occupied in the near future. Due to the condition of the remaining pavilions which will require costly asbestos removal, the applicant contends that it has not been viable to complete the three remaining pavilions.</p>
8.30	<p>The applicant states that the enabling development (i.e. the 33 residential units) is therefore required in order to fund the conversion of those buildings. The BPG requires that a "Statement of Justification" should be submitted including detailed financial viability information to be critically assessed by appropriately qualified professionals.</p>
8.31	<p>The BPG advises that the financial case for enabling development normally rests on there being a conservation deficit. This is when the existing value plus the development cost exceeds the value of the place after development. Development costs obviously include not only repair, but also, if appropriate, conversion to optimum viable use and a developer's profit appropriate to the circumstances. It was agreed that the consideration would not include profitability of previous phases but rather the projected costs for the pavilions, offset by the enabling development to fall within an agreed profit level. The BPG states that a pure entrepreneurial developer will look for an overall return of 15%-20% whilst a builder/developer may seek only a 10% return as there can be additional profits as part of the construction. The more recent Viability SPG advises a minimum profit of 15%.</p>
8.32	<p>The viability information provided with the application has been independently assessed by a consultant acting on behalf of the Council (with the cost met by the applicant). The applicant's financial figures demonstrate a profit margin of 11.6% (based on a loss of 16.04% in restoring the pavilions and a profit of 25.85% in developing the houses). The independent consultant has provided a full analysis and advises that the viability argument provided by the applicant is sound. They confirm that the proposed scale of development is the correct amount that would firstly be necessary, and secondly appropriate to secure the long-term conversion and re-use of the three remaining listed pavilions. This is summarised in the Financial Enabling Narrative Executive Summary which has been uploaded to the Planning Portal and is reproduced at Annex B to this report.</p>

	<p><u>Completion of the enabling works</u></p>
8.33	<p>Whilst the BPG states that the benefit (conversion of the listed buildings) should be delivered before the disbenefit (enabling development), it will be necessary for the applicant to generate income to fund the staged renovation of the pavilions. This point is accepted by the Council's independent viability consultant.</p>
8.34	<p>The Section 76 planning agreement will therefore require the staged completion of the restoration works to the pavilions with a limit on the maximum number of units to be completed/occupied until the first, second and third pavilions are completed.</p>
8.35	<p>In addition, there will be a long-stop period by which all three pavilions will be required to be delivered. This will ensure that all the restoration works will be completed.</p>
	<p><u>Consideration by HED</u></p>
8.36	<p>DfC HED is content with the proposal, which would result in the remaining pavilions brought back into use. It notes that the following provisions are offered by the applicant through a Section 76 planning agreement:</p> <ul style="list-style-type: none"> • Provision and implementation of a <i>Significant Place Management Plan</i> to ensure comprehensive and considered management of the heritage assets within the former BHP complex; • A phasing programme which will ensure that the appropriate triggers for delivering the enabling development (i.e. restoration of the three remaining Listed pavilions) are met; and • Requirement for a separate Listed Building Consent application for the three pavilions to ensure up to date information and surveys are carried out, and that the proposals meet current policy requirements. (BPG advises that the LBC applications should accompany the main application, however, as there are extant approvals, officers consider that it is reasonable to require the submission of a further Listed Building Consent application and will be required prior to the commencement of development.
8.37	<p>Further obligations in the Section 76 planning agreement are set out later in the report.</p>
	<p><u>BPG checklist</u></p>
8.38	<p>Appendix 1 of the BPG provides a checklist for councils, set out overleaf.</p>
8.39	<p>The principle of development relies on the proposal meeting the tests of Paragraphs 6.25 - 6.29 of the SPPS, the consideration of the PPS 23 Best Practice Guidance as well as all other relevant material considerations which are set out in the report below.</p>
8.40	<p>It is considered that the applicant has made a valid enabling case and alongside the other positive aspects of the scheme, this needs to be weighed against the policy conflicts relating to housing outside the development limit and requirement for windfall housing to be delivered on previously developed land.</p>

	<table border="1"> <tr> <td>Survey drawings and reports showing the existing form of the building and associated landscape and how it has developed through time</td><td>Due to asbestos within the buildings and the existence of extant permissions, it is proposed that this can be done and provided prior to the commencement of development</td></tr> <tr> <td>An analysis of the information gathered in the production of a conservation statement</td><td>Provided and assessed.</td></tr> <tr> <td>A conservation statement or plan, defining all aspects of significance of the building and landscape, its vulnerability, and guidelines for sustaining its significance;</td><td>Provided and assessed.</td></tr> <tr> <td>A design and access statement;</td><td>Provided and assessed.</td></tr> <tr> <td>An options appraisal;</td><td>Provided and assessed.</td></tr> <tr> <td>Evidence of market testing;</td><td>Provided and assessed.</td></tr> <tr> <td>Proposals, defined in sufficient detail to understand impact on the significance of the place;</td><td>Provided and assessed.</td></tr> <tr> <td>Impact assessment, including results of detailed targeted investigations to define impact;</td><td>Provided and assessed.</td></tr> <tr> <td>A development appraisal for option proposed</td><td>Provided and assessed.</td></tr> <tr> <td>Suggested heads of terms for planning agreement, including mechanisms for long-term management and maintenance as appropriate;</td><td>Provided and under consideration</td></tr> <tr> <td>A parallel application (if applicable for listed building consent)</td><td>Due to asbestos within the buildings and the existence of extant permissions, it is proposed that this can be done and provided prior to the commencement of development</td></tr> </table>	Survey drawings and reports showing the existing form of the building and associated landscape and how it has developed through time	Due to asbestos within the buildings and the existence of extant permissions, it is proposed that this can be done and provided prior to the commencement of development	An analysis of the information gathered in the production of a conservation statement	Provided and assessed.	A conservation statement or plan, defining all aspects of significance of the building and landscape, its vulnerability, and guidelines for sustaining its significance;	Provided and assessed.	A design and access statement;	Provided and assessed.	An options appraisal;	Provided and assessed.	Evidence of market testing;	Provided and assessed.	Proposals, defined in sufficient detail to understand impact on the significance of the place;	Provided and assessed.	Impact assessment, including results of detailed targeted investigations to define impact;	Provided and assessed.	A development appraisal for option proposed	Provided and assessed.	Suggested heads of terms for planning agreement, including mechanisms for long-term management and maintenance as appropriate;	Provided and under consideration	A parallel application (if applicable for listed building consent)	Due to asbestos within the buildings and the existence of extant permissions, it is proposed that this can be done and provided prior to the commencement of development
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	<p><u>Protection of open space and improved open space facilities</u></p>																						
8.41	The proposal will result in the loss of open space and landscaping within the original BPH complex and therefore Policy OS1 applies.																						
8.42	Policy OS1 supports the retention and improvement of existing open space. There will be a general presumption of retaining all such lands. Development resulting in a loss of open space will only be considered in exceptionally circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. The other exceptions identified in the policy do not apply in this case.																						
8.43	The policy further states that in all circumstances, the council must be satisfied that the loss of any open space would not result in detriment to the overall green infrastructure provision.																						
8.44	All of the site is currently open space and extends to some 2.94 ha. However, 0.59 ha (20% of the total site) would be retained as open space, resulting in a net loss of 2.4 ha of open space. It is considered that the combination of the restoration of the three Listed pavilions; long term management of the Significant Place; provision of improved open space and play facilities; delivery of 15% social housing; and improved connectivity to Ballylesson Road and into and across the adjacent woodland represent a substantial community benefit that decisively outweighs the loss of the open space. In these regards, the proposal is considered to accord with Policy OS1.																						

	<p><u>Impact on the Historic Environment</u></p>
8.45	<p>Section 91(2) of the Planning (Northern Ireland) Act 2011 states that ‘...<i>in considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council or, as the case may be, the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</i>’</p> <p>The SPPS and Policies BH1, BH4 and BH5 apply.</p>
8.46	<p>Policy BH1 is relevant as the proposal represents new development affecting the setting of a listed building. The scheme is in close proximity to the listed buildings on the former Belvoir Park Hospital site, all of which are Grade B2 listed buildings of special architectural and historic interest. The style and architecture of the proposed development is in keeping with the first four phases all of which are in closer proximity to the listed buildings in question. DfC HED was consulted and advises that it is content with the impact of the proposal on the settings of the listed buildings. It is considered that the proposal complies with Policy BH1.</p>
8.47	<p>Policy BH5 pertains to considerations regarding archaeology. The site contains an archaeological monument (DOW 009:033) (Rath) included in the Northern Ireland Sites and Monuments Record (NISMR). This is shown in the early Ordnance Survey maps as a circular clump of trees. The monument may be a purpose-built tree-ring – a feature created as part of the designed landscape associated with Purdysburn House – or may represent a re-used archaeological enclosure. It is considered a site of local importance. Part d of BH5 requires the imposition of conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development including where appropriate, licensing. HED has stated that it has no objections subject to these conditions.</p> <p><u>Affordable housing</u></p>
8.48	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p>
8.48	<p>In this case, the applicant initially proposed a larger scheme of 47 units and this included 20% affordable housing. The proposal was reduced to 33 units in order to address road safety concerns raised by DfI Roads as well as other matters. This has resulted in a reduction of affordable units to 15%.</p>
8.49	<p>Section 5.2.11 of the ‘Affordable Housing and Housing Mix’ Supplementary Planning Guidance (SPG) notes that the Council’s over-riding aim when considering the suitability of alternative affordable housing provision is to secure the maximum viable number of affordable housing units on-site as part of mixed tenure development.</p>
8.50	<p>In January 2022, the Northern Ireland Housing Executive advised that ‘...<i>this proposed development site is located within the Outer East Housing Need Area which has unmet social housing need of 150 units 2021-2026. In Belvoir CLA, there were 80 households in housing stress, 11 of which were older persons.</i>’ The applicant also provided a recent letter from the NIHE (16 January 2024) confirming support for 5 no units for 3-person, 2-bedroom, Category 1 Apartments.</p>

8.51	The applicant provided financial information to demonstrate that it would not be viable to provide more than the five affordable housing units (15%) offered. This information was considered by the Council's independent consultant and found to be acceptable.
8.52	The proposal does not provide a minimum of 20% affordable housing and is therefore contrary to Policy HOU5. However, in view of the viability appraisal and the significant benefits of the scheme in terms as previously described in the report, this is considered acceptable. Regard is also had to the longevity of the application, which was submitted in 2020 before the Plan Strategy was adopted.
8.53	The proposed social housing would need to be secured by way of a Section 76 planning agreement.
	<u>Housing density</u>
8.54	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
8.55	Technically, there are no density bands proposed for sites such as this outside the development limit. The target density for Outer Belfast is 25 to 125 dwellings per hectare (dpa) and for small settlements, 25 to 50 dpa. However, neither apply. Nevertheless, the density of the proposal is a material consideration.
8.56	The site is some 2.94 ha which means that the scheme has a low density of 11.2 dwellings dpa. However, the density is consistent with the character of the existing adjacent housing within the former BPH complex and the layout incorporates areas of green open space, which are considered a positive aspect of the scheme that enables the provision of the enhanced area of open space. Having regard to these factors, the density of the scheme is considered acceptable.
	<u>Housing mix</u>
8.57	Policy HOU6 requires proposals for new residential developments on sites greater than 0.1ha and/or containing 5 or more dwelling units to provide a suitable mix of house types and sizes to promote choice and assist in meeting community need.
8.58	Provision should particularly be made for smaller homes across all tenures to meet future household requirements. The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of: <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities.
8.59	The proposal provides the following housing mix: <ul style="list-style-type: none"> • 5no. 2-bedroom apartments (15%); • 3no. 3-bedroom detached dwellings (9%); and • 25no. 4-bedroom detached dwellings (76%)
8.60	As can be seen, most units are larger 4-bedroom detached houses. There is only a small number of smaller 2-bedroom units and no 1-bedroom units. It is considered that the proposal would not promote choice and assist in meeting community need, contrary to Policy HOU6. However, regard must be had to the other material

	<p>considerations including the enabling development, delivery of the enhanced equipped open space and improved connectivity. The viability information provided with the application demonstrates that the scheme as proposed is viable. Any adjustment of the housing mix to include a larger number of smaller units would likely necessitate increasing overall housing numbers, but this is constrained by the road capacity (the proposal has already been reduced from 45 to 33 residential units) and the objective of limiting overall housing numbers for environmental reasons. On balance, the housing mix is therefore considered acceptable.</p> <p><u>Adaptable and accessible accommodation</u></p>
8.61	<p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet.</p>
8.62	<p>An Adaptable and Accessible Accommodation Statement and Wheelchair Accessibility Statement was submitted in support of the application. Officers are satisfied that the criteria set out in Policy HOU7 are met, including five (15%) of the units designed to wheelchair accessible standards. It is considered that Policy HOU7 is complied with.</p> <p><u>Design and placemaking</u></p>
8.63	<p>The proposal has been assessed against Policies SP5, DES1, DES2 and RD1 of the Plan Strategy, the SPPS and Creating Places. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of development responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials.</p>
8.64	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list eleven criteria, a. to k.</p> <p><i>a. Responding positively to local context and character through architecture and urban form that addresses matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape, materials and any impact on built and natural heritage;</i></p> <p>The proposal has been designed as a coherent extension to the previous phases. It is considered that the proposal responds positively to the local context. This criterion is considered to be satisfied.</p> <p><i>b. Positively reinforcing a sense of place by demonstrating that locally distinctive features have been identified, incorporated and enhanced where appropriate;</i></p> <p>There are numerous features within the site such as the Scheduled path, the protected trees and listed buildings all of which are incorporated and integrated in the overall design and layout. This criterion is considered to be satisfied.</p> <p><i>c. Providing adequate levels of enclosure and continuity to promote clear and understandable urban form which users can orientate themselves around and move through easily;</i></p>

	<p>It is considered that the design and layout have a clear and understandable urban form. This criterion is considered to be satisfied.</p> <p>d. <i>Creating adaptable and well-connected public realm that supports welcoming pedestrian environments;</i></p> <p>The proposal includes linkages between this phase and the previous phases of development as well as a public play area and open space. It would also secure access to Ballylesson Road and adjacent woodland. The road network within the site would include share surfacing providing public realm. This criterion is considered to be satisfied.</p> <p>e. <i>Fostering inclusive design that promotes accessibility, supports safe communities and the natural surveillance of public spaces to reduce the opportunity for crime and anti-social behaviour;</i></p> <p>The proposal is designed so that the public play space and open space is overlooked on three sides by the development, ensuring appropriate surveillance. Dwellings would overlook the internal road network. This criterion is considered to be satisfied.</p> <p>f. <i>Promoting a diversity of land uses that provide active frontages and ensure vibrancy throughout the day</i></p> <p>This criteria is not strictly applicable as the site is a suburban residential scheme.</p> <p>g. <i>Promoting the efficient use of land by the development of densities appropriate to site context;</i></p> <p>The density of the scheme is discussed in the previous sections of the report and is considered suitable for the reasons given.</p> <p>h. <i>Promoting healthy environments and sustainable development that support and encourage walking, cycling and access to public transport that maximises connections to the city's network of green and blue infrastructure;</i></p> <p>The proposal is accessible by public transport links. The application is supported by green measures including travel plan, travel cards, membership of a car club and bicycle parking and repair facilities on site. In addition, pedestrian links to Phase 3, Phase 4 and Ballylesson Road/Minnowburn/Hazel Wood are proposed. The site is not the most sustainable location for new housing, but this is off-set by the positive aspects of the proposal including enabling development, provision of enhanced play space, social housing and improved linkages.</p> <p>i. <i>Maximising energy efficiencies in buildings through the integration of passive design and renewable energy solutions in their layout, orientation, siting and design, provided the technology is appropriate to the location in terms of any visual, amenity or other environmental impact it may have;</i></p> <p>Sustainable measures and building efficiencies are detailed in the following sections of the report. This criterion is considered to be satisfied.</p>
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	<p>j. <i>Ensuring no undue effect on the amenity of neighbouring properties or public spaces by minimising the impact of overshadowing and loss of daylight; and</i></p> <p>The layout was amended to address initial concerns regarding amenity. All dwellings are now considered to be appropriately sited to ensure no undue impact on the amenity of existing or future properties.</p> <p>k. <i>Ensuring that on-site vehicle parking provision and movement, where required, and any external bin storage areas do not have a negative impact at street level which would result in the creation of dead frontage or unnecessary clutter.</i></p> <p>There is no dead frontage as a result of vehicle parking or bin provision. Satisfactory provision is made for bin storage.</p> <p>Policy DES2 states that planning permission will be granted for Major development where it accords with masterplanning principles a. to j.</p> <p>a. <i>Adopt a holistic approach to site assembly, layout and design that is mindful of adjacent sites, where suitable for redevelopment, while avoiding prejudice to future development potential and/or quality where development is of a significant scale and prominence;</i></p> <p>It is considered that the proposal is a considered and complementary extension of previous phases of the residential redevelopment of the former BHP complex.</p> <p>b. <i>Promote opportunities for urban repair and greater connectivity to neighbouring areas by minimising or mitigating physical barriers that create undue effort or separation, informed by feedback from existing communities;</i></p> <p>The proposal offers opportunity to improve the facilities for residents of Phases 1 to 4 whilst increasing connectivity through Phase 5 to Hazel Wood and Ballylesson Road.</p> <p>c. <i>Maximise solutions to deliver energy efficiencies that seek to achieve BREEAM 'excellent' or comparable standard;</i></p> <p>The applicant has provided a climate change statement detailing energy efficiencies and building standards as described later in the report, although BREEAM Excellent standard or equivalent are not proposed.</p> <p>d. <i>Promote higher density residential and mixed use development along city corridors and at gateway locations;</i></p> <p>The proposal does not promote higher densities for the reasons set out in the previous sections of the report.</p> <p>e. <i>Contribute positively to the improvement of the public realm within, and in the proximity of, the development site through the use of high quality hard and soft landscape materials and street furniture;</i></p> <p>The proposal includes high quality landscaping and public realm. It would improve open space facilities for all residents on the former BHP complex.</p>
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	<p><i>f. Include an appropriate landscape management and maintenance plan, early in the planning process, as an integral part of all landscape proposals;</i></p> <p>An acceptable Landscape Management and Maintenance plan has been provided.</p> <p><i>g. Enhance the waterside character and setting of the River Lagan, including the improvement of existing and provision of new access points and new cross river connections where appropriate;</i></p> <p>This criterion relates to the waterside character of the River Lagan and does not apply.</p> <p><i>h. References unique parts of the city through the realisation of key landmarks within prominent or gateway locations;</i></p> <p>The proposal integrates importance features such as the Scheduled path appropriately.</p> <p><i>i. Seek to include where appropriate the provision of public art; and</i></p> <p>A public art scheme will be secured by condition. There is ample space, for example within the areas of open space, to deliver such as a scheme and it could make reference to the historic use of the former BHP.</p> <p><i>j. Seek the retention of existing trees within and around the site and make adequate provision to allow them to mature while ensuring the continuance of tree cover through new tree planting.</i></p> <p>It is considered that existing trees and landscaping will adequately be retained. Impact on trees is covered in more detail later in the report.</p>
8.65	<p>Policy RD1 states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and criteria a. to h. have been met.</p> <p><i>a. Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area;</i></p> <p>It is considered that the proposal would integrate well with previous phases and would be in keeping with their character and layout.</p> <p><i>b. Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance;</i></p> <p>The proposal would not adversely affect the amenity of existing dwellings.</p> <p><i>c. Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure;</i></p>
8.66	<p>The proposal is an extension to the initial phases of housing and is served by public transport. It is close to areas of open space such as Hazel Wood and Dolly's forest as well as being close to the wider Lagan Valley Regional Park. Links will be secured to the wood and Ballylesson Road. However, overall the</p>

	<p>site is not the most sustainable location for new housing. As previously stated, this is considered to be off-set by the benefits of the scheme.</p> <p>d. <i>Provides adequate open space;</i></p> <p>As stated later in the report, satisfactory provision is made for open space as well as enhancement of facilities for existing residents.</p> <p>e. <i>Keeps hard surfacing to a minimum;</i></p> <p>Hard surfacing is limited to the minimum necessary by using shared surface design and with carefully designed locations of incidental open space.</p> <p>f. <i>Creates a quality and sustainable residential environment in accordance with the space standards set out in Appendix C;</i></p> <p>All units meet the space standards as set out in Appendix C with 6 person, 3 bedroom dwellings ranging between 121 – 162 sqm; and 7 person, 4 bedroom dwellings ranging from 151 sqm – 277 sqm.</p> <p>g. <i>Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street;</i></p> <p>All units face onto roads within the development.</p> <p>h. <i>Ensures that living rooms, kitchens and bedrooms have access to natural light;</i></p> <p>All rooms have access to natural light.</p>
8.67	<p>In conclusion, the design and layout of the proposal is consistent with previous phases of the development and considered appropriate. It is considered that the proposal is acceptable having regard to Policies DES1, DES2 and RD1, relevant provisions of the SPPS and Creating Places.</p> <p><u>Residential quality and impact on amenity</u></p>
8.68	<p>Policies DES1, DES2 and RD1 provide policy criteria in relation to requiring a high quality residential environment and that development does not adversely impact on the residential amenity of existing properties including overshadowing, loss of light, outlook and privacy.</p>
8.69	<p><i>Creating Places</i> states that ‘to promote choice for residents a variety of different garden sizes should be provided and back garden provision should therefore be calculated as an average space standard for the development as a whole, and should be around 70 sqm per house or greater’.</p>
8.70	<p>The private amenity spaces for the detached dwellings (excluding any landscape banks) range from 83 to 1,380 sqm and even in cases where there is mature trees or landscaped banks, the minimum usable space exceeds 70 sqm. The variance in the sizes of gardens is due to the topography of the site.</p>
8.71	<p><i>Creating Places</i> advocates that for apartments, external private amenity space of between 10 and 30 sqm per residential unit should be provided. The 5 apartments have shared access to an area of 50 sqm amenity space, equating to an average of 10sqm per apartment. Whilst at the minimum end of the guidance, regard is had to the</p>

	significant areas of open space within the wider BPH complex, including the proposed area of public open space directly opposite the apartments, as well as improved access to the woodland.
8.72	Creating Places advocates a minimum separation of 20 metres between dwellings on low density sites. The separation distance generally exceeds 20 metres. The shortest separation distance is between Unit 27 and the dwelling behind it in Phase 3. In that case, the distance is as low as 18 metres, however, the change in levels, planting and orientation of the dwellings mean that there will be no harmful overlooking as the two ground floor living areas will not be able to look into each other.
8.73	There would be no adverse impacts on amenity by way of overlooking, loss of sunlight/daylight or outlook either between the proposed development and existing adjacent housing, or within the site itself.
8.74	It is considered that Policies DES1, DES3, RD1 and relevant provisions of the SPPS and Creating Places are satisfied.
	<u>Provision of open space</u>
8.75	Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.
8.76	The proposal includes 20% public open space as an overall proportion of the site. This includes a woodland area in the centre of the site with protected trees and a proposed play facility which will facilitate the entire BPH development.
8.77	BCC Landscape Planning and Development team was consulted and consider the woodland play area and landscape management plan to be acceptable. However, they noted that the initial proposals contained two accesses to the adjacent woodland area known as Hazel Wood to the north and that this has been reduced to one. The access point is now a single node which provides connectivity between Phases 4 and 5 as well as access to Hazel Wood and Ballylesson Road. The access and right of way will be secured via the S76 Planning Agreement to ensure wider permeability.
8.78	The proposal is considered compliant with Policy OS3.
	<u>Landscape Impact including trees</u>
8.79	Policy LC1 states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. Policy LC1B states that in addition to complying with the above requirements, development proposals that have a significant adverse impact on the landscape character, visual amenity and environmental quality of AHSVs will not be supported by the LDP.
8.80	The site is within an Area of High Scenic Value (AHSV) in all three relevant development plans. It is also countryside outside the urban area of the city. However, the site is separated from existing open countryside by a mature landscape belt, trees and woodlands, and in that context is generally contained.

8.81	<p>A Landscape Viability Impact Assessment (LVIA) was submitted with the application. The LVIA states that ‘...at a local level the changes that will arise will be consolidated to a very localised and discrete part of the landscape. Where there will be some limited intervisibility with the newly introduced built forms and their presence will be felt in the immediate environment, these elements will be screened by the retained boundary vegetation coalescing with the landscaping in the peripheral parts of the Site’. It goes on to conclude that ‘it is considered that the Proposed Development could be successfully accommodated within the Belvoir Park Hospital Site, with very limited landscape and visual effects upon the Lagan Valley AONB and the Castlereagh Area of High Scenic Value. It would respond effectively to policy directions at a strategic, regional and local level through being well-integrated within established boundaries on a contained site; and with a sensitive and locally characteristic design approach to built-form and retained and reinforced green infrastructure’.</p>
8.82	<p>The BCC Landscape and Development Team advises the following:</p> <ul style="list-style-type: none"> • it agrees with the assertion that there is a perception that the site forms part of the settled area at Belvoir Park Hospital as opposed to being within a countryside setting, despite the site itself being undeveloped; • although the site is located within a landscape of high sensitivity, the proposed development does not occupy a prominent location within the landscape. The main development area is characterised by an enclosed, small-scale landform that forms part of the low-lying river valley landscape surrounding the River Lagan on lands formerly part of the parkland and gardens of Belvoir Park Hospital; • agrees with the significance of landscape effects resulting from the proposed development as detailed in Appendix A.2: Landscape Effects. In the immediate vicinity and the adjacent woodland, the landscape effects are likely to be “Minor” in Year 1, diminishing significantly over time. In the wider landscape, the landscape effects are not likely to be significant; • the landscape proposals have adequately considered the existing landform and woodland cover, with mitigation measures redressing the removal of individual trees. Proposals are enhanced with additional tree and shrub planting, woodland buffers, hedging and open spaces which have considered the existing landscape character and seeks to enhance it; and • content with proposed planting specifications and layouts.
8.83	<p>The proposal is considered to comply with LC1b and criteria a. to h. of Policy LC1 as the proposal responds appropriately to the key built, archaeological and natural heritage considerations within the wider site.</p>
8.84	<p>Policy TRE1 states that the Council will seek to protect existing trees from new development, particularly those that are of visual, biodiversity or amenity quality and significance, and there will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity.</p>
8.85	<p>Having considered the high amenity value of the trees on this site in terms of location, species, screening and buffering, the Council made a Tree Preservation Order with modifications (ref. TPO/2021/0011/LA04) across the entire application site. Existing trees which are surveyed as healthy and in a fair condition should therefore not be removed or impacted upon through any future developments.</p>

8.86	The Tree Officer has concerns about the proximity of Units 6 to 12 to existing trees. As a result, the applicant has been asked to amend the positioning of dwellings as far forward as possible from the root protection zones. Whilst the previous layout met the recommended separation distance, due to the maturity and scale of the trees, it is considered that further distance is necessary to ensure a harmonious environment between the dwellings and the trees. Otherwise, there may be future pressure from residents to fail some of these trees due to concerns about safety and/or overshadowing.
8.87	The Tree Officer also raises concerns regarding the siting of Unit 27 in terms of its proximity to trees and this too has been re-sited. Amended plans have been received that adjust the position of some of the dwellings and final comments are awaited from the Tree Officer. These will be reported to the Committee as a late item.
	<u>Access and Transport</u>
8.88	The proposal has been reduced from 47 to 33 units following concerns raised by DfI Roads about the access arrangements to the site.
8.89	DfI Roads offers no objection to the revised proposal and is content. Although a revised Private Streets Determination (PSD) layout has been submitted by the applicant to accommodate the adjustment of the positioning of some of the dwellings, made to improve the relationship with existing trees (see previous section of the report). The recommendation of this report is therefore subject to DfI Road's further consultation response in relation to the adjustment to the layout.
8.90	The proposal includes two in curtilage spaces per house and eight spaces for the five affordable apartments. This level of parking is considered satisfactory.
8.91	The proposal includes a travel plan and green travel measures including travel cards for three years and membership of a car club, so as to encourage alternative modes of transport. The green travel measures have been found to be acceptable by DfI Roads and would be secured by a Section 76 planning agreement.
8.92	As previously stated, whilst the site benefits from some public transport services, it is not considered the most sustainable location for new housing. However, it is considered that the benefits of the proposal, in terms of the restoration of the remaining three Listed pavilions, enhanced open space provision, delivery of social housing and improved connectivity, outweigh these concerns in the planning balance.
8.93	The proposal is considered acceptable, having regard to Policies TRAN1, TRAN4, TRAN6, TRAN8, and TRAN10.
	<u>Climate change</u>
8.94	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.

8.95	The applicant has provided details on the various sustainable design features which will be incorporated in the development. There is no demolition proposed and so this aspect of Policy ENV2 does not apply.
8.96	<p>All dwellings would be designed to incorporate the following measures:</p> <ul style="list-style-type: none"> • a fabric first approach to energy use and conservation; • high levels of thermal insulation and air tightness to the dwelling envelopes combined with construction detailing; • high efficiency boilers to provide the heat source for space heating and water heating all of which will operate under zoned thermostatic controls to avoid unnecessary energy usage; • dwellings orientated to maximise solar gains with large glazed areas which minimises the need for artificial lighting; • solar panels located on south-facing dwelling rooftops; • naturally ventilated dwellings; • significant areas of soft landscaping (SuDS) to public open spaces as well as in private; • amenity spaces which allows natural ground filtration to absorb water during periods of rainfall and reduction in surface water entering the drainage system and avoidance of potential for flooding; • significant new tree planting • SuDS incorporated as set out in Drainage Assessment; and • Surface water attenuation design with the required storage for a 100 year exceedance storm event
8.97	<p>The Plans and Policy team has assessed the proposals and advised that the above measures meet the requirements of Policy ENV2 and ENV3. They note that appropriate soft SuDS measures should be considered and incorporated. The applicant has agreed to a condition for a final landscaping plan which will incorporate SuDs. Subject to conditions to secure these measures, the proposal is considered compliant with Policies ENV2, ENV3 and ENV5.</p> <p><u>Health impacts</u></p>
8.98	<p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
8.99	<p>The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within walking distance Hazel Wood and Dolly's Forest and is close to the Lagan Valley Regional Park. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. Good levels of private amenity space will be provided within the development including private gardens and communal open space. The design of the scheme considered to be good, which would contribute to the wellbeing of residents.</p>
8.100	<p>The proposal is considered to satisfy the requirements of Policy HC1.</p>

	<u>Environmental protection</u>
8.101	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.
	<u>Contaminated land</u>
8.102	Both DAERA and Environmental Health (EH) has advised that contamination risks can be dealt by way of conditions. These will require submission of a detailed remediation strategy and verification report.
	<u>Air quality</u>
8.103	EH has not raised any concerns with regards to air quality and in this regard the proposal is considered compliant with Policy ENV1.
	<u>Noise</u>
8.104	EH has not raised any concerns with regards to noise and the proposal is considered compliant with Policy ENV1.
	<u>Natural heritage</u>
8.105	Policy NH1 relates to the protection of natural heritage resources. The Council will adopt the precautionary principle when considering the impacts of proposed development on local, national or international natural heritage resources.
	<u>Designated Sites</u>
8.106	The application site is in close proximity to Purdys Burn which flows into the Lagan and is hydrologically connected to Belfast Lough (RAMSAR site) and Special Protection Area (SPA) and Outer Belfast Lough Area of Special Scientific Interest (ASSI).
8.107	The site is also adjacent to Minnowburn Site of Local Nature Importance (SLNCI) and contains hedgerows and a watercourse which are Northern Ireland Priority Habitats (NIPH).
8.108	The site is within an Area of High Scenic Value (AHSV) as detailed in the landscape section above.
	<u>Protected Species</u>
8.109	Following advice from DAERA Natural Environment Division (NED), surveys and confirmation of trees with bat roost potential was requested and provided. Subject to retention of important trees, NED is content subject to a condition regarding lighting.
8.110	The presence of protected birds has been confirmed and NED is content subject to a condition restricting construction to outside the bird nesting season.
8.111	With regards to badgers and otters, NED is content subject to a condition requiring the submission and implementation of a Construction Environmental Management Plan (CEMP).

	<u>Habitats Regulations Assessment</u>
8.112	The site is hydrologically linked to the environmental protected Belfast Lough. In view of the objection from NI Water and its concerns about environmental pollution due to concerns about waste-water infrastructure capacity, the Council is required to undertake an Appropriate Assessment to assess the potential impacts of the proposal.
8.113	Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.
8.114	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NI Water to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a “significant effect” on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. SES has therefore been requested to undertake an Appropriate Assessment on behalf of the Council.
8.115	<p>SES has carried out an Appropriate Assessment, which concludes that the proposal would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. This is subject to conditions to mitigate the impacts of the proposal. The conditions require the following.</p> <ul style="list-style-type: none"> • prior agreement of the method of sewage disposal; • a defined buffer of at least 10 m maintained between the location of areas used for refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc and the watercourses bordering the northern and southern edges of the application site; and • submission, approval and implementation of a final Construction Environmental Management Plan (CEMP).
8.116	It is recommended that the Council adopts the Appropriate Assessment.
8.117	Subject to the conditions advised by SES and DAERA, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
	<u>Waste-water infrastructure</u>
8.118	NI Water has objected to the application on grounds of insufficient waste-water capacity. Whilst there is currently sufficient capacity at the waste-water treatment plant, it has identified network capacity issues. NI Water advises that the downstream catchment is constrained by overloaded sewerage infrastructure. It advises that this poses potential significant environmental risks as well as detriment to existing properties. NI Water welcomes further discussions with the applicant on this issue and advises the applicant to submit a Waste Water Impact Assessment to it. Conditions are recommended in the event that planning permission is granted.

8.119	Notwithstanding its objection, NI Water has to date not provided robust evidence to support its specific objection including demonstration of actual specific impacts resulting from individual proposals that stems from its broad concerns.
8.120	Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
8.121	The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission.
8.122	Having regard to Policy SP1a, for the reasons set out above, the proposal is considered acceptable.
	<u>Flood risk and drainage</u>
8.123	The site is located outside the floodplain. The application is supported by a Drainage Assessment. DfI Rivers was consulted and subject to a condition requiring approval of a final drainage assessment and detailed drainage network design, offers no objection.
8.124	DAERA NIEA: Water Management Unit was consulted and are content subject to a condition requiring confirmation of consent to discharge prior to commencement of development.
8.125	Subject to appropriate conditions, the proposal is considered compliant with Policy ENV4 and relevant provisions of the SPPS.
	<u>Section 76 planning agreement</u>
8.126	<p>Should planning permission to be granted, it should be subject to a Section 76 planning agreement to secure the following obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • The carrying out of further surveys of the three remaining Listed pavilions and the submission of further application/s for Listed Building Consent as necessary. This is to ensure the most appropriate renovation scheme, which respects the architectural and historic qualities of the buildings; • To require the enabling works to the three remaining Listed pavilions in accordance with the applicable Listed Building Consent/s; • The submission and implementation of a Conservation Management Plan for the Significant Place; • Provision of at least five of the units as social housing (Category 1 active elderly) or such other form of social housing to be first agreed by the Council; • Implementation of the Travel Plan; • Implementation of specific green travel measures – travel cards for 3 years and membership and promotion of a car club; • Delivery, management and maintenance of the equipped area of open space; • Management of the open space and common parts of the site; and.

	<ul style="list-style-type: none"> Provision of access and right of way for the public to the pedestrian link from the site to Ballylessan Road and into and across the adjacent woodland. <p><u>Pre-Community Consultation</u></p>
8.127	For applications for Major development, applicants are required by legislation to consult the community in advance of submitting the application.
8.128	Applicants are also required to submit to the council a 'Proposal of Application Notice' (PAN) in advance, which sets out the proposals for the pre-community consultation. A PAN was submitted in October 2017 (LA04/2017/2298/PAN) and was confirmed by the Council to be acceptable.
8.129	<p>The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which includes details of public meetings, stakeholder and householder flyers and the public advertisement. 25 people attended and three feedback forms were submitted with the main points summarised below:</p> <ul style="list-style-type: none"> welcomed the reduced density of the housing; requested a children's play area; expressed concern regarding traffic; wished to see an openable pedestrian access onto Ballylessan Road; and querying the provision of social housing
8.130	The PACC report details the ways in which the above feedback has been considered and it is considered compliant with the legislative requirements.
9.0	<u>Conclusion and Recommendation</u>
9.1	Whilst the proposal is in conflict with policies that direct new housing to previously developed land within the development limit and protect the countryside, as well as conflict with some other policies in the Plan Strategy, this has to be balanced against the benefits of the scheme. Primarily, this includes restoration of the three remaining undeveloped Listed pavilions, but also the provision of enhanced open space facilities for new and existing residents; delivery of social housing; and improved connectivity to Ballylessan Road and into and across the adjacent woodland. Although the site is outside the development limit, regard is had to the limited visual impact that the proposal would have on the countryside and wider landscape. When applying the planning balance, it is considered that the benefits of the proposal outweigh the negatives. It is therefore recommended that planning permission is granted.
9.2	Having regard to the Development Plan and relevant material considerations, and in the planning balance, it is considered that the proposal is acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
9.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise including from the final consultation responses from DfI Roads and Tree Officer, provided that they are not substantive.

10.0	<p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. All external facing and roofing materials shall be carried out as specified on the approved plans.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p><u>DESIGN AND PLACEMAKING</u></p> <p>3. Notwithstanding the submitted details, no development shall commence unless final details of climate change measures to mitigate and adapt to climate change have been submitted to and approved in writing by the Council. The development shall not be occupied unless the climate change measures have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p> <p>4. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a Public Art Scheme have been submitted to and approved in writing by the Council. The scheme shall include details of individual public art installations, proposals for future management and maintenance, and a programme for implementation. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: In the interests of place making and the amenities of the area. Approval is required upfront because public art may be integral to the design and layout of the scheme.</p> <p><u>Environmental Health</u></p> <p>5. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy must provide final details of how the outline remedial proposals contained within the RSK Ireland Ltd report entitled 'Neptune Group, Updated Remedial Strategy, Lands at Former Belvoir Park Hospital, Phase 5' (dated July 2021 and referenced 602881-R3 (00)) are to be implemented on the site. The Remediation Strategy shall follow current Environment Agency and CIRIA guidance and British Standards and must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remediation works are to be verified.</p> <p>The development shall not be carried out unless in accordance with the approved Remediation Strategy.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
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6. Prior to occupation, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

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

7. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

DfC Historic Environment Division

8. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council.

Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.

9. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition **[X – insert number of condition above]**.

These measures shall be implemented, and a final archaeological report shall be submitted to the Council within **six months** of the completion of archaeological programme of works.

Reason: To ensure that the archaeological remains and features are properly analysed and recorded.

DAERA Regulation Unit Land and Groundwater Team

10. The development hereby permitted shall not be occupied until the remediation measures as described in the RSK Ireland Ltd, Updated Remedial Strategy Report, Ref 602881-R3 (00) have been implemented and a Verification Report to confirm the same has been submitted to and approved in writing by the Council.

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

11. If during construction, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified and a remediation strategy shall be submitted to and approved in writing by the Council. The development shall not be occupied unless a Verification Report that confirms the same has been submitted to and approved in writing by the Council.

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

Natural Environment Division

12. No development or works shall commence on site (including site clearance, site preparation, demolition and the formation of foundations and trenches) unless a Final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council.

The Final CEMP shall include:

- a) Construction methodology and timings of works;
- b) Pollution Prevention Plan, including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;
- c) Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures; and
- d) The precautionary ecological mitigation recommended in NEDs responses, dated 11/02/2023, including preconstruction checks for badger and otter, and the soft-fell of trees with low bat roost potential.

No development or works shall be carried out unless in accordance with the Final Construction Environmental Management Plan.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

13. No external lighting shall be erected or installed unless in accordance with a Lighting Plan that has been first submitted to and approved in writing by the Council.

The Lighting Plan shall include:

- a) The specifications of lighting to be used across the site, including model of luminaires, location and height;
- b) All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, e.g. timing of lighting, use of low level lighting, screens, hoods, cowls etc.
- c) A horizontal illuminance contour plan (isolux drawing) showing predicted light spillage across the site;
- d) Predicted illuminance on the Minnowburn SLNCI, retained trees/hedgerows, and the riparian habitat to be less than 1 lux.

Reason: To minimise the impact of the proposal on bats and other wildlife.

14. No vegetation clearance, removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive in any calendar year, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds.

Reason: To protect breeding birds.

DFI ROADS

15. The development hereby approved shall not be occupied until the parking, circulation and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site.

16. No development hereby approved shall not be occupied unless the access, including visibility splays and any forward sight lines, have been provided in accordance with the approved plans. The access and visibility splays shall be retained in accordance with the approved plans at all times.

Reason: To ensure safe and convenient access to the development.

17. The access gradients to the dwellings and apartments hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: In the interests of highway safety.

	<p>18. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. [TBC].</p> <p>Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>19. No residential unit on Road 1 (as identified on the approved plans) shall be occupied unless Vehicle Restraint System has been constructed in accordance with details that shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of highway safety.</p> <p>20. No dwelling or apartment shall be occupied until that part of the service road which provides access to it has been constructed to base course.</p> <p>Reason: To ensure appropriate access to the development.</p> <p><u>SHARED ENVIRONMENTAL SERVICES / DFI RIVERS / NI WATER</u></p> <p>21. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p><u>SHARED ENVIRONMENTAL SERVICES</u></p> <p>22. A buffer of at least 10 metres must be maintained between the location of areas used for refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and the watercourses bordering the northern and southern edges of the application site.</p> <p>Reason: To ensure the project will not have an adverse effect on the integrity of any European site.</p> <p>23. No development or works shall commence on site (including site clearance, site preparation, demolition and the formation of foundations and trenches) unless a Final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. This shall reflect the mitigation and avoidance measures to be employed for pollution control and protection of water quality as detailed in the Outline Construction Environment Management Plan (RSK, March 2024), Remedial Strategy (RSK, July 2021). No development or works shall be carried out unless in accordance with the Final Construction Environmental Management Plan.</p>
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Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

TREES AND LANDSCAPING

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

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

25. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new 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 Council.

Reason: In the interests of visual amenity.

26. The works hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan. The measures set out in the Tree Protection Plan shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity.

27. No works shall be carried out on site unless written notification has been given to the Council at least 14 days prior to the commencement of works.

Reason: To enable the Council to verify that the tree protection measures have been appropriately carried out.

28. Any excavation within Tree Protection Areas shall be carried out using non mechanised hand tools only. All roots that are uncovered during excavation and which are in excess of 2.5cm in diameter shall be protected and treated in accordance with BS 3998: 2010 Recommendations for Tree Work [or any guidance revoking and/or re-enacting it) and foundations bridged around them.

Reason: To safeguard existing tree(s) in the interests of visual amenity.

29. If roots are accidentally damaged the Council must be immediately notified in writing and given the opportunity to inspect the damage before it is covered over. The roots must be wrapped in wet hessian wrap until the arrival of an arborist or Council. Remedial works to roots/trees shall be submitted to and agreed in writing by the Council before development that

	<p>affects the roots proceeds. The development shall not proceed unless in accordance with the approved details.</p> <p>Reason: To safeguard existing tree(s) in the interests of visual amenity.</p> <p>INFORMATIVES</p> <p>NOT01 Drawing Numbers This decision relates to the following approved drawing numbers: [TBC]</p> <p>NOT04 Section 76 planning agreement This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations:</p> <ul style="list-style-type: none"> • Further surveys and restoration of the three remaining Listed pavilions • Submission and implementation of a Conservation Management Plan for the Significant Place; • Provision of five of the units as social housing (Category 1 active elderly); • Implementation of the Travel Plan and green travel measures;; • Delivery, management and maintenance of the equipped area of open space; • Management of the open space and common parts of the site; and • Provision of access and right of way for the public to the pedestrian link from the site to Ballylesson Road and Hazelbank Wood. <p>NOT02 Compliance with planning permission Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>NOT03 Discharge of condition(s) This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>NOT05 Non-planning requirements The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.</p> <p>NOT06 Protected Species The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:</p> <ol style="list-style-type: none"> a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;
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	<ul style="list-style-type: none"> b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. <p>If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.</p>
11.0	Representations from Elected Representatives (if relevant) N/A
12.0	Referral to DfI (if relevant) N/A

ANNEX A	
Date Valid	16.12.2020
Date First Advertised	15.01.2021
Date Last Advertised	02.02.2024
Details of Neighbour Notification (all addresses) 21 Lady Ishbel Avenue, Belfast, BT8 8FR 20 Lady Ishbel Avenue, Belfast, BT8 8FR 26 Lady Ishbel Avenue, Belfast, BT8 8FR 27 Lady Ishbel Avenue, Belfast, BT8 8FR 23 Lady Ishbel Avenue, Belfast, BT8 8FR 41-43 Ballycairn Presbyterian Church, Ballylessan Road, Belfast 2 Haddo Lane, Belfast, Down, BT8 8FU 8 Haddo Place, Belfast, Down, BT8 8FY 3 Haddo Place, Belfast, Down, BT8 8FY 18 Lady Ishbel Avenue, Belfast, BT8 8FR Ballycairn Presbyterian Church, 39 Ballylessan Road, Belfast 4 Haddo Lane, Belfast, Down, BT8 8FU 22 Lady Ishbel Avenue, Belfast, BT8 8FR 19 Lady Ishbel Avenue, Belfast, BT8 8FR 29 Lady Ishbel Avenue, Belfast, BT8 8FR 5 Haddo Place, Belfast, Down, BT8 8FY 4 Haddo Place, Belfast, Down, BT8 8FY 9 Haddo Place, Belfast, Down, BT8 8FY 17 Lady Ishbel Avenue, Belfast, BT8 8FR 25 Lady Ishbel Avenue, Belfast, BT8 8FR 28 Lady Ishbel Avenue, Belfast, BT8 8FR 2 Haddo Place, Belfast, Down, BT8 8FY 16 Lady Ishbel Avenue, Belfast, BT8 8FR 1 Haddo Place, Belfast, Down, BT8 8FY 24 Lady Ishbel Avenue, Belfast, BT8 8FR 7 Haddo Place, Belfast, Down, BT8 8FY 15 Haddo Crescent, Belfast, Down, BT8 8FX 6 Haddo Place, Belfast, Down, BT8 8FY 14 Lady Ishbel Avenue, Belfast, BT8 8FR 3 Ishbel Mews, Belfast BT8 8FZ 10 Lady Ishbel Avenue, Belfast, BT8 8FR 5 Ishbel Mews, Belfast BT8 8FZ 14 Haddo Woods, Belfast BT8 8FS	
Date of Last Neighbour Notification	05.05.2024
Date of EIA Determination	19th January 2021
ES Requested	No

ANNEX B

CLYDE SHANKS

Planning Development

Second Floor, 7 Exchange Place, Belfast BT1 2NA
t | 028 9043 4393
e | enquiries@clydeshanks.com
clydeshanks.com

BRIEFING NOTE

CLIENT	Belvoir Park LLP
PROJECT	Belvoir Park Phase 5 (planning ref. LA04/2020/2607/F)
JOB REF	NEP1005
DATE	2 nd August 2023

Appendix 1: FEN Executive Summary

Site Address/Location of development	Lands at the rear of the former Belvoir Park Hospital, Hospital Rd, Belfast
Description of Development	Residential development for the erection of 33no. dwellings (including 5no. apartments for over 55 active elderly persons) also comprising public open space, equipped children's play area and associated development. Restoration and conversion of three Listed Pavilion Buildings
Zoning ref. if applicable (see Local Policies Plan)	N/A

Summary of key assumptions in Site-specific Viability Assessment:				
Summary of housing mix (by tenure type and size)				
Phase 5:				
No of units	No of bedrooms / occupants	Size (sqm)	Type of unit	Tenure
5	2 bedroom / 3 person	69 – 81	Apartment	Social (Active Elderly)
3	3 bedroom / 6 person	121 – 162	Detached dwelling	Private
5	4 bedroom / 7 person	151	Detached dwelling	Private
20	4 bedroom / 8 person	155 – 277	Detached dwelling	Private

| ENERGY | RETAIL | LEISURE | RESIDENTIAL | WASTE | COMMERCIAL | AGRI-FOOD |

Registered Address: Clyde Shanks Limited, 10 Pilots View, Heron Road, Belfast BT3 9LE. Company Registration No. N1606619

Unrestored Pavilion Buildings:				
No of units	No of bedrooms / occupants	Size (sqm)	Type of unit	Tenure
3	2 bedroom / 4 person	150	Townhouse	Private
12	3 bedroom / 6 person	152 – 312	Townhouse	Private

Assumption	Amount
A) Development Value	
Gross Development Value	£22,965,000
B) Land costs	
Benchmark Land Value (including landowner premium)	£0
C) Construction and development costs	
Construction Costs	£16,894,464
Professional Fees	£1,228,098
Marketing	£65,000
Disposal Fees	£325,925
Contingencies	£946,957
Abnormal Costs (factored into build costs)	£0
Total construction and development costs	£19,460,444
D) Finance	
Finance Cost	£1,116,931
E) Profit	
Developer profit	£2,387,625
Profit as a % return	11.6%
F) = B + C + D + E	Total cost £22,965,000
Viability	
Residual land value (headroom) (A-F)	£0

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 th March 2024	
Application ID: LA04/2023/3778/F	Target Date:
Proposal: Demolition of existing Russell Court buildings and redevelopment of existing surface car park to accommodate two new buildings (five storey and four storey) for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing.	Location: 38-53 Lisburn Road, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Queen's University Belfast, Belfast BT7 1NN	Agent Name and Address: Juno Planning, 409 Lisburn Road, Belfast BT9 7EW
<p>Executive Summary:</p> <p>This application relates to Nos. 38 to 53 Lisburn Road and two parcels of land either side of the road. The application seeks full planning permission for the erection of four and five storey advanced clinical healthcare buildings to either side of Lisburn Road.</p> <p>The proposal involves demolition of the existing Russell Court buildings and redevelopment of existing surface car park to accommodate two new buildings (five storey and four storey) for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing.</p> <p>The key issues for consideration of the application are:</p> <ul style="list-style-type: none"> • Principle of development • Demolition • Impact of the new buildings on the character of the Area of Townscape Character • Impact on amenity • Built heritage • Climate change • Health impacts • Access and parking • Natural heritage • Drainage and Waste-Water Infrastructure • Noise, odour and other environmental impacts • Trees and landscaping • Employability and Skills 	

Statutory Consultees, as well as BCC Environmental Health and Landscape and Development team have raised no objections subject to conditions. DfI Roads has raised no issues of concern but requested amended technical information. BCC Tree Officer, Urban Design Officer and conservation advice have raised issues regarding loss of existing trees and some aspects of the design of the buildings.

No third-party representations have been received.

Both sites fall within the development limits of Belfast in the Belfast Urban Area Plan 2001 (BUAP) and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) (dBMAP). The sites fall within un-zoned “white land” in BUAP, whereas Site B is within the Lower Lisburn Road Area of Townscape Character in both versions of dBMAP. The Lisburn Road is defined as an Arterial Route.

The proposed development will establish an Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health). The facilities are to be led by QUB in partnership with the NHS, in line with the Belfast Region City Deal. The principle of development of the site for these purposes is acceptable.

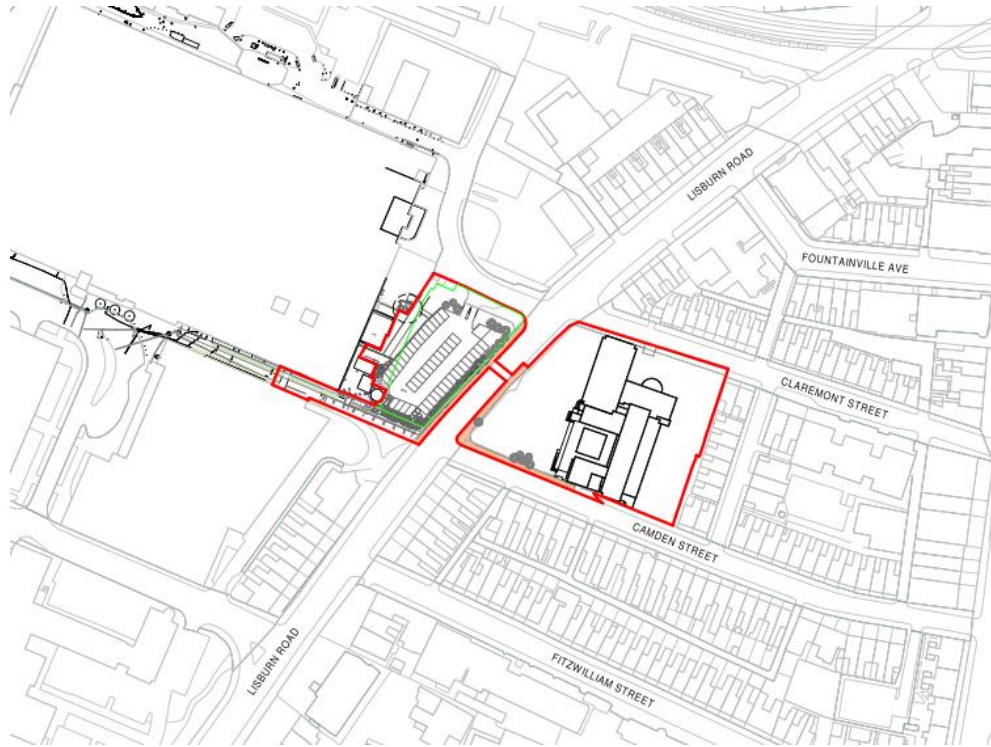
The design of the proposal is considered in keeping with the area. Sufficient parking would be provided and there will be no unacceptable impacts on nearby residential properties. The setting of the adjacent Grade B1 Listed terrace would be safeguarded. On balance, taking account of the considerable benefits of the proposal, the loss of some existing trees is acceptable.

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

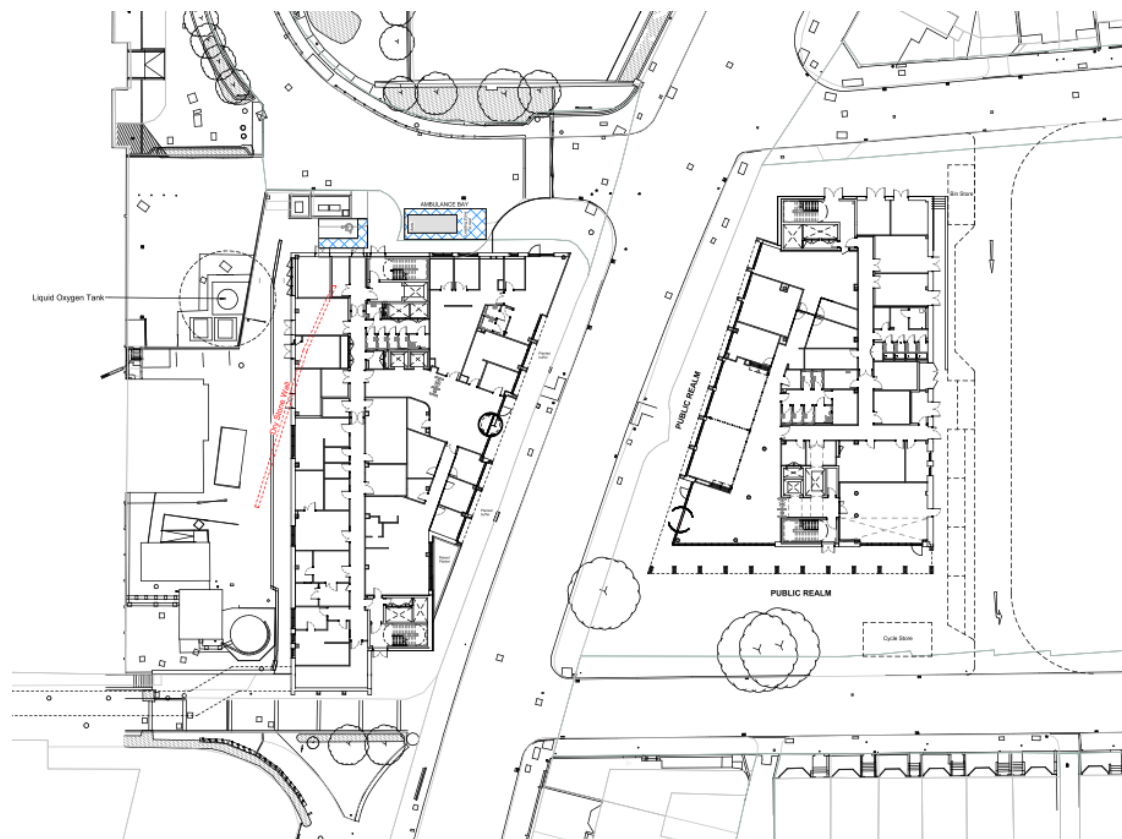
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision including the further consultation response from DfI Roads, provided that they are not substantive.

1.0 Drawings

Site Location Plan



Proposed Block Plan



Aerial image



CGI image (Site A)



CGI Image (Site B)



2.0 Characteristics of the Site and Area

- 2.1** The application site measures approximately 0.82 ha and is located at Nos. 38-52 Lisburn Road, Belfast. It is divided into two separate parts located on either side of the road, referred to as “Site A” and “Site B”. Site A has a frontage to the north-west side of Lisburn Road and comprises an existing car park and forms part of the Belfast City Hospital complex with its much larger buildings behind. Site B (the larger of the two plots) has a frontage to the south east side of Lisburn Road and is located opposite. It consists of Russell Court buildings, previously used by Radius Housing Association for housing.
- 2.2** The elevated hard-standing car park to Site A contains tree and shrub planting along the Lisburn Road boundary, with a cluster of trees to the south-east corner beside an existing bus shelter. Site B consists of extensive hard-standing car park with limited soft landscape elements, however, there are 3 large trees to the south.
- 2.3** Site B is within the Lower Lisburn Road Area of Townscape Character (ATC).
- 2.4** The terrace properties, Nos. 77 to 95 Lisburn Road, to the south of Site A are Grade B1 Listed Buildings.

3.0 Description of Proposed Development

- 3.1** Full planning permission is sought for the demolition of the existing Russell Court buildings and re development of existing surface car park to accommodate two new buildings (five storey and four storey) for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing.

3.2	iREACH Health is an integrated clinical research centre led by Queen's University Belfast to develop, test, and deliver innovative new treatments and better clinical care. This new centre, located beside Belfast City Hospital, would provide state of the art infrastructure, including co-location of key service delivery groups to support delivery of clinical trials and lifesaving health innovations.
4.0	Planning Assessment of Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other material considerations Developer Contribution Framework (2020) Belfast Agenda (Community Plan)
4.5	Relevant planning history
4.6	There is no recent relevant planning history on either site other than a Proposal of Application Notice (PAN) application (LA04/2023/2626/PAN). Since the proposals fall under the category of Major development, Pre-Application Community Consultation (PACC) was necessary and a PAN application required to set out the applicant's proposals for the consultation. The resulting PACC report states that 12 people attended the public event, with five feedback forms completed from local residents indicating support for the project and welcoming the demolition of Russell Court buildings.
4.7	A PAN has also been submitted for the site next to Site B to the east (LA04/2023/4591/PAN) for "Redevelopment of the site for the erection of a mixed-use development comprising Use Class B1: Business and Use Class, D1: Community and Cultural Uses, including landscaping, parking, and servicing." The event took place in January 2024. No application has been submitted subsequent to the PAN.
5.0	Consultations and Representations
5.1	Statutory Consultees DFI Roads – technical issues to be addressed NI Water – No objection DfI Rivers – No objection DfC Historic Environment Division (Historic Buildings) – No objection subject to conditions DfC Historic Environment Division (Historic Monuments) – No objection subject to conditions DAERA Water Management Unit – No objection subject to conditions DAERA Regulation Unit – No objection subject to conditions DAERA Natural Environment Division – No objection

5.2	Non Statutory Consultees BCC Environmental Health – no objection subject to conditions BCC Urban Design – previous design concerns have been resolved, however, concerned about removal of trees (see main assessment) BCC Conservation advice – some design concerns raised (see main assessment) BCC Tree Officer – concerns about loss of trees BCC Landscape, planning and development – no objection Representations
5.3	The application has been neighbour notified and advertised in the local press. No third-party representations have been received.
6.0	Planning Assessment
6.1	Development Plan Context
6.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below.
6.6	Policy SP1 – Growth strategy Policy SP1a – Managing growth and supporting infrastructure Policy SP2 – Sustainable development Policy SP3 – Improving health and wellbeing Policy SP5 – Positive placemaking Policy SP6 – Environmental resilience Policy SP7 – Connectivity Policy SP8 – Green and blue infrastructure network
6.7	Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas
6.8	Policy DES1 – Principles of Urban Design Policy DES2 - Masterplanning approach for major development Policy HC1 – Promoting Healthy Communities Policy BH1 – Listed Buildings Policy BH3 – Areas of Townscape Character Policy BH5 – Archaeology

6.9	Policy EC1 – Delivering inclusive economic growth Policy EC7 – Higher education institutions
6.10	Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable urban drainage systems (SuDS)
6.11	Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN3 – Transport Assessment Policy TRAN4 – Travel Plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy TRAN9 – Parking standards within areas of parking restraint
6.12	Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources
7.0	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The relevant zonings are set out below.
7.1	BUAP 2021 – both sites are within the BUAP and are un-zoned “white land”.
7.2	dBMAP (v2004) – both sites are within the development limit. Site B falls within Lower Lisburn Road Area of Townscape Character (BT 059) (but not Site A.) Lisburn Road is also defined as an Arterial Route.
7.3	dBMAP2015 (v2014) – both sites are also the development limit. Site B falls within Lower Lisburn Road Area of Townscape Character (BT 042) (but not Site A). Lisburn Road remains defined as an Arterial Route.
8.0	Key issues
8.1	The key issues to be considered in the assessment of this application are: <ul style="list-style-type: none"> • Principle of development • Demolition • Impact of the new buildings on the character of the ATC • Impact on amenity • Built heritage • Climate change • Health impacts • Access and parking • Natural heritage • Drainage and Waste-Water Infrastructure • Noise, odour and other environmental impacts

	<ul style="list-style-type: none"> • Trees and landscaping • Employability and Skills
9.0	Principle of development
9.1	The proposed development would establish an Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health). The facilities are to be led by QUB in partnership with the NHS, in line with the Belfast Region City Deal. The iREACH Health developments will bring together the academic, industry, NHS and government stakeholders to create an alignment of academic insight, industrial capability and patient and clinician input to deliver better treatments and create products and technologies. The proposal has been designed to make provision for suitable healthcare facilities, in line with the aims of the Belfast Region City Deal.
9.2	Both sites are within the development limit and are a sustainable location for new development, located either side of Lisburn Road, which is an arterial route with good access to public transport, shops and services. The sites are previously developed land. Site A is proposed to accommodate the Translational Clinical Research Facility, whereas Site B is proposed for the Clinical Research Innovation Centre and will accommodate the principal shared facilities, to encourage collaborative working.
9.3	Policy EC1 supports business sectors with strong growth potential in Belfast including life and health sciences and the proposals are consistent with this policy.
9.4	<p>In line with the aims of the RDS 2035 to strengthen the role of the Belfast Metropolitan Urban Area (BMUA) as the regional economic driver, the proposal would create a number of economic benefits through increased investment. Below is summary of the key economic benefits the project will create:</p> <ul style="list-style-type: none"> • 964 permanent jobs (direct, indirect and induced) • £60.3m additional annual GDP • £761.4m economic NPV (lifetime of the project) • 10.1% productivity uplift over 10 years • Approximately 460 FTE work years, over the course of the construction phase.
9.5	The proposal is considered to meet the aims of the RDS 2035, by creating a development which would bring substantial economic benefits and investment to underutilised sites within the BMUA, while making use of the existing infrastructure within the surrounding area.
9.6	Policy EC7 relates to higher education institutions. The applicant is Queens University and the proposals are a partnership with the university. The proposals are supported by Policy EC7, which states that the Council will promote the growth and expansion of further and higher education institutions as drivers of improved skills by promoting these institutions as employment hubs for the innovation sector and the wider knowledge economy.
9.7	Having regard to these factors, the proposals are acceptable in principle and welcomed.

9.8	Demolition
9.9	Policy ENV2 states that for environmental reasons, development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused.
9.10	The application is supported by a Demolition Justification Statement. This states that the retention of Russell Court was considered, however, this presented a range of challenges, including the building not being suitable for laboratory use; existing utilities are out of date requiring total replacement throughout; and the structural frame would require significant remedial works to extend the life and amend it suitably for the proposed use. The proposals are for bespoke high-tech buildings and retention of the existing building is not considered feasible. Construction waste would be minimised through the Sustainable Procurement Plan. It is considered that the proposal is compliant with this aspect of Policy ENV2.
9.11	Site B is within an ATC, which means that planning permission is required to demolish Russell Court. However, the building is dated, of its time and something of an anomaly in the street-scene in terms of its scale, form and architectural treatment. The building does not contribute to the character of the ATC, which would be maintained following its removal. Conservation advice raises no objection to the demolition of the building. The proposal is considered compliant with Policy BH3.
9.12	Impact of the new buildings on the character of the ATC
9.13	The proposal was subject to a detailed PAD process as well as amendments during the processing of the planning application, which have refined the design of the scheme. This report refers to its most recent submission.
9.14	Both proposed buildings are of similar modern design with brick lower podiums and cladded upper elements. They have been designed as a cohesive pair.
9.15	Block A comprises two floors at a triangular podium level, three upper floors and one enclosed plant level, whereas Block B is lower in height comprising two floors again at a triangular podium level, two upper floors and one enclosed plant level. Both two storey podium levels measure the same height at 8.2m, and upper heights are 23.2m and 19.4m respectively.
9.16	Block A has significant physical site constraints to the north and west of the site within the City Hospital complex. These include an existing oxygen tank exclusion zone; proximity to an existing water storage tank; the need to provide a way leave in front of the proposed new NIE substation included within the building; requirement for a new storm water attenuation tank; and servicing. It has therefore presented more difficulty in achieving a setback from the road than Block B. The initial design concept saw both buildings too close to Lisburn Road, therefore, creating an undesirable and claustrophobic “tunnelling” effect, which also interrupted views of the Listed terrace to the south of Site A. The latest iteration of the plans show an appropriate set back of Block A with public realm to the front, which is welcomed. Block B, which is less constrained, includes a larger area of public realm along Lisburn Road and Camden Street between 6.5m and 8.5m which provides a strong setting to the building as well as enhanced connectivity, and is welcomed.
9.17	The scale and form of the buildings are considered appropriate. The building on Site A is set to a backdrop of the much larger City Hospital buildings, plant and paraphernalia and would have a positive impact in terms of screening those elements. Site B is located next to smaller scale traditional Victorian housing, but the step down on the eastern end and

	<p>general separation distances help to integrate the building in the street scene. Regard is also had to the much larger Russell Court currently situated on Site B.</p>
9.18	<p>Block A includes a bridge link on the south side linking to the adjacent City Hospital building. This is an important functional element of the design and required for enabling vulnerable patients to partake in iREACH studies without leaving hospital buildings. The design of the bridge link has been re-worked and is now better integrated into the form and design of the overall building. The Urban Design Officer emphasised the importance of the lower podium having a strong physical and visual prominence along Lisburn Road, with the taller set back element being visually subordinate. HED HB comments emphasised this is an important part of the development which shall be seen in juxtaposition with the Grade B1 Listed terrace when approaching from the south along Lisburn Road.</p>
9.19	<p>A lack of vertical shifts in form and articulation of facades was highlighted relating to both blocks following the initial submission, particularly on the north elevation of Block B. This has been addressed by the addition of windows on ground and first floor as on Block A, as well as greater depth to cladding resulting in deeper expression on the facades. Rusticated joint treatments have been introduced on both blocks, which will help give visual relief. The Urban Design Officer has raised no further concerns, with the exception of the loss of trees (discussed later in report).</p>
9.20	<p>The proposed external materials are a mix of red brick, with feature brickwork, curtain walling, and a feature PPC aluminium panel system. These complement the red tones of the traditional Victorian brick in the area and are considered acceptable. However, samples of the materials will be conditioned to be submitted and agreed in writing by the Council prior to commencement of development.</p>
9.21	<p>Conservation advice raises concerns about the set-back of the upper elements of the buildings, which are not considered to be a traditional form, as well as the sparse design of the upper buildings. In response, the applicant states that the form of the proposed buildings present an opportunity for a holistic response to the dual site arrangement, establishing a clear and legible formal relationship whereby the separate buildings visually “interlock” with each other despite being separated by a significant vehicular thoroughfare. They felt it neither appropriate nor possible to recreate traditional typologies for a clinical healthcare building in this context adjacent to the City Hospital. They emphasised that form followed function when designing for this specific use. The conservation advice is at variance with the Urban Design Officer which is supportive of the design concept. For the reasons stated previously, the design of the buildings is considered appropriate.</p>
9.22	<p>It is considered that the proposed buildings are of a high quality design that would be appropriate to their setting and enhance the character of the ATC. The proposals are considered compliant with Policies DES1, DES2 and BH3.</p>
9.23	<p>Impact on amenity</p>
9.24	<p>Site B is closest to residential neighbours. The proposed development would not impact unduly on the nearby residential amenity of Camden Street or Claremont Street. The proposed scale, massing and design of these functional buildings are considered acceptable for the site and surrounding area.</p>

9.25	Built Heritage
9.26	<p>The terrace properties at Nos. 77 to 95 to the south are Grade B1 Listed Buildings. Following a number of design amendments, DfC HED (Historic Buildings) is content that the alignment, scale, form and design of the buildings, notably Site A, and that the setting of the Listed Buildings would not be harmed. It offers no objection subject to the conditioning external materials prior to commencement of development. It is considered that the proposal complies with Policy BH1.</p> <p>DfC HED (Historic Monuments) is content with the impact on archaeology, conditional on the agreement and implementation of programme of archaeological works. The proposal is considered compliant with Policy BH5.</p>
9.27	Climate change
9.28	<p>The Buildings Research Establishment (BRE) Environmental Assessment Method (BREEAM) is a widely used sustainability assessment method and rating system which sets the standard for best practice in sustainable design. The BREEAM assessment process evaluates projects against targets that are based on performance benchmarks and is independently certified. The proposed development has targeted a BREEAM Excellent rating. The BREEAM sustainability certification and benchmarking tool is required by and applied cross projects which are part of the Belfast Region City Deal. As the two buildings will be delivered as part of the same project, with the same design team, the BREEAM for each building will be aligned as far as is possible.</p>
9.29	<p>Policy ENV2, (Mitigating Environmental Change) states that planning permission will be granted for development that incorporate measures to mitigate environmental change and reduce greenhouse gas by promoting sustainable patterns of development. Measures are proposed to reduce water usage, energy consumption and waste, e.g low flush toilets, water leak detectors, LED lighting throughout, photovoltaic panels, and waste will be reduced in line with the Waste Management Plan for operational waste, and through the Sustainable Procurement Plan for construction waste. Having regard to these measures, which will contribute to the targeted BREEAM Excellent rating, the proposal is considered to accord with Policies ENV2 and ENV3. A condition is recommended to ensure that the BREAMM Excellent standard is reached.</p>
9.30	<p>Policy ENV3, (Adapting to environmental change) states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development. An assessment of the exposed elements, resilience to climate change (temperature variation, precipitation, vegetation, air contaminants etc) will be undertaken to ensure the lifespan of the facility is maximised. Areas of the building subject to large and unpredictable or variable occupancy patterns will have CO2 or air quality sensors specified and in mechanically ventilated spaces, the sensors will be linked to the mechanical ventilation system and provide demand-controlled ventilation to the space. In the office areas and non-clinical spaces openable windows will be provided for the users to manually operate when they wish to, and to avoid sealing the building. These measures will be required to be implemented by condition. The proposal is considered to accord with Policy ENV3.</p>
9.31	<p>Regarding SuDS, a condition is recommended that requires full details of SuDS measures to be submitted and agreed in writing with the Council prior to any works commencing.</p>

9.32	Health impacts
9.34	Policy HC1 states that the Council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles.
9.35	The site is a sustainable location on the Lisburn Road with good access to public transport. The application is supported by a Travel Plan, which will promote active travel and alternatives to car use.
9.36	The proposed buildings are considered to be of a high quality design with good quality public realm, hard and soft landscaping. This will provide a pleasant and attractive environment for employees and occupants of the building, as well as enhancing the wellbeing of residents and workers in the area.
9.37	The proposal is considered compliant with Policy HC1.
9.38	Access and Parking
9.39	A Transport Assessment, Service Management Plan and Framework Travel Plan have been submitted. DfI Roads has indicated no concerns in principle about the proposal although a number of technical issues remained to be resolved. The recommendation is subject to appropriate resolution of those matters.
9.40	As mentioned, the site is a sustainable location on the Lisburn Road, an arterial route, with good access to public transport, shops and amenities. The site is also within an area of parking restraint. Whilst minimal dedicated parking is proposed, this is considered acceptable in view of the location and provision of a travel plan, which will be required to be implemented by condition.
9.41	Subject to final comments from DfI Roads, the proposal is considered compliant with Policies TRAN1, TRAN2, TRAN3, TRAN4, TRAN6, TRAN8, and TRAN9.
9.42	Natural Heritage
9.43	A Preliminary Ecological Appraisal and Outline Construction Environmental Management Plan were submitted with the application. DAERA NED has considered the impacts of the proposal on designated sites and other natural heritage interests and advises no concerns. The proposed development is considered to comply with Policy NH1.
9.44	Drainage and Waste-Water Infrastructure
9.45	DAERA Water Management Unit cited concerns over the potential impact on sewage loading to the Belfast waste water treatment works. However, NI Water has confirmed that there is available capacity and as such there is no issue in this regard.
9.46	DfI Rivers raises no objection under in respect of drainage or flood risk. The proposal complies with Policies SP1a, ENV3, ENV4 and ENV5.
9.47	Noise, odour and other environmental impacts
9.48	A Generic Quantitative Risk Assessment was submitted relating to the risk of contaminated land on the sites. Both BCC EHO and DEARA's Regulation Unit offer no objection, advising conditions which are recommended.

9.49	A Transport Assessment (TA) and Air Quality Impact Assessment (AQIA) were submitted, which consider the existing air quality situation in the vicinity and an examination of the potential impacts the proposed new development may have, including transport emissions. BCC Environmental Health (EH) has no objection subject to the inclusion of a condition stating that should any centralised combustion sources be proposed an updated AQIA should be submitted and agreed in writing with the Council. The AQIA also considered the impact of dust during the construction phase, and the risk is 'medium-high'. BCC EH has requested these dust management measures are conditioned for throughout the construction phase.
9.50	EH also considered the impact of noise from the development and following the submission of a Noise Impact Assessment (NIA) requested clarification of certain details as well as additional information. A Technical note containing this was submitted and alleviated any concerns relating to noise impact. Conditions have been included relating to noise.
9.51	Having regard to the advice from DAERA and Environmental Health, the proposals are considered to accord with Policy ENV1.
9.52	Trees and landscaping
9.53	An arboricultural impact statement, landscaping plan and landscape management and maintenance plan have been submitted.
9.54	Existing trees on Site B are to be retained providing maturity to the landscape and complimented by islands of shrub planting in raised planting beds with integrated seating. However, within Site A, there are established trees along Lisburn Road that are to be removed. The Tree Officer and Urban Design Officer both raise concerns about the felling of these trees.
9.55	The applicant has responded, acknowledging tree retention as a worthy ambition but notes that the majority of the trees around Site A are located on a sloped landscape bank retaining the existing surface car park which is at an elevated level relative to the carriageway. Retaining these trees would effectively preclude any development which aims to create a meaningful relationship with the existing public footway and the associated benefits of an active streetscape along the Lisburn Road. Taking this into consideration, together with the considerable benefits of the proposal, on balance, the tree loss is considered acceptable. New tree planting will take place within the public realm.
9.56	Employability and skills
9.57	iREACH Health is part of the Belfast Region City Deal (BRCD), which aims to deliver a programme with an overall value well over £1 billion, strengthening the region's growth sectors as set out under Policy EC1 Delivering Inclusive Economic Growth. In line with NI Public Procurement Policy, iREACH Health will be delivered aligned to PPN 01/21 'Scoring Social Value'. Core iREACH Health objectives have been established, including the creation of high value jobs and inward investment, as well as social benefits. 10% of the tender evaluation will be based on the Contractor's approach to delivering social value benefits under the contract. This will be a contractual obligation with the social value benefits to be achieved being categorised under four key themes, i.e., increasing secure employment and skills; building ethical and resilient supply-chains; delivering zero carbon; and promoting wellbeing.
9.58	It will be a contractual requirement for the contractor to report on progress of their social value delivery monthly which will enable QUB to confirm that the actual benefits of the investment during construction are being achieved.

9.59	As such Employability and Skills interventions are not required through the planning process, having regard to the Council's Developer Contribution Framework.
10.0	<p>Recommendation:</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision including the further consultation response from DfI Roads, provided that they are not substantive.</p>
11.0	<p>Draft 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> <ol style="list-style-type: none"> 2. The development hereby permitted shall not be occupied until evidence that the buildings have been constructed to BREEAM Excellent standard, or equivalent, has been submitted to and approved in writing by the Council. <p>Reason: To mitigate and adapt to climate change.</p> <ol style="list-style-type: none"> 3. No external brickwork, facing or cladding materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. <p style="padding-left: 40px;">The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p style="padding-left: 40px;">The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick, facing and cladding materials.</p> <p>Reason: In the interests of the character and appearance of Area of Townscape Character.</p> <ol style="list-style-type: none"> 4. The development hereby approved shall not commence unless a Construction Noise Management Plan (CNMP) has been submitted to and approved in writing by the Council. The CNMP shall include a programme of works and must clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises during the demolition and construction phases. No development or construction shall take place unless in accordance with the approved CNMP. <p>Reason: Protection of residential amenity</p> <ol style="list-style-type: none"> 5. The Rating Level (dBLAr,T) from the operation of all combined plant and equipment at the hereby permitted development shall not exceed the existing daytime and night-time background noise level at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

	<p>Reason: Protection of residential amenity</p> <p>6. Commercial deliveries and collections from the development shall not be undertaken outside the hours of 0700 to 2300.</p> <p>Reason: Protection of residential amenity</p> <p>7. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment shall be submitted to and approved in writing by the Council prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development. No centralised combustion sources shall be erected or installed unless in accordance with the approved details.</p> <p>Reason: In the interests of air quality</p> <p>8. Dust management measures, as detailed within Chapter 7 of the submitted ARUP, Air Quality Assessment, Queen's University Belfast, June 2023 shall be implemented at all times during the construction phase of the development.</p> <p>Reason: Protection of human health and local air quality.</p> <p>9. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The surface water drainage shall incorporate SuDS measures. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p>10. In the event that piling is required, no piling work shall commence on site unless a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf There shall be no piling unless in accordance with the approved details.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
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	<p>11. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and approved in writing by the Council, and subsequently implemented. The development shall not be occupied until a Verification Report that demonstrates that the approved remediation measures have been implemented has been submitted to and approved in writing by the Council.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>12. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council.</p> <p>Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.</p> <p>13. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 12.</p> <p>These measures shall be implemented, and a final archaeological report shall be submitted to the Council within six months of the completion of archaeological programme of works.</p> <p>Reason: To ensure that the archaeological remains and features are properly analysed and recorded.</p> <p>DRAFT INFORMATIVES</p> <p>NOT02 Compliance with planning permission Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>NOT03 Discharge of condition(s) This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>NOT05 Non-planning requirements The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other</p>
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	authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.
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Development Management Report

Summary	
Committee Date: 19 th March 2024	
Application ID: LA04/2023/2890/F	
Proposal: Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.	Location: Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurray, BT17 0TG
Referral Route: Paragraph 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Newpark Developments (NW) Ltd 72-74 Omagh Road Dromore Co. Tyrone BT78 3AJ	Agent Name and Address: Donna Lyle Hamilton House, 3 Joy St, Belfast BT2 8LE
Executive Summary: This application relates to Christ the Redeemer Parish Hall and lands immediately north and west of Lagmore Drive. The application seeks full planning permission for demolition of existing buildings and erection of a housing development comprising 43 social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works. The key issues for consideration of the application are set out below. <ul style="list-style-type: none"> • Principle of development • Protection of open space • Loss of community infrastructure • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Provision of new open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure 	

- Natural heritage
- Section 76 planning agreement

There are no objections from statutory consultees. A further response is awaited from DfI Roads in relation to the amended Private Streets Determination (PSD) drawing.

98 objections have been received. These are set out in the main report.

The proposal would provide valuable social housing for which there is a significant unmet need in this part of West Belfast. The loss of open space under Policy OS3 and loss of a community facility under Policy CI1 are considered, on balance, acceptable given the substantial community benefits derived through the provision of the social housing and provision of a Financial Developer Contribution for improving open space facilities in the area. The design of the proposed housing is considered acceptable. Sufficient parking would be provided, and the proposal would not be detrimental to highway safety.

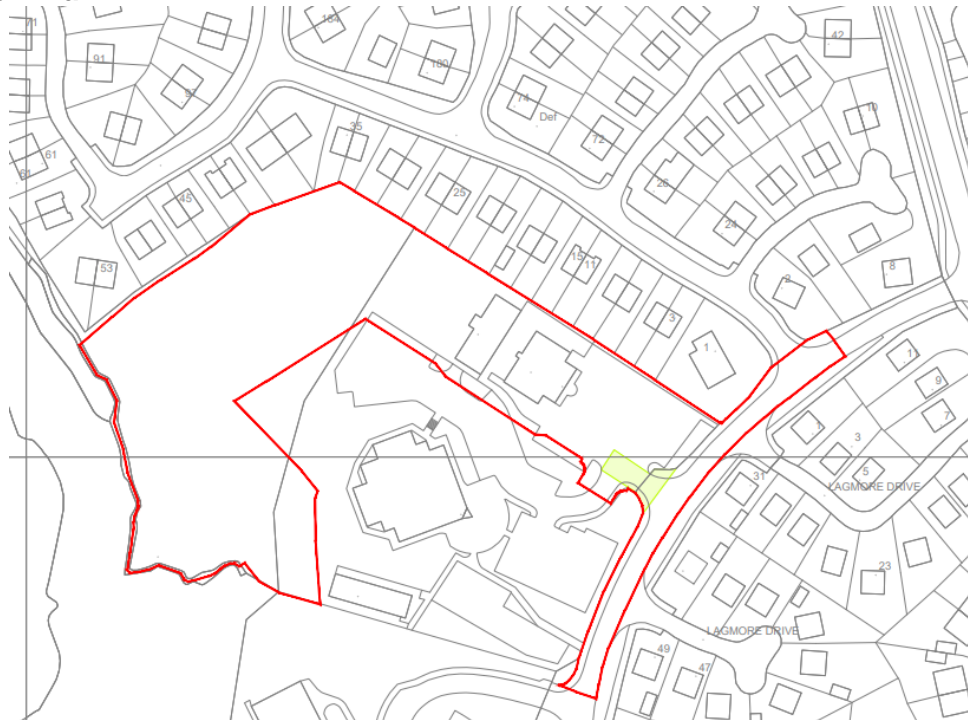
Recommendation

Having regard to the development plan and other material considerations, the proposal is considered, on balance, acceptable.

It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement to secure the development as social housing, open space management, green travel measures and Financial Developer Contribution.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding DfI Roads consultation, provided that they are not substantive.

Site Location Plan:



Proposed Elevations Detached Houses:



Proposed Elevations Semi-detached Houses:



Proposed Elevations Apartments:



CGI:



1.0	Characteristics of the Site and Area
1.1	The site is located immediately west of Lagmore Drive and Christ the Redeemer Parish Hall, south of Nos 3-27 Lagmore Meadows and east of Nos 37-55 Lagmore Meadows, Belfast. The site is generally flat with a gradual fall towards its western boundary. Other than existing buildings on site it is generally grassland which has been cleared of vegetation, with more dense vegetation located to its south western boundary. A watercourse runs along the western boundary of the site which has been culverted.
1.2	The surrounding area is predominately residential and characterised by two storey detached and semi-detached properties located at Lagmore Meadows, Lagmore Drive, and Lagmore Downs located to the north and east of the site, respectively. Immediately south of the site is Christ the Redeemer Church and beyond the church is Christ the Redeemer Primary School.
1.3	The current buildings on the site include the Church Hall and a temporary building to the rear of it. They currently provide community facilities for the local Girl Guides and a childcare/after schools club, 'Little Saints out of School'. The building benefits from ample parking spaces to facilitate the current uses.
1.4	The site is located approximately 7 miles from Belfast City Centre and has easy access to various local amenities and services via walking, cycling, and public transport. Within 400m of the site there are 8 bus stops, including the G1 Glider route which is available on the Stewartstown Road.
1.5	<p>Description of Proposed Development</p> <p>The application seeks full planning permission for demolition of existing buildings and erection of a housing development comprising of 43 social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.</p>
1.6	The scheme is on the 2023/24 NIHE social housing programme. However, satisfactory amended plans were not submitted until 13 th March 2024 following issues first raised by the Planning Service in May 2023 then November 2023.
2.0	PLANNING HISTORY
2.1	<p>Relevant planning history is summarised below.</p> <ul style="list-style-type: none"> S/2009/0906/F- Proposed new replacement church and associated car parking, 134 spaces in church ground and 50 spaces at primary school adjoining the church site to replace the existing church and removal of temporary buildings on completion. Permission granted.
3.0	PLANNING POLICY
3.1	<p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – Managing growth and supporting infrastructure delivery Policy SP2 – Sustainable development Policy SP3 – Improving health and wellbeing Policy SP5 – Positive placemaking Policy SP6 – Environmental resilience</p>

	<p> Policy SP7 – Connectivity Policy SD2 – Settlement Areas Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation Policy CI1 – Community infrastructure Policy DES1 – Principles of urban design Policy RD1 – New residential development Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy OS1 – Protection of open space Policy OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources </p> <p><u>Supplementary Planning Guidance</u></p> <p> Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development </p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – final response outstanding to confirm the acceptability of the PSD drawings.</p>

	<p>DfI River – no objection subject to conditions.</p> <p>DAERA – no objection subject to conditions.</p> <p>NI Water – No objection.</p> <p>NIHE – supports the proposal, accepting the principle of a full social housing scheme.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Planning Service Urban Design Officer – concerns raised about some aspects of the design of the proposal, which are addressed in the main assessment.</p> <p>Environmental Health – no objection subject to conditions.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions.</p>
4.3	<p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p>
4.4	<p>The application has been advertised in the newspaper and neighbours notified.</p>
4.5	<p>Ninety-eight objections have been received from residents within the immediate area. Concerns are raised about the following issues:</p> <ul style="list-style-type: none"> • Traffic and congestion • Parking • Parking used by parents for school drop off will be removed • Child safety with regards to traffic • Anti-social behaviour • Area densely populated • Sewage capacity • Loss of privacy • Loss of after school's club through demolition of hall • Girl Guides can no longer use the existing hall • Impact on flora and fauna
4.6	<p>A further email was received on from the owner/operator of Little Saints out of School stating that that the developer has asked them to vacate the church hall building on 7Th April. They state that as it stands the childcare facility currently do not have a space to go to facilitate approximately 100 children.</p>
5.7	<p>These issues are addressed within the planning assessment section of the report.</p>

5.0	PLANNING ASSESSMENT Main Issues
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development • Protection of open space • Loss of community infrastructure • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Provision of new open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Section 76 planning agreement <p>Development Plan Context</p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p>

	<p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit and is ‘un-zoned’ or “white land”. To the west of the site there is a local Landscape Policy Area (LLPA) ‘Lagmore’ (ML 17).</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit and is ‘unzoned’ or “white land”.</p>
	<p><u>Principle of housing in this location</u></p>
5.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land – only part of the site is previously developed land with the remainder open space. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> a. The site is suitable for housing – the site is located within a residential area. Consideration of the loss of open space and a community use are discussed below. Subject to consideration of those issues, the proposal is considered to suitable for housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is located approximately 7 miles from Belfast City Centre and has easy access to various local amenities and services via walking, cycling, and public transport. Within 400m of the site there are eight bus stops, including the G1 Glider route which is available on the Stewartstown Road. The proposal is considered to satisfy this criterion. c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is considered to be in place other than the requirement for enhanced off-site open space to help mitigate for the loss of open space from the site. This is discussed in the following section of the report.
5.11	<p>The proposal largely complies with Policy HOU2 although the entire site is not previously developed land – part of the site is open space and this is considered in the following section of the report. Subject to consideration of the loss of open space and community facility below, the site is considered an acceptable location in principle for new housing.</p>

	<u>Protection of open space</u>
5.12	Policy OS3 states that development resulting in the loss of open space on lands specifically identified for these uses in the LDP will only be considered in exceptional circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space.
5.13	Part of the site has previously been developed to provide a church hall with associated temporary buildings and car parking. Aside from these elements, there are open areas that currently appear to be unmanaged scrub areas generally located to the rear (north and west) of a palisade fence that crosses to the rear of the operational church. There is a smaller unmanaged open space area to the rear of the temporary buildings that is also proposed to be developed.
5.14	Irrespective of their current condition, all areas of open space close to the western and northern boundaries of the site and to the rear of the temporary buildings are considered to be protected open space. In this regard, the Plan Strategy defines 'open space' as: <i>'...all open space and ancillary facilities of recreational, amenity or environmental value, including land and water bodies, irrespective of ownership or access. This includes a wide range of types of open space, such as amenity open space, natural and semi-natural spaces. etc'</i> . Approximately half of the site is considered open space and there is a policy presumption against its loss.
5.15	The proposal is for the provision of 100% social housing. A consultation response from Northern Ireland Housing Executive advises that there is a strong demand especially for family homes in the social housing sector within the Lagmore area (see Affordable Housing section of the report). The provision of Category 1 apartments for the elderly population offers the opportunity for households to move to more appropriate accommodation for their needs and in turn further support further provision of their previous homes to those in need.
5.16	In addition, as identified during the PAD process, the applicant has been requested to provide a Financial Developer Contribution for improving open space in the local area as part of the mitigation for the loss of open space from the site. An area of land at Twinbrook to the east has been identified by the Council's Landscape and Development team as benefiting from improvements including improvements to the access; boundary treatment; bins; lighting and so forth. It considers that those lands serve the wider locality and is a route to the east side of the A512 and Upper Dunmurry. The applicant has agreed to make a financial Developer Contribution of £27,500 towards these improvements (this sum will need to be index linked to the date of the Committee) and would need to be secured by means of a Section 76 planning agreement.
5.17	It is considered that the delivery of this quantum of social housing, in combination with the Financial Developer Contribution to improve open space amenity in the locality, would bring substantial community benefits that decisively outweigh the loss of open space, compliant with Policy OS1.
	<u>Loss Of Community Infrastructure</u>
5.18	Policy CI1 outlines a policy presumption against the development of existing community infrastructure or lands identified for such use for alternative uses. Proposals for alternative uses will require to demonstrate that the existing facility/designated site is no longer required and that alternative arrangements are in place to ensure no significant diminution of community infrastructure provision.

5.19	Lagmore Church Hall and the other associated buildings which are to be demolished as part of the proposal are currently occupied by the Girl Guides and 'Little Saints Out of School' which is a childcare facility/after school club. The applicant has stated that the developer, Newpark, has agreed to let the Girl Guides and childcare facility continue to make use of the hall until a determination has been made on the application. It is the applicants understanding that the Girl Guides have opportunity to access the other hall facilities on the Church site next door to the development proposal but are currently investigating potential use of the community forum building next door. The Childcare provider have apparently also been offered land adjacent to the Church by the Diocese for the establishment of the childcare facility.
5.20	<p>However, no clear evidence has been provided that alternative arrangements for the Girl Guides and childcare facility are in place. It is clear from the objection from the childcare provider that a need for the community building remains. The proposal is therefore contrary to Policy CI1. Notwithstanding, taking into account the substantial community benefit of social housing provision as a result of this application, and in the planning balance, it is considered that this outweighs the loss of the above community uses.</p> <p><u>Housing density</u></p>
5.21	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.22	<p>The site is located within outer Belfast and therefore, the average density band of 25-125 dwellings per hectare (dph) for Outer Belfast Character Area applies. Given the site area of around 1 ha, the proposed density equates to 41dph, demonstrating that it would make effective use of land. The density of the proposal is considered in keeping with the general character of the area and the proposal is considered to accord with Policy HOU4.</p> <p><u>Affordable housing</u></p>
5.23	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing. Therefore, the proposal is required to deliver at least 9 affordable homes (rounded up). The scheme seeks full permission for 43 social housing units, meeting the policy requirement.</p> <p><i>Tenure</i></p>
5.24	<p>However, the application is a 100% social housing scheme and the Affordable Housing and Housing Mix SPG seeks to avoid mono-tenure housing of this scale in the interests of sustainable and balanced communities. Notwithstanding, paragraph 4.4.14 of the SPG states that larger mono-tenure schemes (such as that proposed) may be considered having regard to the following considerations:</p> <ul style="list-style-type: none"> • <i>'The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i> • <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and</i> • <i>Whether a scheme is proposed as 'shared housing'</i>
5.25	Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. NIHE advises that the housing needs assessment shows an unmet social housing need of 784 social housing units for Outer West Belfast. As of March 2023, there were 770 households in housing stress. NIHE has confirmed that the

	proposal is on its 2023/24 social housing programme. However, it has been advised that the application has been significantly delayed by the delays in the applicant providing satisfactory amended plans.
5.26	Turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community. Nevertheless, regard is had to NIHE's support for the proposal and that the scheme includes a large number of family homes for which there is a particular need in this location. Furthermore, regard is had to the longevity of the application, which was submitted in March 2023, prior to adoption of the Plan Strategy, and preceded by a Pre-Application Discussion (PAD) submitted in December 2021. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.
	<u>Housing mix</u>
5.27	Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of: <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities.
5.28	The requirement for a mix of house types will not apply to single apartment developments such as the proposed apartments. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.
5.29	The proposal is considered to represent a reasonable housing mix with 1, 2 and 3 bedroom units, including family homes, which are welcomed in particular given the unmet need for larger social housing units. NIHE is supportive of the housing mix. Having regard to these factors, the proposed housing mix is considered acceptable.
	<u>Adaptable and accessible accommodation</u>
5.30	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.
5.31	The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 5 wheelchair accessible units (over 10%) wheelchair units, including 2 apartments and 3 houses as set out at Appendix 1. It is considered that the proposal complies with the additional nine criteria g. to o. Policy HOU7 is therefore satisfied.
	<u>Design and placemaking</u>
5.32	The proposal has been assessed against the SPPS, and Policies SP5, DES1 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level.

	<i>Housing Units:</i>
5.33	The proposed layout is considered to be reflective of similar developments within the surrounding area and would not appear incongruous when viewed within the street scene. The layout follows the linear arrangement seen to the north and west of the site along Lagmore Meadows. There are a mix of detached and semi-detached dwellings, with both front and rear gardens, and associated parking with each dwelling. The associated material primarily comprises buff facing brick (stretcher and stack bond) alongside white framed windows with cills, which is reflective of those properties within the wider context.
5.34	The proposed height of the semi-detached dwellings is approximately 5.13m to the eaves and 7.70m to the ridge. The proposed height of the detached dwellings is approximately 5.15m to the eaves and 8.80m to the ridge. Each of the dwellings benefits from rear back gardens enclosed by timber fencing. To the front of each of the sites there are driveways to the side and front gardens with metal railings for a sense of enclosure and security. There is an exception of parking to the front of plots 18-21, however, on balance this is considered acceptable due the provision of green spaces and landscaping between each plot to minimise hardstanding.
	<i>Apartments:</i>
5.35	The proposed height of the apartment block is approximately 11.41m. The materials are to match those of the dwellings. Concerns were originally raised by officers in relation to overdevelopment, poor outlook and parking. Following negotiations with the applicant, amendments have been received, which overcome these concerns. The apartment building has been moved from the north-eastern boundary to increase the separation distance to 3.7m with the existing church site boundary. This has in turn resulted in the provision of windows and a more appropriate outlook for the apartments proposed on this part of the site.
5.36	The proposed parking layout has been amended to further increase green space and planting along the north facing elevation. Private defensible space has been provided for the ground floor apartments in the form of 1m high galvanised metal railing and low-level box hedging introduced to define defensible space. A green wall is proposed between the boundary of the church site and application site which is welcomed, however, further details are awaited. This can be dealt with by way of condition.
5.37	Following revisions, the design and layout of the proposal is considered acceptable, having regard to Policies SP5, DES1 and RD1, and relevant provisions of the SPPS.
	<u>Climate change</u>
5.38	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.39	The proposal includes various sustainable design features which seek to mitigate and adapt to environmental change. These measures include the orientation of all units to optimise solar gain, light and ventilation. Large windows openings have been introduced within facades to help flood internal spaces with natural light where achievable. Trickle vents are also incorporated into the windows to provide the required background ventilation calculations for each unit, and the overall scheme has been developed and

	based on the 'fabric first' approach, with 125mm cavities and high-quality full fill wall insulation proposed. Air tightness will be maximised across the units in line with Design Stage SAP Calculations and attenuation systems will be provided to control the flow of storm water from the site. These measures can be secured by condition.
5.40	Policy ENV2 seeks to re-use existing buildings where possible for environmental reasons. The proposal involves demolition of the existing church hall; this is considered acceptable in this case because of the overriding benefits of delivering social housing.
5.41	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.
5.42	Whilst the proposal is not considered fully compliant with Policy ENV5, regard is had to the importance of progressing the application which is on the 2023/24 NIHE social housing programme and that further details of SuDS can be secured by way of condition.
	<u>Residential quality and impact on amenity</u>
5.43	Policies DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments. They also highlight that planning permission will be granted for proposals which create a quality and sustainable residential environment.
5.44	There is a separation distance of over 20m from Units 1 to 18. From Units 19 to 23 the separation distance is between 17.5m to 19.5m to Lagmore Meadows. The rear gardens will benefit from timber fencing and tree planting along the boundary with Lagmore Meadows which will alleviate any concerns regarding overlooking or loss of privacy. The separation distances and location of the proposed houses also ensure there will be no loss of light or overshadowing onto neighbouring properties. The apartment block has been sited to ensure no issues relating to dominance or overlooking occur. It is considered that the design, layout and separation distances proposed are acceptable and would not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.
5.45	<i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit for apartment buildings. The amenity space for the private amenity space associated with the apartments provides 41.65 sqm on average per dwelling. This is greater than the 10-30sqm recommended within <i>Creating Places</i> . Given the characteristics of the proposal and site, this is considered acceptable.
5.46	In terms of the houses, the gardens of Units 18, 19, 20 and 23 are below the space standards in <i>Creating Spaces</i> of 70 sqm. The garden sizes of these units are shown in the table overleaf. However, given the overall average garden size of 86 sqm, which exceeds the standard, together with the benefits of the scheme, on balance, the smaller garden size of these units is considered acceptable.

Houses																							
	<table><tr><th>Location</th><th>Accommodation</th><th>Size (sqm)</th></tr><tr><td>Plot 18</td><td>3P2B</td><td>58.13</td></tr><tr><td>Plot 19</td><td>3B2B</td><td>59.75</td></tr><tr><td>Plot 20</td><td>3P2B</td><td>64.71</td></tr><tr><td>Plot 23</td><td>5P2B</td><td>54.85</td></tr><tr><td>TOTAL</td><td></td><td>1.978.12</td></tr><tr><td>AVERAGE</td><td></td><td>86 sqm</td></tr></table>	Location	Accommodation	Size (sqm)	Plot 18	3P2B	58.13	Plot 19	3B2B	59.75	Plot 20	3P2B	64.71	Plot 23	5P2B	54.85	TOTAL		1.978.12	AVERAGE		86 sqm	
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Garden space standards																							
Space standards:																							
5.47	The proposed residential units for both the housing units and apartments are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.																						
5.48	It is considered that the proposal meets the requirements of Policies RD1 and DES1.																						
<u>Provision of new open space</u>																							
5.49	Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.																						
5.50	Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.																						
5.51	Approximately 10% of the total site area would be public open space provision for the enjoyment of future residents. This includes a children’s playpark and a linear path which is throughout the site. Both elements are incorporated into the design of the development. It should be noted that an equipped play park is not a policy requirement for schemes of this scale and so its provision is welcomed.																						
5.52	The proposal complies to Policy OS3.																						
<u>Access and transport</u>																							
5.53	In relation to Policy TRAN1, the site is a reasonably accessible location with access to public transport and local amenities. Cycle parking is to be provided for the apartment development.																						
5.54	Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes ease of access to reserved parking within the housing units. Within the																						

	apartment units, there are disabled parking spaces. The application is considered to be compliant to Policy TRAN 2.
5.55	Policy TRAN4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. The travel plan and green travel measures would be secured by means of a Section 76 planning agreement. The travel plan measures are considered acceptable having regard to Policy TRAN4 and DfI Roads have conditioned that the development shall operate in accordance with the Travel Plan.
5.56	In relation to Policy TRAN6, DfI Roads is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. The means of access to the development would be safe.
5.57	Turning to Policy TRAN 8, it is considered that adequate parking has been provided for the proposal. There are two spaces per dwelling apart from Units 19 and 20 which have one space. This is considered satisfactory. The apartment units have been provided with 16 spaces, including 2 disabled parking bays. Although this provision is not 1:1, DfI Roads has offered no objections to the provision of parking. It is considered adequate given the location and choice of other transport modes available and the Travel Plan, which will promote alternative forms of transport to the use of private cars.
5.58	The design of the car parking is considered satisfactory and compliant with Policy TRAN10.
5.59	DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. However, confirmation is awaited from DfI Roads on the acceptability of very recent amendments to the Private Streets Determination (PSD) drawing – delegated authority is sought to deal with this point. The proposal is considered acceptable having regard to Policies TRAN1, TRAN 2, TRAN4, TRAN6, TRAN 8 and TRAN 10.
	<u>Environmental protection</u>
5.60	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.
5.61	Environmental Health (EH) has advised that contamination risks can be dealt by way of conditions. It has not raised any concerns with regards to air quality or noise. Having regard to the advice from EH, the proposal is considered compliant with Policy ENV1.
	<u>Flood risk and drainage</u>
5.62	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The Council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.

5.63	Dfl Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. Dfl Rivers, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.
5.64	Dfl Rivers offer no objection, provided that there is a suitable maintenance strip in place up to 10m where considered necessary – Dfl Rivers acknowledges a working strip for the culvert is to be retained. The proposal is considered to comply with Policy ENV4.
	<u>Waste-water infrastructure</u>
5.65	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water offers no objection, advising that there is available capacity at the Wastewater Treatment Works and suitable network capacity. The proposal is acceptable having regard to Policy SP1Aa of the Plan Strategy.
	<u>Natural heritage</u>
5.66	Policy NH1 relates to the protection of natural heritage resources.
5.67	A consultation was sent to DAERA Natural Environment Division (NED) regarding protected badger setts. A response from NED has confirmed that they are content that the plans show no works occurring within the 25m protection zones and is therefore content that the proposed development is unlikely to significantly impact the local badger group. NED advises that a condition should be attached to the decision notice. NED is also content with the assessment of the bat roosting potential of the buildings proposed to be demolished. It notes that should evidence of roosting bats be found during works, all must stop and advise should be sought from NIEA Wildlife Team. An informative will be added to the decision notice to this effect.
5.68	NED notes that some vegetation may require removal and advises that the vegetation on the site may support breeding birds. All wild birds and their nests are protected. NED therefore advises that any removal of buildings/structures and vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31 st August or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.
5.69	Subject to appropriate conditions, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
	<u>Section 76 planning agreement</u>
5.70	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of all 43 residential units as social housing as part of the off-set for the loss of open space and community facilities; • Management of the open space, play equipment and common parts of the site; • Travel Plan and green travel measures; • Financial Developer Contribution of £27,581 (index linked) towards enhanced open space amenities in the area.

6.0	Recommendation
6.1	The proposal would provide valuable social housing for which there is a significant unmet need in this part of West Belfast. The loss of open space under Policy OS3 and loss of a community facility under Policy CI1 are considered, on balance, acceptable given the substantial community benefits derived through the provision of the social housing and provision of a Financial Developer Contribution for improving open space facilities in the area. The design of the proposed housing is considered acceptable. Sufficient parking would be provided, and the proposal would not be detrimental to highway safety.
6.2	It is recommended that planning permission is granted.
6.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from DfI Roads, and deal with any other matters that arise, provided that they are not substantive.
7.0	<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No external facing or roofing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials. Reason: In the interests of the character and appearance of the area. 3. No development or works shall commence (including site clearance and site preparation) unless protection zones, which are clearly marked with posts joined with hazard warning tape, have been provided around each badger sett entrance at a radius of 25 metres as shown on Drawing number 02B published to the Planning Register on 26 October 2023. No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zones without a Wildlife Licence has been obtained from DAERA NIEA. The protection zones shall be retained and maintained in accordance with the requirements of this condition until all construction activity has been completed on site. Reason: To safeguard badgers, a protected species. 4. The development hereby approved shall not be occupied unless a scheme for the provision of play equipment to be provided as part of the open space have been submitted to and approved in writing by the Council. The play equipment shall be implemented in accordance with the approved details prior to occupation of the development and retained as such at all times.

Reason: To ensure that appropriate provision is made for children's play equipment.

5. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development, having regard to Policy ENV4 of the Belfast LDP Plan Strategy 2035. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

6. Notwithstanding the submitted details, no development shall commence unless final details of climate change measures to mitigate and adapt to climate change, including those relating to the design of the building and SuDS, have been submitted to and approved in writing by the Council. The development shall not be occupied unless the climate change measures have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

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

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

8. Notwithstanding the submitted details, the development hereby permitted shall not be occupied until details of boundary walls including the living wall, fences or other means of enclosure have been submitted to and approved in writing by the Council. The development shall not be occupied unless the boundaries have been implemented in accordance with the approved details and shall be permanently retained as such thereafter.

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

9. The development hereby approved shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site.

10. No development shall commence on site (other than that required to fulfil this condition) unless the new access has been provided in accordance with the approved plans. The access shall be retained in accordance with the approved plans at all times.

Reason: To ensure safe and convenient access to the development.

11. No development shall commence on site (other than that required to fulfil this condition) unless the visibility splays have been provided in accordance with the approved plans. Within the visibility splays, there shall at no time be obstruction to visibility above 250mm as measured from ground level.

Reason: To ensure safe and convenient access to the development.

12. The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory and safe means of access.

13. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.

APPENDIX 1

Space standards

Housing:

Table 1

Accommodation Type	Specialised Housing Type	Size per unit (Sqm)	Number of Units
5 person 3 bedroom house	Wheelchair accessible	130.9sqm	3
5 person 3 bedroom house	General needs	93.46sqm	8
3 person 2 bedroom house	General needs	74.48sqm	12
Total			23

Apartments :

Table 2

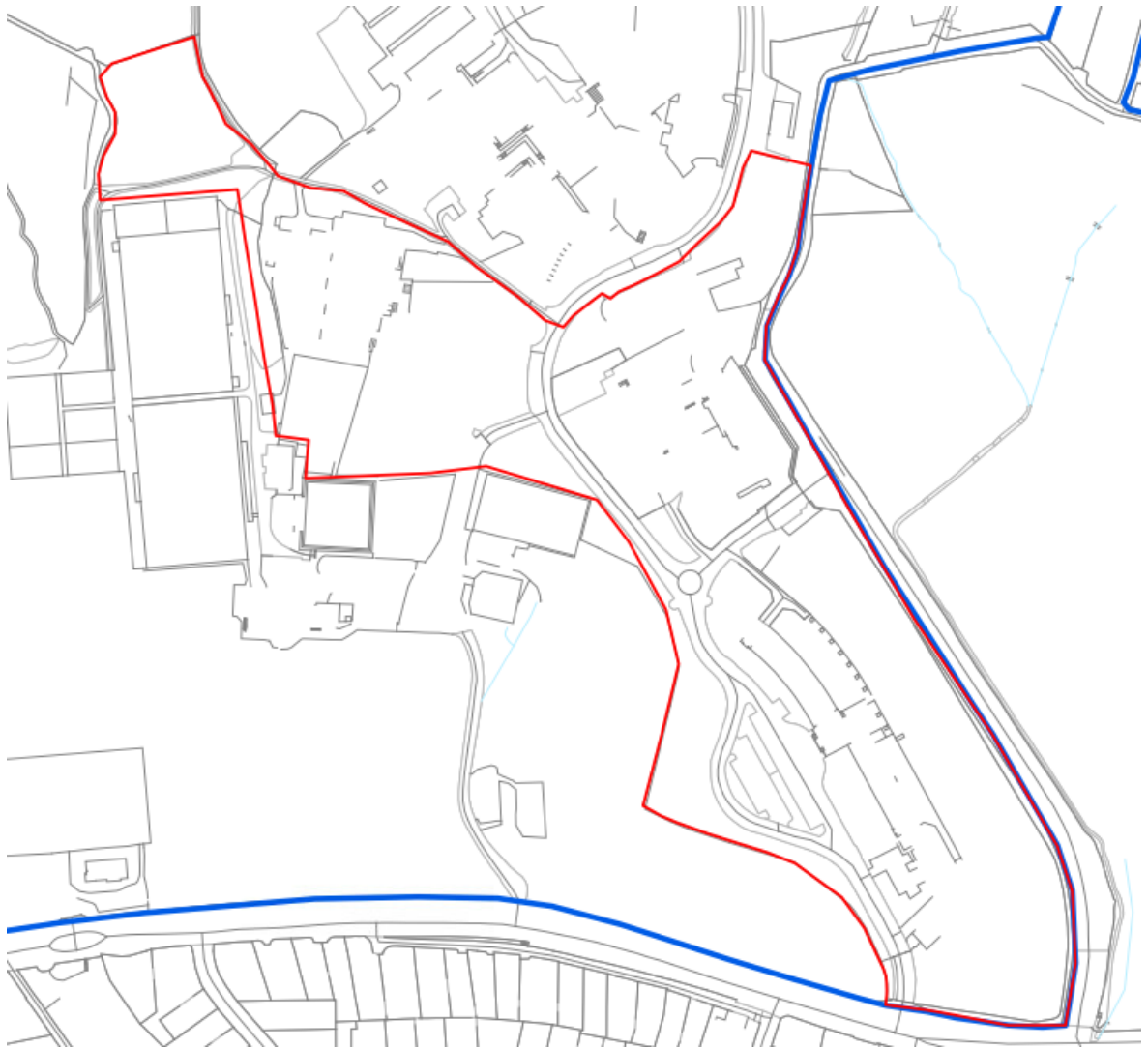
Accommodation Type	Specialised housing type	Size per unit (Sqm)	Number of Units
3 person 2 bedroom apartments	Cat 1 Wheelchair accessible	86.73sqm	1
3 person 2 bedroom apartment	Cat 1	61.35sqm	16
2 person 1 bedroom apartment	Cat 1	65.16sqm	2
2 person 1 bedroom apartment	Cat 1 Wheelchair accessible	53.41sqm	1
Total			20

Development Management Report

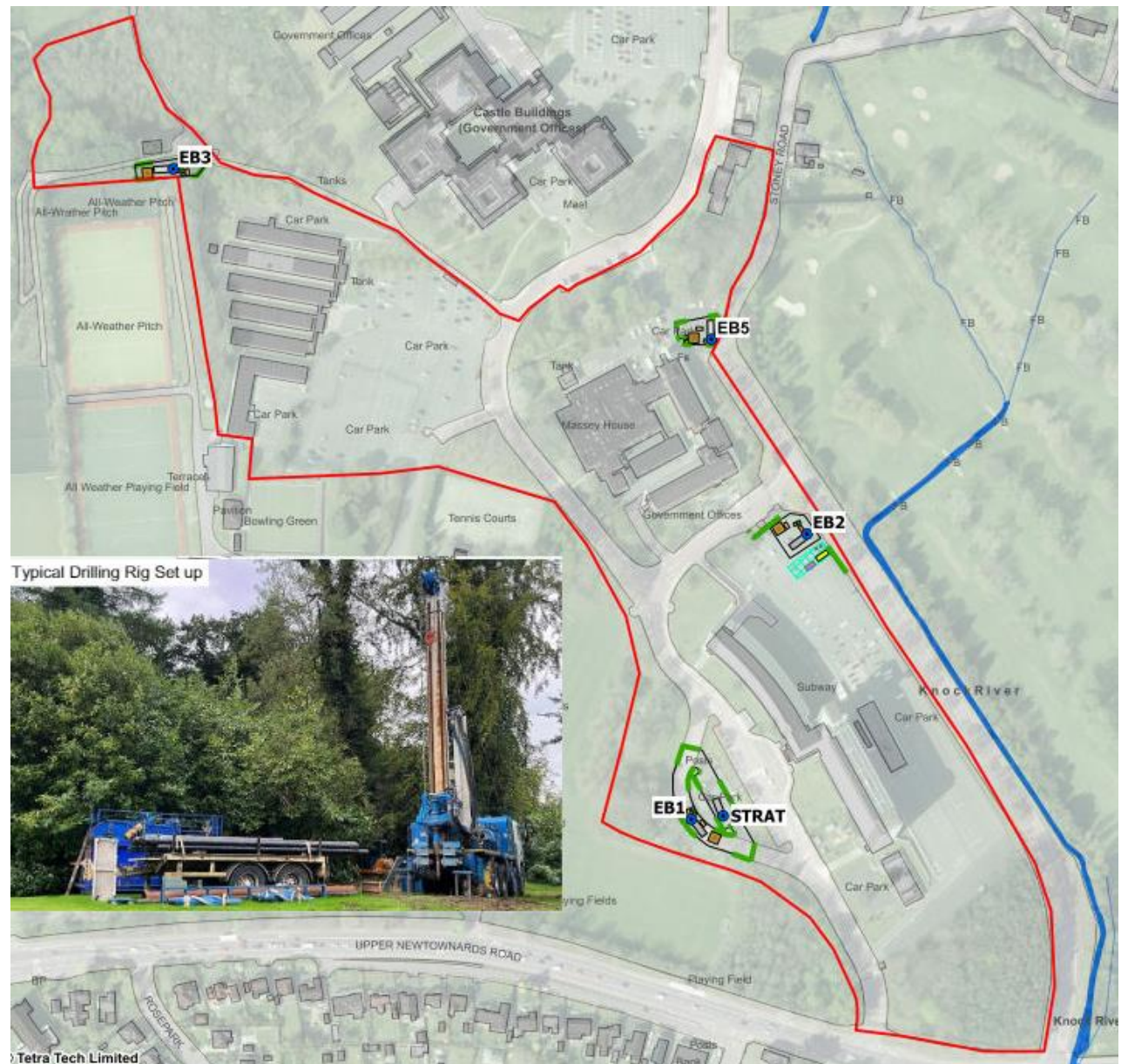
Summary	
Application ID: LA04/2023/3856/F	Committee Meeting Date: 19 th March 2024
Proposal: Short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk.	Location: Lands at Stormont Estate, Upper Newtownards Road, Belfast
Referral Route: Major Application	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Dept for the Economy, Adelaide House, Adelaide Street, Belfast	Agent Name and Address: Gravis Planning, 1 Pavilions Office Park, Kinnegar Drive, Holywood
<p>Executive Summary: This application seeks full permission for a short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Built heritage • Climate change • Natural heritage and landscape • Access • Drainage and Waste-Water Infrastructure • Noise, odour and other environmental impacts <p>Consultees are satisfied subject to conditions and no representations have been received.</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

1.0 Drawings

Site Location Plan



Site Layout (showing borehole locations – EB1, EB2, EB3, STRAT/EB4, EB5)



Aerial image



2.0 Characteristics of the Site and Area

- 2.1** The application site measures approximately 11.1ha and is located at lands within Stormont Estate, Upper Newtownards Road, Belfast. The main parliament building and its associated gardens are located outside the site but within the north and west section of the wider estate. The eastern part of the estate includes sporting facilities and a number of government offices and parking. The proposal is located in the south-eastern part of the estate.
- 2.2** The site is within the development limits of Belfast in BUAP, on white unzoned land, closely adjacent to an area of "Landscape, Recreation or Amenity use". Draft BMAP (v2004) identifies the site as within the city's settlement limit and within Stormont Office Node (ref. BT019). The site does not extend into the adjacent area of existing open space. In BMAP the site is zoned as Stormont Office Node (ref. BT012), it is within a Local Landscape Policy Area and a Historic Park, Garden and Demesne. A very small part of the site to the north west extends into a Site of Local Nature Conservation Importance (BT084/27).

3.0	Description of Proposed Development
3.1	Full planning permission is sought for a short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk. The proposal includes drilling of 4 No boreholes (EB1 – EB3, EB5) each to a depth of up to 250 m and 1 No cored borehole to a depth of up to 500 m deep (STRAT/EB4).
3.2	The aim of the project is to conduct geothermal exploratory and feasibility studies in accordance with the actions set out within the Northern Ireland Energy Strategy (Path to Net Zero Energy). This project will identify suitable drill sites then drill and test the water and rocks in five shallow exploratory boreholes within the Stormont Estate. This location at Stormont has been chosen because it sits on top of a productive aquifer with shallow geothermal potential for both closed-loop and open-loop geothermal systems.
4.0	Planning Assessment of Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Belfast Agenda
4.5	Relevant planning history There is recent relevant planning history within the vicinity of the site under the following application references: <ul style="list-style-type: none"> - LA04/2023/3232/DETEIA – Short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk, Lands at Stormont Estate Upper Newtownards Road, Belfast, BT4 3SB. Decision - EIA Not required 07.09.2023. - LA04/2023/2459/F & LA04/2023/2467/LBC - Redevelopment of the NICSSA pavilion complex within the Stormont Estate creating a centre of excellence for sport. The development will comprise of demolition of the existing pavilion building and replacement with new 2 storey building providing state of the art indoor sports halls, changing accommodation, function/meeting space offering improvements to the existing offering. Site works will include the demolition and site clearance of the Dundonald House site to facilitate the extension and development of new international standard outdoor multi-sports playing, training and ancillary facilities. Day to Day operation of the site will be improved by way of improvements to internal road network via new access/egress arrangements from the existing Stoney Road junction, additional car and cycle parking and new waste/recycling areas – Under Consideration.

4.6	The boundary of the above application extends east to include part of the proposed borehole application site. As the proposed boreholes will only be temporary in nature, there will be no conflict with the proposed redevelopment of the NICSSA Pavilion complex.
4.7	Since this proposal falls under the category of Major Development, Pre Application Community Consultation was carried out under the planning reference LA04/2023/2904/PAN. The PACC report details the online consultation, public event, as well as remote consultation. Feedback in general was supportive for the project while there were some queries. Queries included questions regarding why the project was 'short duration', what depth they intended to drill to etc.
5.0	Consultations and Representations
5.1	Statutory Consultees DFI Roads Service – No objection NI Water – No objection DfI Rivers Agency – No objection DAERA Water Management Unit – No objection DAERA Regulation Unit – No objection subject to conditions Historic Environment Division: Historic Buildings – No objection subject to conditions DAERA Drinking Water Inspectorate – No objection DAERA Natural Environment Division – No objection subject to conditions
5.2	Non Statutory Consultees BCC Environmental Health – No objection subject to conditions BCC Tree Officer – No objection subject to conditions Shared Environmental Services - No objection subject to conditions
5.3	Representations The application has been neighbour notified and advertised in the local press. No written representations have been received.
6.0	Planning Assessment
6.1	Development Plan Context
6.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.

6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.6	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The relevant zonings/designations are set out below.
6.7	dBMAP (v2004) In dBMAP (v2004) the site is within the Belfast Metropolitan/Settlement Development Limit. identifies the site as within the city's settlement limit and within Stormont Office Node (ref. BT 019). The site does not extend into the adjacent area of existing open space.
6.8	dBMAP2015 (v2014) In dBMAP (v2014) the site is within the Belfast Metropolitan/Settlement Development Limit. The site is zoned as Stormont Office Node (ref. BT012), it is within Stormont Local Landscape Policy Area (BT 135); Landscape Character Area (LCA) 97 Belfast/Lisburn; and Craigantlet Escarpment Area of High Scenic Value (Plan Policy COU 5/09) and a Historic Park, Garden and Demesne. A very small part of the site to the north west extends into a Site of Local Nature Conservation Importance (BT 084/27).
6.9	BUAP Within the BUAP the site is within the settlements limits of Belfast but the land is white unzoned land.
7.0	Relevant Planning Policies Policy SP2 – Sustainable development Policy SP6 – Environmental resilience Policy DES1 – Principles of Urban Design Policy DES2 - Masterplanning approach for major development Policy BH1 - Listed buildings Policy BH4 – Works to grounds affecting built heritage assets Policy BH6 – Parks, gardens, and demesnes of special historic interest Policy ITU4 – Renewable energy development Policy ENV1 – Environmental Quality Policy ENV2 - Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy TRAN6 – Access to public roads Policy NH1 – Protection of natural heritage resources Policy TRE1 – Trees Policy LC1 – Landscape Policy LC1C – LLPAs

8.0	Key issues
8.1	<p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • Principle of development • Built heritage • Climate change • Natural heritage and landscape • Access • Drainage and Waste-Water Infrastructure • Noise, odour and other environmental impacts
8.2	<p>RDS</p> <p>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 energy stream, and the potential for cleaner air and energy for industry and transportation. The first objective is to; Increase the contribution that renewable energy can make to the overall energy mix. 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. The proposal is considered to be consistent with the general direction of the Strategy's strategic objectives in this regard.</p>
8.3	<p>SPPS</p> <p>Para 6.217 of the SPPS states that the main sources of renewable energy are wind, sun (solar energy), moving water (hydropower), heat extracted from the air, ground and water (including geothermal energy), and biomass (wood, biodegradable waste and energy crops such as for use in an Anaerobic Digester). Para 6.218 states that the aim of the SPPS in relation to renewable energy is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance. The proposal is considered to be consistent with the general direction of the SPPS policies in this regard.</p>
9.0	<p>Principle of development</p> <p>Geothermal is seen as one of the most environmentally friendly ways of producing, locally sustainable and renewable energy as it harnesses the heat which is continuously produced inside the earth. Energy is naturally stored as heat in rocks and waters within the Earth's subsurface.</p>
9.1	<p>In the right geological setting heat can be utilised at the surface by either pumping water to the surface as a direct heat source or, it can be used to create steam that can power a turbine and generate electricity. In most cases, low temperature heat from shallow depths is used by transferring heat from the rocks to a circulating fluid in a pipe, which can be extracted and further warmed using a heat pump. The heat exchange processes can also operate in reverse and transfer excess heat back to the subsurface, thereby cooling buildings.</p>
9.2	<p>The Stormont Estate proposal intends to prove that a shallow geothermal system can provide efficient, affordable, heating, cooling and thermal storage to help decarbonise and reduce the cost of heating buildings not only on the Estate, but elsewhere.</p>
9.3	<p>The Design and Access Statement which accompanies the submission highlights that accessing geothermal energy is totally different to fracking. Geothermal projects circulate fresh water in pre-existing pore spaces and fractures beneath the earth's surface and once the heat has been extracted and used, the water is re-injected into the same formation to allow it to re-heat. Fracking is where rock is deliberately fractured under pressure to enable</p>

	gas to be extracted. The aim of this Geothermal project is to capture natural heat and use it as renewable energy, to assist with moving away from fossil fuel use.
9.4	The proposed borehole sites are located on or close to existing car parks which are low lying with flat topography. They are situated in locations which will not be visible from public viewpoints on the Upper Newtownards Road. Policy ITU 4, Renewable energy development is a material consideration. The consultation responses from Environmental Health and DAERA indicate the proposal will not result in an unacceptable adverse impact on human health, visual amenity, nature conservation or natural resources. The principle of the development is considered to be in keeping with the direction of the criteria set out in Policy ITU 4.
9.5	Built Heritage The proposal has been assessed against Policies BH1, BH4 and BH6 of the Plan Strategy. The Historic Environment Division was consulted since the site is in the vicinity of Dundonald House (Grade B listed building HB26/13/045), which is of special architectural and historic interest, protected by Section 80 of the Planning Act (NI) 2011. HED Historic Buildings (HED:HB) has considered the effects of the proposal on the listed building and on the basis of the information provided is content subject to the inclusion of conditions.
9.6	The application site is also located in an Historic Park, Garden and Demesne however only one borehole is within this area (EB3). An Archaeological and Built Heritage Appraisal accompanying the application set out details of archaeological monitoring and earthwork restoration, however HED Historic Monuments did not return formal comments. They instead confirmed via internal email they were content with the bore holes "subject to micro-siting to ensure that the drilling will not cause any damage to the existing tree planting". This was essentially reiterating their comments from the associated EIA determination (LA04/2023/3232/DETEIA). The proposal therefore complies with policies BH1, BH4 and BH6.
9.7	Climate change Policy ENV2, (Mitigating Environmental Change) states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gas by promoting sustainable patterns of development. Policy ENV3, (Adapting to environmental change) states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development.
9.8	The proposal complies with these policies in seeking to investigate existing resources in order to promote and encourage the use of renewable energy, and encourage its use in the future. The proposal does not involve any built development as such so there is no potential for SUDs measures.
9.9	Natural Heritage and landscape A range of ecological reports including a Bat report, Badger Survey and Habitats Regulation Assessment were submitted. DAERA NED assessed the proposal and considered its impacts on designated sites and other natural heritage interests, and on the basis of the information provided has no concerns subject to the inclusion of conditions should approval be granted. Having regard to Policy NH1, Protection of Natural Heritage Resources, it is considered that the proposal meets the requirements of the relevant policy.
9.10	Policies LC1 and LC1A are of relevance with regard to seeking to protect and improve the quality and amenity of the landscape. Given that all associated components of the system are not visible from above ground, there would be no visual impact on the landscape area. Therefore, the proposal would comply with policy LC1 and LC1A. This was confirmed

	within BCC Landscape, Planning and Development comments during pre application discussions.
9.11	A TPO is present on the site (LA04/2023/0053/TPO), and the existing trees adjacent to the proposal provide high levels of visual amenity offering and helping promote the character within the context of the surrounding area. A tree protection plan and arboricultural report were submitted and forwarded to the BCC Tree Officer for comment. No trees or woodlands are proposed to be removed for installation of the boreholes which are all to be constructed outside of the existing RPAs. Tree protection measures were outlined which will be conditioned as part of any approval and the proposal complies with Policy TRE1.
9.12	Access Access to the five locations will be via Stoney Road, which will then follow the internal road network within Stormont Estate. Drill locations EB1, EB2 and the STRAT/EB4 boreholes are located in the southeast of the site at/adjacent to Dundonald House car parking areas. EB5 will be accessed via Stoney Road and EB3 will be accessed via the internal road to the west of the Castle Buildings.
9.13	The DAS states that traffic to the site will be limited and typically be of the order of a few vehicle trips per day to and from site, including the drilling rig. It will also include visitor traffic for those wishing to visit the mobile info kiosk, which is not expected to cause a perceptible change to local traffic levels. There are no proposed changes to carparking or movement around the Estate with the site accessed from the existing vehicular access. DfI Roads Service has considered the proposed development and raise no objection under Policy TRAN8.
9.14	Drainage and Waste-Water Infrastructure As stated previously the proposal does not involve any built development as such so there is no potential for SUDs measures, and therefore Policy ENV5 is not applicable.
9.18	Shared Environmental Service (SES) carried out a Habitats Regulation Assessment on behalf of the Council and advise that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects subject to mitigation measures which are recommended as a condition.
9.19	DAERA's Drinking Water Inspectorate and Water Management Unit both responded with no objection to the proposal and suggested conditions to be included should approval be granted. They noted obtaining the requisite statutory permissions and adhering to their associated conditions will be fundamental for the project. NI Water and DfI Rivers Agency responded with no objection, and therefore the proposal complies with Policies ENV3, ENV4 and ENV5.
9.20	Noise, odour and other environmental impacts A Quantitative Risk Assessment were submitted relating to the risk of contaminated land on the site. BCC Environmental Health and DEARA both responded with no objection to the proposal and suggesting conditions to be included should approval be granted.
9.21	BCC Environmental Health also have no objection to the proposed development subject to the inclusion of a condition relating to the control of noise and vibration impacts detailed within the CEMP, should approval be granted.
10.0	Recommendation: Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>
11.0	<p>Draft Conditions:</p> <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 and throughout the exploratory drilling and testing phases of the proposal, the appointed contractor must implement, and adhere to, all mitigation measures set out in the Construction Environmental Management Plan (CEMP) – (Tetra Tech, dated August 2023) to effectively prevent the egress of contaminated water from the drilling and testing sites. All exploratory drilling and testing works must conform with the proposed measures in the CEMP, unless otherwise agreed in writing by the Council.</p> <p>Reason: To ensure the project will not have an adverse effect on the integrity of any European site.</p> <p>3. During construction of the development, noise and vibration impacts shall be controlled in accordance with Section 3.9.1 of the submitted Tetra Tech report ‘Geothermal Feasibility Study, Stormont Estate, Belfast, Northern Ireland; Construction Environmental Management Plan (CEMP) – Shallow Geothermal Exploratory Drilling and Testing Works’, Version 2, dated August 2023.</p> <p>Reason: Protection of local amenity</p> <p>4. No development activity, including ground preparation or vegetation clearance, shall take place until protection zones, clearly marked with posts joined with hazard warning tape, has been provided around badger sett entrances Outlier 3, Outlier 5, and Outlier 7 (as identified within Figure 2a of the Badger Survey Report dated August 2023) at a radius of 25 metres. No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zones unless an appropriate Wildlife Licence has been obtained from NIEA. The protection zones shall be retained and maintained until all construction activity has been completed on site.</p> <p>Reason: To protect badgers and their setts on the site.</p> <p>5. No works shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird’s nests within 48 hours prior to works and provided written confirmation that no nests are present / birds will be harmed and / or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Planning Authority within 6 weeks of works commencing.</p> <p>Reason: To protect breeding birds.</p> <p>6. No development shall commence until the applicant has submitted evidence in writing to the Planning Authority for its agreement demonstrating that the risks to groundwaters and surface waters due to on-site contamination of the groundwater have been effectively assessed. This evidence should include:</p>

- Suitable groundwater quality monitoring data and a quantitative risk assessment to investigate the risks to groundwater and surface water from groundwater contamination identified at the site,
- If unacceptable risks to the water environment are identified, provision of remedial criteria as groundwater concentrations that would not pose a risk to receptors. The remedial criteria are required to be derived through quantitative risk assessment based on the Conceptual Site Model and the Environment Agency's Hydrogeological Risk Assessment for Land Contamination. Remedial Targets Worksheet v3.2 (P20) or an equivalent risk assessment tool. If unacceptable risks to receptors are identified a remediation strategy to address those risks should be submitted to the Planning Authority for agreement.

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

7. A watching brief for land contamination should be maintained by a suitably qualified and experienced individual during groundworks. If 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 Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

8. After completing all necessary remediation works, and prior to operation 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 Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and in achieving the remedial objectives.

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

9. On completion of the project, all geotechnical boreholes must be fully decommissioned and in line with SEPA guidance document Good practice for decommissioning redundant boreholes and wells (UK Groundwater Forum) available at: <https://www.sepa.org.uk/media/34618/decommissioning-redundant-boreholes-andwells.pdf>

Evidence of the decommissioning shall be provided in a verification report which shall be submitted to and agreed in writing by the Council.

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

10. No works shall commence on site unless a Detailed Method Statement has been submitted to and agreed in writing by the Council. The Method Statement shall demonstrate that Dundonald House shall be monitored for vibration during the proposed works.

Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings. Approval is required upfront to safeguard original features of the building.



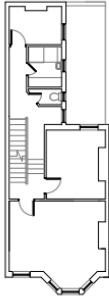


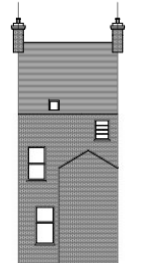
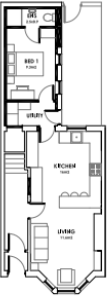
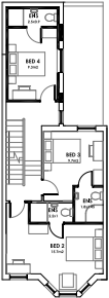


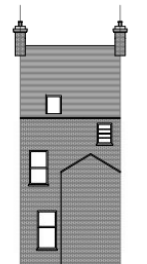
11. All associated site compounds shall be removed and ground finishes shall be returned to their original material and state on completion of the works.

	<p>Reason: In the interests of the special architectural and historic qualities of the Listed Building</p> <p>12. On completion of the works bore holes shall be finished with manholes instead of fencing compounds.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building</p> <p>13. The gates and piers at the main entrance to Upper Newtownards Road and rear entrance at Stoney Road shall be protected against impact for the duration the works.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building</p> <p>14. All trees and planting within the site shall be retained. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed, or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity.</p> <p>15. Prior to any work commencing all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified within the landscape plan and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>16. Details specified within the submitted Arb Impact Assessment & Method Statement – J Morris Arb Consultancy – date 7th August 2023 submitted in support of the application shall be adhered to in full, subject to site supervision as specified within the report, by a suitably qualified tree specialist.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the streetscape and to avoid any irreversible damage to retained trees.</p> <p>17. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices service runs / cables or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction and root severance within the RPA of existing trees to be retained.</p>
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ANNEX	
Date Valid	18/08/23
Date First Advertised	22/09/23
Date Last Advertised	(as above)
Date of Last Neighbour Notification	26/09/23 (85 notified)
Date of EIA Determination	07/09/23

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/4208/F	Committee Meeting Date: 19 th March 2024
Proposal: Change of use from dwelling to HMO (6 Beds)	Location: 24 Orient Gardens, Belfast, BT14 6LH
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Tomas O'Neill)	
Recommendation:	Approval subject to condition
Applicant Name and Address: Charlene Turkington 24 Orient Gardens, Belfast, BT14 6LH	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 51 Malone Road Belfast
<p>Executive Summary:</p> <p>This application seeks full planning permission for Change of use from a dwelling to a 6 Bed House in Multiple Occupation. The site is located at 24 Orient Gardens.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Lower Cliftonville draft area of townscape character • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection <p>24 objections have been received with the issues raised addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> 1. Significant public Interest. 2. Concerns relating to congestion and parking. <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMO's on this stretch of the Orient gardens has not yet been reached. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area of the Lower Cliftonville Draft Area of Townscape Character.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

Officer Report	
1.0	Drawings
1.1	Site Location
<div><div><div><div>SITE LOCATION MAP</div><div>1:1250</div><div>OS MAP REF: 13009 NE3</div></div></div></div>	
Existing Floor Plans and Elevations	
<div><div><div>EXISTING GROUND FLOOR</div><div>1:100</div></div><div><div>EXISTING FIRST FLOOR</div><div>1:100</div></div><div><div>EXISTING SECOND FLOOR</div><div>1:100</div></div><div><div>EXISTING FRONT ELEVATION</div><div>1:100</div></div><div><div>EXISTING REAR ELEVATION</div><div>1:100</div></div></div>	
Proposed Floor Plans and Elevations	
<div><div><div>PROPOSED GROUND FLOOR</div><div>1:100</div></div><div><div>PROPOSED FIRST FLOOR</div><div>1:100</div></div><div><div>PROPOSED SECOND FLOOR</div><div>1:100</div></div><div><div>PROPOSED FRONT ELEVATION</div><div>1:100</div></div><div><div>PROPOSED REAR ELEVATION</div><div>1:100</div></div></div>	
Please note there are no external alterations proposed.	

2.0	Characteristics of the Site and Area
2.1	The application site is located at 24 Orient Gardens. The property is a 3 storey residential terraced property with a two-storey rear return. There is a small, enclosed amenity space to the rear of the building. The immediate area is predominantly residential.
2.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. In the draft BMAP 2015, the site is located within a proposed Area of Townscape Character, Lower Cliftonville. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
3.0	Description of Proposal
3.1	The application is seeking full planning permission to change the of use to a dwelling to a 6 bed HMO (suis generis).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Relevant Planning History There is no relevant planning history.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections DFI Roads – Position retains from the previous response after evaluation of parking survey.
5.2	Non-Statutory Consultations BCC Plans & Policy Team – No objections. HMO considered acceptable at this location.
5.3	Representations
5.3.1	The application has been advertised and neighbours notified. The Council has received 24 letters of objection. The issues raised in the objections are summarised as follows: <ol style="list-style-type: none"> 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise 5. Adverse visual impact/anti-social behaviour/noise pollution 6. Overcrowding 7. Devaluing property <p>Issues 1-5 are addressed in the main body of the report.</p>
5.3.2	Additional points are considered as follows:

5.3.3	<p>6. Overcrowding – The proposal includes 6 bedrooms which meet the space standards for HMOs as set out in the Plan Strategy. A HMO at this location would require a HMO licence which whilst outside the remit of the planning process would restrict the number of occupants.</p> <p>7. Devaluing property – This is not a material consideration and is outside the remit of planning.</p>
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.1.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan (“Departmental Development Plan”) until the Local Policies Plan is adopted.
6.1.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
6.1.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The site is located within the settlement development limit in the BUAP and is not zoned for any use. In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 058). In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 041). The site is not located in a Housing Policy Area or a HMO Development Node in the Belfast HMO Subject Plan 2015.
6.2	Relevant Planning Policies
6.2.1	The following policies in the Plan Strategy are relevant to consideration of the application.

	<ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space • Policy BH3 – Area of townscape character
6.3	Key Issues
6.3.1	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Lower Cliftonville draft ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
6..4	The principle of an HMO at this location
6.4.1	<p>The site is outside Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p>
6.4.2	<p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, <p>with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.</p>
6.4.3	<p>According to the LPS Pointer Address database there are 48 domestic properties on Orient Gardens. This would allow for 4 HMO properties on Orient Gardens before the 10% threshold would be exceeded. According to our records there is one existing HMO on Orient Gardens. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.</p>
6.4.4	<p>Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.</p>
6.4.5	<p>Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out</p>

	in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
6.5	Impact on the character and appearance of the Lower Cliftonville draft ATC
6.5.1	The site is located within a proposed Lower Cliftonville ATC which is characterised by 3 storey Victorian red brick terraced dwellings. No external changes are proposed to the dwelling and the proposal will not create conflict with the character of the Lower Cliftonville draft ATC and the overall character of the area will be maintained. The proposal is considered to comply with Policy BH3 - Areas of townscape character.
6.6	Impact on residential amenity
6.6.1	The property is a large 3 storey dwelling and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 6 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 6 bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.
6.6.2	<p>Policy RD1 applies as set out above and states that <i>'planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</i></p> <p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas</i> - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p> <p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance</i> - Officers consider that the scheme will not give rise to any of the issues listed in criterion b. Overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</p> <p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure</i> - There is sufficient space for cycle parking. Metro services are available along the Cliftonville Road, a 2 minute walk from the property.</p> <p><i>d) Provides appropriate open space</i> - The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.</p> <p><i>e) Keeps hard surfacing to a minimum</i> - No hard standing is proposed as part of this application.</p> <p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C</i> - The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 6 bedrooms. The proposal therefore complies with the HMO space standards for a 6 bed HMO as set out within Belfast Local Development Plan: 2035.</p> <p><i>g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street</i> - All units have safe and</p>

	secure access from the front door of the dwelling.
	<i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light - All habitable rooms in the dwelling have access to natural light.</i>
6.6.3	The LDP plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 6 bedrooms and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.
6.6.4	As indicated above, the HMO will further require to be licensed with BCC which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.
6.6.5	The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.
6.6.6	Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met: <p><i>a) Any units are self-contained - This criterion is not applicable.</i></p> <p><i>b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm - Officers consider that this criterion is met (refer to section 6.8 below)</i></p> <p><i>c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling – This criterion is not applicable to this proposal.</i></p> <p><i>d) Conversions above commercial premises do not prejudice the commercial functions of the business - This criterion is not applicable to this proposal.</i></p>
6.6.7	Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.
6.7	Traffic, Parking and Access
6.7.1	Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.
6.7.2	Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.

6.7.3	<p>However, to satisfy the concerns raised in relation to parking the Council requested a parking survey. The parking survey demonstrates that adequate parking is available within a radius of 100 metres walking distance from the application site to serve the proposal without detriment to the parking provision for existing residents in the area. DfI Roads were consulted on the parking survey and advised that their position of no objections is retained. The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. Furthermore, the site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.</p>
6.8	<p>Waste and Refuse Collection</p> <p>Policy RD3 criterion b, requires that adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm. Officers consider that this policy is complied with. The alleyway to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. Bin storage is also a HMO licensing requirement and the Council's website states that "during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland".</p>
6.8.1	
6.9	<p>Impact on the sewage network</p> <p>There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.</p>
6.9.1	
8.0	Recommendation
8.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p>
8.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none"> Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 	

2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/3076/F	Committee Meeting Date: 19 th March 2024
Proposal: Single storey extension to the Gael-Ionad Mhic Goill building, to provide additional common room space and classroom facilities, reception area, a multi-purpose room and heritage cafe space, with associated toilets and ancillary spaces in addition. An external outdoor performance area and landscaped areas will be provided in addition to car parking areas & bin stores.	Location: Glor Na Mona, 4 Whiterock Close, Ballymurphy, Belfast, Antrim, BY12 7RG
Referral Route: Council owned land which Gael-Ionad Mhic Goill lease from Belfast City Council (3.8.5 (d)).	
Recommendation: Approval	
Applicant Name and Address: Feargal Mac Ionnrachtaigh 4 Clos Na Carraige Béal Feirste BT12 7RG	Agent Name and Address: Kevin Neeson McCartan Muldoon Architects Studio 1, The Marina Centre 135a Shore Road Ballyronan Magherafelt BT45 6JA
Executive Summary: This application seeks full planning permission for a single storey extension to the Gael-Ionad Mhic Goill building, to provide additional common room space and classroom facilities, reception area, a multi-purpose room and heritage cafe space, with associated toilets and ancillary spaces in addition. An external outdoor performance area and landscaped areas will be provided in addition to car parking areas & bin stores. The main issues to be considered are: <ul style="list-style-type: none"> • Design, layout and impact upon the character and appearance of the area • Open Space and Landscape Designations • Access and Movement • Climate Change • Waste-water infrastructure • Noise, odour and other environmental impacts including contamination Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including consideration of the outstanding Shared Environmental Services consultation, provided that they are not substantive	

1.3	<p>Fig. 1 Contextual Elevations</p>
2.0	Characteristics of the Site and Area
2.1	<p>The site is located at the Glor Na Mona centre in west Belfast. The site contains an existing single storey building with associated car parking. There are grassed areas adjacent to all sides of the building. There is a fenced off area of vacant, open space immediately to the south. The Whiterock Leisure Centre is to the southwest, there is a playground to the west and the City Cemetery to the east. The site is within BT 99 Milltown Urban Landscape Wedge, as designated in draft BMAP (2004 version)</p>
3.0	Description of Proposal
3.1	<p>This application seeks full planning permission for a single storey extension to the Gael-Ionad Mhic Goill building, to provide additional common room space and classroom facilities, reception area, a multi-purpose room and heritage cafe space, with associated toilets and ancillary spaces in addition. An external outdoor performance area and landscaped areas will be provided in addition to car parking areas & bin stores.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)</p>
4.5	Relevant Planning History

4.6	LA04/2022/2137/F Glor na Mona 4 Whiterock Close. Proposed detached modular temporary classroom and toilet unit with ramp for access at Gael-Ionad Mhic Goiland. Relocation of existing temporary classroom (ref LA04/2021/2577/F) and existing palisade fencing on boundary moved 10.5m south to facilitate the new temporary unit. Permission Granted
4.7	LA04/2021/2577/F Gael-Ionard Mhic Goill. Detached modular temporary classroom unit and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres. Permission Granted
4.8	Z/2014/1741/F Lands 50 metres due south of 2 Whiterock Close. Change of design from that previously approved under application reference Z/2013/1075/f to provide a new single storey Irish Language and youth community centre. Permission Granted
4.9	Z/2013/1075/F Lands to East of Whiterock Close, North of Whiterock Leisure Centre, West of Belfast cemetery. New construction timber framed, modular building for Irish Language Youth Centre, 2 storeys. Permission Granted
5.0	Consultations and Representations
5.1	Statutory Consultations <ul style="list-style-type: none"> • DfI Roads – Content subject to conditions • NI Water – Refusal • DAERA- Concerns raised from Water Regulation Unit and no concerns from the Natural Environment Division • Shared Environmental Services- Awaiting response
5.2	Non-Statutory Consultations <ul style="list-style-type: none"> • BCC Environmental Health – Content subject to conditions
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.
5.4	Representations <p>The application has been advertised and neighbours notified. The Council has received no representations in support or objection.</p>
6.0	PLANNING ASSESSMENT
	Development Plan Context
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.

6.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p><i>Strategic Policies</i> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SP8 – green and blue infrastructure network</p> <p><i>Spatial Development Strategy</i> Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i> Policy DES1 – Principles of Urban Design Policy C11- Community Infrastructure</p> <p><i>Transport</i> Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy TRAN10- Design of Car Parking</p> <p><i>Building a Smart Connected and Resilient Place</i> Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change Policy ENV4 – Flood Risk</p>

	<p>Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p><i>Promoting a Green and Active Place</i></p> <p>Policy OS1 – Protection of Open Space</p> <p>Policy OS3 – Ancillary Open Space</p> <p>Policy TRE1 – Trees</p> <p>Policy LC1 – Landscape</p> <p>Policy LC1D- Landscape Wedges</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Trees and Development</p>
6.7	<p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Design, layout and impact upon the character and appearance of the area • Open Space and Landscape Designations • Access and Movement • Climate Change • Waste-water infrastructure • Noise, odour and other environmental impacts including contamination.
6.8	<p>The adoption of the Plan Strategy requires the following updated assessment.</p>
6.9	<p><u>Additional Information</u></p> <p>Officers requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p>
6.10	<p>The Planning Service’s Plans and Policy team has been consulted on the applicant’s Plan Strategy. No further consultations have been considered necessary following adoption of the Plan Strategy.</p>
6.11	<p><u>Principle of Development</u></p> <p>The site is located within the existing settlement limit (BUAP and dBMAP). It is located within the designated Milltown Urban Landscape Wedge (dBMAP). There are no other zonings or designations affecting the site. Adjacent lands are designated as a Local Landscape Policy Area (dBMAP) and represent existing open space, including the Whiterock Leisure Centre grounds and City Cemetery). Policy C11 Community Infrastructure generally supports community facilities at appropriate accessible locations within the urban area, subject to normal planning considerations. The proposed development represents an extension of an existing community facility and is considered to be compliant with this policy.</p>
6.12	<p><u>Design, layout and impact upon the character and appearance of the area</u></p> <p>The proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive</p>

	contribution to placemaking. The proposal to extend the existing community is considered to appropriately tie in with the current design scale and massing. The finish of materials is to match the existing facility, white render with red tones to parts of the front and rear elevations. Appropriate landscaping measures have been included to ensure the integrity of the Milltown Landscape Wedge is maintained.
6.13	The proposal is considered to tie in with the adjacent housing at Whiterock Close. There will be no issues in relation to overlooking, loss of light, overshadowing and dominance.
6.14	<p><u>Open Space and Landscape Designations</u></p> <p>Policy OS1 (protection of Open Space) protects against the loss of existing open space. The site is currently vacant/disused and is secured by palisade fencing. There is a hardstanding area within the site that indicates some former use and it understood that it may have been used for community use before 2002. The current proposal would therefore represent the restoration of such previous use, albeit with a substantial intervening period. It is considered that the site does not fall within the LDP 2035 definition of open space and Policy OS1 is therefore not applicable.</p>
6.15	The LDP 2035 Landscape Policies (general Policy LC1-Landscape and specific Policy LC1D- Landscape Wedges) are applicable in this instance.
6.16	The Milltown Landscape Wedge covers an extensive area, from Milltown Cemetery near the M1 Motorway through Falls Park and City Cemetery to the Whiterock Leisure Centre. The designation at this location includes some existing buildings, such as a 3-storey fold housing block, the Whiterock Leisure Centre and the existing Glor na Mona facility. The proposed development is for an expansion of the existing community facility and, whilst part of it could be considered 'outdoor recreation' (permitted by the policy), the proposed development's principle use is not outdoor recreation. Therefore, the proposal is not normally supported by the policy.
6.17	However, the policy states that development may be considered where it is clearly shown that it will bring substantial community benefits that outweigh any potential landscape impacts, and that adequate mitigation will be put in place. Whilst the proposal is situated within the Milltown Landscape Wedge, it is currently in a derelict state and is not in use. There is a presumption in favour of its retention, therefore an exemption will be granted where redevelopment will bring substantial community benefits that outweigh the loss of some of the landscape wedge. It is also considered that the proposal suitably integrates with the existing building and surrounding site. There are suitable landscaping measures put in place to ensure the site sits suitably within the landscape. The proposal will not affect views onto the site and will not have a detrimental impact in the integrity of the wedge. Therefore, on balance, the proposal is considered acceptable.
6.18	<p><u>Climate change</u></p> <p>Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation. Similarly ENV3 states that planning permission will be granted for development that incorporates measures</p>

	to adapt to environmental change, in order to support sustainable and enduring development.
6.19	<p>The applicant has submitted a Climate Change Statement setting out that the following features are incorporated into the design to comply with both ENV2, ENV3 and ENV5:</p> <ul style="list-style-type: none"> • The building is designed to be orientated to optimise solar gain and energy efficiency, • Improved fabric standards and increased on-site renewable generation will reduce carbon emissions to heat and power the building. • There will be 10-15 kW array of Photovoltaic Panels (PVs) located on the roof. This will be linked back to the grid- surplus energy can be distributed back to the grid but it is intended that the power generated will be used within the building. A battery pack can store the energy for general use and a converter will be used to assist with domestic hot water. • It is intended that the building will not utilise heating or hot water from traditional fossil fuel boilers and all systems will be electric. • An increased soft landscaped area with multiple semi mature native species and trees and areas of wildflower grasses mix will enhance bio-diversity on the site.
6.20	There will be a net gain of 26 trees on site. Therefore, on balance the proposal is considered to mitigate and adapt to climate change and comply with Policy TRE1.
6.21	The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. A pre commencement condition is proposed to ensure delivery of the above measures and that soft landscaping within the site introduces SuDS measures to partially meet ENV3 and comply with ENV 5.
6.22	<p><u>Access, movement, and parking</u></p> <p>The proposal has been assessed against the following policies, TRAN 6, TRAN 8, TRAN 10.</p>
6.23	Policy TRAN 6- DfL Roads were consulted and is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. The means of access to the development would be safe. There is sufficient parking available having regard to the location and sustainability of the site.
6.24	Policy TRAN 8- Car Parking and Servicing Arrangements. It is considered that adequate parking has been provided for the proposal.
6.25	<p>Policy TRAN 10 has been met in that the design of car parking meets the following criteria:</p> <ol style="list-style-type: none"> a. It respects the character of the local townscape/landscape as the majority of parking is to the rear of the building. The extent of parking retained at the front of the property is consider consistent with other development in the area and is screened by the implementation of landscaping along the site frontage. b. It will not adversely affect visual and residential amenity c. Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site as all parking is overlooked and located adjacent to, or within a short distance of, the entrance to the building. d. Provision of one parking space has been made for accessible parking bays which facilitate safe, convenient access for people with a disability or impaired mobility.
6.26	The proposal is considered complaint to Policies, TRAN 2, 4, 6, 8 and 10.

6.27	<p><u>Waste-water infrastructure</u></p> <p>NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.</p>
6.28	<p><u>Ecological Impacts</u></p> <p>Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
6.29	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As the Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p>
6.30	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. A response from SES is currently outstanding and delegated authority is sought to deal with this issue.</p>
6.31	<p>DAERA Environment, Marine and Fisheries Group & NIEA has advised they have no objection to the proposal. Having regard to this advice, it is considered necessary to impose a condition to require details of foul drainage to be agreed prior to commencement of development. Subject to this condition, the proposal is considered compliant with Policy NH1 Protection of natural heritage resources and Policy ENV1 Environmental quality and the relevant provisions of the Strategic Planning Policy Statement.</p>
6.32	<p>DEARA Natural Environment Division (NED) were consulted and are content that the proposal is unlikely to significantly impact NI Priority/protected species or habitats. The proposal is therefore considered compliant with Policy NH1 and ENV1.</p>
6.33	<p><u>Noise, odour and other environmental impacts including Contamination</u></p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p>

6.34	<p><u>Contaminated land</u></p> <p>Environmental Health (EH) is of the opinion that past land-use on or in close proximity to this proposed development will not cause a potential impact on the health of the future occupants of the proposed development.</p>
6.35	<p><u>Odour</u></p> <p>Environmental Health have advised in order to avoid potential for adverse odour impact on other sensitive premises in the vicinity, the applicant should seek advice on provision of suitable, fit for purpose kitchen extraction system incorporating sufficient grease filtration and any odour control technology as deemed necessary with regard to relevant industry guidance on the control of odours from commercial type kitchens. Consequently, EH have requested condition attached to any planning permission.</p>
6.36	<p><u>Noise</u></p> <p>EH offered no objection with regards to noise impacts from the development.</p> <p>The proposal is therefore considered to accord with Policy ENV1.</p>
7.0	Recommendation
7.1	Having regard to the local development plan and other material considerations, the proposal is considered on balance acceptable.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding Shared Environmental Services consultation, provided that they are not substantive.

DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.
Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
2. The vehicular access shall be provided in accordance with Drawing No.02A uploaded to the Planning Portal 8th March 2024, prior to the operation of any other works or other development hereby permitted. The vehicular access shall be formed using returned kerbs with pedestrian crossing points (tactile paving) provided to both sides of the access. The vehicular access shall be of minimum width 5.0m.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
3. The development hereby permitted shall not become operational hard surfaced areas have been constructed and permanently marked in accordance with Drawing N02A uploaded to the Planning Portal 8th March 2024, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

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

4. Prior to the commencement of operation of the hereby permitted kitchen, a kitchen extraction and odour abatement system, fit for purpose, designed in accordance with the EMAQ+ 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' guidance as updated May 2022 shall be installed to control grease, smoke, and odours from cooking operations. The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above rear main eaves height, and it shall be directed away from nearby sensitive premises.

Reason: Protection against adverse amenity due to odour

5. The hereby approved extraction and ventilation system shall be retained thereafter and must be cleaned and maintained in accordance with manufacturer's instructions to ensure compliance with condition 1 above.

Reason: Protection against adverse amenity due to odour

6. Prior to the commencement of the development hereby approved a landscape management plan shall be submitted and agreed in writing with the council. The landscape management plan should detail all soft landscaping including species, size and type, and include details of appropriate SUDs measures to assist in minimising flood risk. All agreed landscaping and SUDs measures shall thereafter be retained and managed as agreed.

Reason: In the interests of mitigating against environmental change.

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

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

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

Reason: In the interests of visual amenity.

9. All landscaping works shall be carried out in accordance with the approved details on drawing no , uploaded to the planning portal on 05/02/2024 . The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. 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

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

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

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers: 01A 02A 03A 04A 5
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	15/04/2023
Date First Advertised	05/05/2023
Date Last Advertised	05/05/2023
Neighbours	

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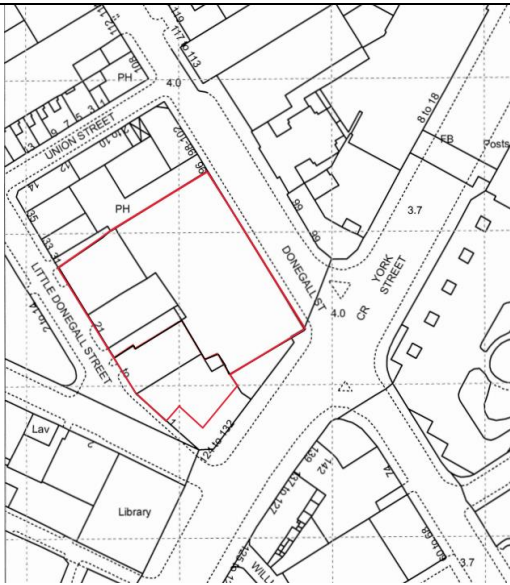
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	19 March 2024
Application ID: LA04/2024/0054/F	LA04/2024/0054/F
Proposal: Change of use to conference centre facility with associated use as events/entertainment space	Location: Former Print Hall, Ground floor, 122-144 Royal Avenue, Belfast, BT1 1DN
Referral Route: Belfast City Council has an interest in the land.	
Recommendation:	Approval
Applicant Name and Address: The Limelight Belfast Ltd 17 Clarendon Road Belfast BT1 3BG	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
<p>Executive Summary: Permanent full planning permission is sought for a change of use of former printing hall and premises to conference centre facility with associated use as events/entertainment space.</p> <p>The site is located within the development limits for Belfast. The site does not have any particular zoning within either the BUAP 2001 or draft BMAP 2015. It is located within the City Centre, Scotch/Cathedral character area and City Centre Area of Parking Constraint under draft BMAP. The site comprises part of the listed Belfast Telegraph Building.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development and use; • Impact on amenity; • Impact on the listed building; • Provision of parking and access. <p>The application was neighbour notified and advertised in the local press. No third-party representations have been received.</p> <p>DFI Roads, Environmental Health, and Historic Environment Division have all been consulted. None have any objections to the proposal.</p> <p>There have been two previous temporary permissions for a similar use on this site by the same applicant with no detrimental impact on amenity. On balance, considering the previous temporary planning permissions granted to date and a live application for renewal of an expired permission for the overall redevelopment of the site, it is recommended that permission is granted.</p> <p>Recommendation: Having regard to the policy context and other material considerations, it is recommended that the application is approved, subject to conditions.</p>	

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

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal seeks full planning permission for a change of use to conference centre facility with associated use as events/entertainment space.
2.0	Description of Site
2.1	The site comprises most of the ground floor of Nos. 122-144 Royal Avenue, Belfast. The building is four storeys in height and is finished in a mixture of red brick, render and cladding. The ground floor of the property was previously a printing hall and associated commercial space for Belfast Telegraph and is currently in use as a temporary event space.
2.2	The surrounding area is defined by mixed use, with a large student accommodation block currently under construction adjacent to the site. Belfast Central Library and a number of commercial units including a hair salon are located in the surrounding area.
3.3	The site includes part of a Grade B2 Listed Building at Nos. 124-144 Royal Avenue (former Belfast Telegraph building). The site is outside but opposite the Cathedral Conservation Area to the east.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2024/0190/F - Renewal of planning permission ref: LA04/2018/1991/F for the demolition of existing non listed buildings and redevelopment of site with 6-8 storey buildings 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 façade restoration; new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade. Pending decision.
3.2	LA04/2022/0155/F - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 18 months. Expired 20 February 2024
3.3	LA04/2021/2825/A - Retention of mesh banner signage (19.1m by 9.84m) for a temporary period of 24months – Refused 15 th April 2022.
3.4	LA04/2021/1586/A - Proposed mesh banner signage (19.1m x 9.84m) for a temporary basis of 24months – Refused 11 th November 2021.
3.5	LA04/2020/0662/A - Mesh banner signage (19.1m X 9.84m) (temporary for 1 year) – Granted for 1 year – 27 th August 2020 for 1 year only.
3.6	LA04/2019/0878/F - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 3 years – Granted on 16 th October 2019 for 2 years – Expired 16 th October 2021.
3.7	LA04/2018/1991/F - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN - 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 façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade [amended scheme] – Granted – 19 th February 2019 – Expires 21 st February 2024.
3.8	LA04/2018/1968/LBC - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN., Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, façade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade – Consent Granted – 19 th February 2019 – Expires 20 th February 2024.
3.9	LA04/2017/2209/F - 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 - Granted on 29 th November 2017 for a period of 1 year – Expired 28 th November 2018.
3.10	Z/2004/0303/F 124-144 Royal Avenue, Belfast Adjustments to existing roof to facilitate the installation of a new printing press – Granted.
4.0	Planning Policy
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.4	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses
5.1	DFC Historic Environments Division – No objection subject to conditions.
5.2	DFI Roads – No objection subject to conditions.
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection subject to conditions.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Development Plan zonings
8.1	The Belfast Urban Area Plan 2001 shows the site as white un-zoned land.

8.2	<p>Draft Belfast Metropolitan Area Plan (BMAP) 2004 version:</p> <p>The site is located within the city centre boundary and the Scotch and Cathedral quarter character area.</p>
8.3	<p>Draft Belfast Metropolitan Area Plan (BMAP) 2014 version (previously adopted and subsequently quashed):</p> <p>The site is located within the city centre boundary and the Scotch and Cathedral quarter character area.</p>
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 and use; • Impact on amenity; • Impact on the listed building; • Provision of parking and access.
9.2	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
9.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
9.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
9.5	<p><u>Operational policies:</u> the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • Policy BH1 • Policy BH2 • Policy CC1 • Policy RET1 • Policy RET6 • Policy ENV1 • Policy TLC1 • Policy TRAN2 • Policy TRAN3 • Policy TRAN4 • Policy TRAN8

9.6	<u>Proposals Maps:</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the most recent version of dBMAP 2015 (v2014) given its advanced stage in the adoption process, save for retail policies relating to Sprucefield which remain contentious.
9.7	The application site is located on un-zoned “white land” in accordance with the BUAP. However, the site is located within the City Centre and the Scotch and Cathedral Quarters for Belfast as designated by both iterations of Draft Belfast Metropolitan Area Plan 2015, the 2004 and 2014 versions. It is outside the Primary Retail Core in both versions of dBMAP.
9.8	<u>Principle of development and use</u> The proposal is compatible in principle with other city centre uses given its commercial nature and is a non-retail ground floor use outside the primary retail frontage (PRF) of the city centre, as defined in dBMAP 2015. It is also considered to be a main town centre use and its location within the boundary of Belfast City Centre complies with Policy RET 1 of the LDP.
9.10	The supporting statement from the applicant states that although the proposal is for a permanent period, it acknowledges that there are plans to redevelop the site for a mixed-use scheme and that they will vacate the site once the other plans are ready to be implemented. This would be a matter from the landowner/landlord of the site.
9.11	Policy CC1 supports mixed use development limit within development opportunity areas consistent with a number of principles. New development shall be directed towards sites within the development opportunities areas, including the Inner North West. The site is located within this area. However, given the nature of the proposal which is for change of use the ground floor of existing buildings, it is not considered proportionate nor necessary to require the proposal to come forward in accordance with a masterplan, nor are the other requirements of Policy CC1 considered applicable.
9.12	The proposal does not include any physical alterations. Consideration is also given to the planning history, notably planning permission ref. LA04/2018/1991/F (see Site History). This has expired but a renewal has been submitted under ref. LA04/2024/0190/F. This, if approved, would be more likely to contribute to the delivery of the regeneration strategy for the area. The permanent approval of this use may hinder the aims of this policy. However, the applicant has confirmed that there will be a 6-month break clause in the lease which will enable the landowner to evict the applicant when they finally are ready to redevelop the site. These lease terms will ensure a permanent approval will not restrict any realisation of wider regeneration aims for the site and its wider context. As the council is part owner of the site it will be able to have control over this. The rationale for a permanent approval this time around is to remove the increasing frequency and necessity to seek occasional licences from the Courts for the wide range of entertainment space that the venue lends itself to.
9.13	<u>Previous Temporary Permissions</u> The previous planning permission on this site was for the temporary use of the ground floor as an event space and expired on the 20 February 2024. The guiding principle for approving a use on a temporary basis is to allow for a ‘test run’. Generally, no more than two consecutive temporary permissions should be approved and any application for a renewal should either be given a permanent permission or refused. This is the third such application for an event space at this site. However, the proposal for conference facilities with an associated event space does not sit on all fours with, and can therefore be distinguished from, the previous two temporary permissions which were solely for use as an event space.

9.14	The rationale for granting the previous permissions for a limited period was to allow Environmental Health to monitor impacts on nearby premises and to ensure no conflict on potential future development, specifically at the nearby site, 2-14 Little Donegal Street. These comments were based on an historic approval for a mixed-use development including 18 apartments under reference Z/2007/2120/F at 2-14 Little Donegall Street. It is however noted that this permission expired on 8 September 2016. An application to renew under ref. LA04/2016/1915/F was refused on 12th December 2018. There has been no further planning history on 2-14 Little Donegall Street therefore it is not considered likely that residential units will be developed on this site in the near future.
9.15	<u>Impact on Amenity</u> In respect of noise, nuisance and disturbance from the proposed use, Environmental Health has been consulted and offer no objection on the basis that theirs and Building Control's records showed no receipt of noise complaints.
9.16	Environmental Health also assessed potential impacts on air quality as a result of the proposal and advise that if the proposed development is to include any centralised combustion plant (biomass, CHP or gas boilers, etc.), an Air Quality Impact Assessment may be required which considers relevant human health receptors and impact on local air quality. In such a scenario they would require technical information relating to the proposed centralised combustion plant be provided to Planning Service and request if planning permission is forthcoming it is on the condition that this information is submitted. However, the proposal is for change of use only and any additional plant or equipment may require separate planning permission in its own right and does not form part of the prospective permission to be granted.
9.17	No commercial cooking operations will be undertaken within the development; outside catering will be provided for conferencing events.
9.18	<u>Contaminated Land</u> It has been confirmed by the agent that there are no proposed groundworks at the development site and therefore Environmental Health is content.
9.19	<u>Impact on Listed Buildings</u> The site partly comprises a Grade B2 Listed Building, although no physical alterations are proposed to the building. DfC HED was consulted and considered the effects of the proposal on listing buildings. It advises that the proposal is compliant with the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.13 and Policy BH1 of the Belfast LDP strategy and thus offers no objection. It is considered that the proposal would not harm the special architectural or historic qualities of the Listed Building, or its setting, and that the proposal is compliant with the SPPS and Policy BH1.
9.20	<u>Parking Provision and Access</u> The applicant has submitted a transport statement incorporating a Transport Assessment, travel plan, and service management plan in line with policies TRAN 3 and 4. The application site is in an accessible city centre location, with provision of cycle parking, access to public transport and convenient walking distance to other parts of the city centre and public car parks. Consideration as to the nature of the proposal as an events and music venue and a tourist attraction, it is acknowledged that visitors to the city centre and the proposal will less likely need to requiring use of a private car. DfL Roads were consulted and have no objection to the proposal, subject to conditions.
9.21	In respect of access to the venue, Policy TRAN 2 is relevant. This seeks to ensure access to existing buildings via alterations where opportunities arise. The site is on the ground floor of the building at street level and accessed via double doors. The internal layout can

9.22	<p>easily accommodate persons with disabilities. As such it would not be necessary to request modifications to the building to improve accessibility. Policy TRAN 2 is satisfied.</p> <p>DfI Roads has stipulated that it is content subject to conditions. However, it has requested that parking provision is secured by condition. This condition is not relevant to the proposal as no hard surfaced areas and no parking are proposed, nor is this necessary given the sustainable location of the site, and therefore should be excluded from the final decision.</p>
10.0	Summary of Recommendation: Approval
10.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval is recommended.
10.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that arise, provided that they are not substantive.
11.0	Conditions
11.1	<p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>The change of use hereby approved shall relates to the ground floor of the site and as shown on the approved plans:</p> <p>Reason: For the avoidance of doubt as to the extent of the permission.</p>
11.3	<p>A minimum of 12 No. cycle parking spaces and stands shall be provided and permanently retained within the 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>
11.4	<p>The development hereby permitted shall operate in accordance with the approved Event Management Plan dated December 2023 and published on the Planning Portal on 24 January 2024.</p> <p>Reason: in the interests of road safety and the convenience of road users.</p>
11.5	<p>The development hereby permitted shall operate in accordance with the approved Travel Plan, including the Service Management Plan dated December 2023 and published on the Planning Portal on 24 January 2024. The Site Operator will offer access to 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>

ANNEX	
Date Valid	19 January 2024
Date First Advertised	2 February 2024
Date Last Advertised	2 February 2024
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1-21 ,Little Donegall Street Belfast BT1 2JD The Owner/Occupier 95-97 DONEGALL STREET BELFAST BT1 2AH The Owner/Occupier DONEGALL STREET CONGREGATIONAL CHURCH DONEGALL STREET BELFAST BT1 2FJ The Owner/Occupier GROUND & 1ST FLOORS 95-97 DONEGALL STREET BELFAST BT1 2AH The Owner/Occupier METROPOL HOUSE 2-10 YORK STREET BELFAST BT15 1AQ The Owner/Occupier 10 UNION STREET BELFAST BT1 2JF The Owner/Occupier 10A UNION STREET BELFAST BT1 2JF	

The Owner/Occupier
12-14 UNION STREET
BELFAST
BT1 2JF

The Owner/Occupier
1ST FLOOR
98-102 DONEGALL STREET
BELFAST
BT1 2GW

The Owner/Occupier
2ND FLOOR
98-102 DONEGALL STREET
BELFAST
BT1 2GW

The Owner/Occupier
31A LITTLE DONEGALL STREET
BELFAST
BT1 2JD

The Owner/Occupier
33 LITTLE DONEGALL STREET
BELFAST
BT1 2JD

The Owner/Occupier
35 LITTLE DONEGALL STREET
BELFAST
BT1 2JD

The Owner/Occupier
4 UNION STREET
BELFAST
BT1 2JF

The Owner/Occupier
6-8 UNION STREET
BELFAST
BT1 2J

The Owner/Occupier
96 DONEGALL STREET
BELFAST
BT1 2GW

The Owner/Occupier
98-102 DONEGALL STREET
BELFAST

BT1 2GW

OFFICES 1ST AND PART 2ND FLOOR
2-14 LITTLE DONEGALL STREET
TOWN PARKS
BELFAST
BT1 2JD

CENTRAL LIBRARY ROYAL AVENUE
TOWN PARKS
BELFAST
BT1 1EA

Academy Restaurant
University of Ulster
York Street
Belfast
BT15 1ED

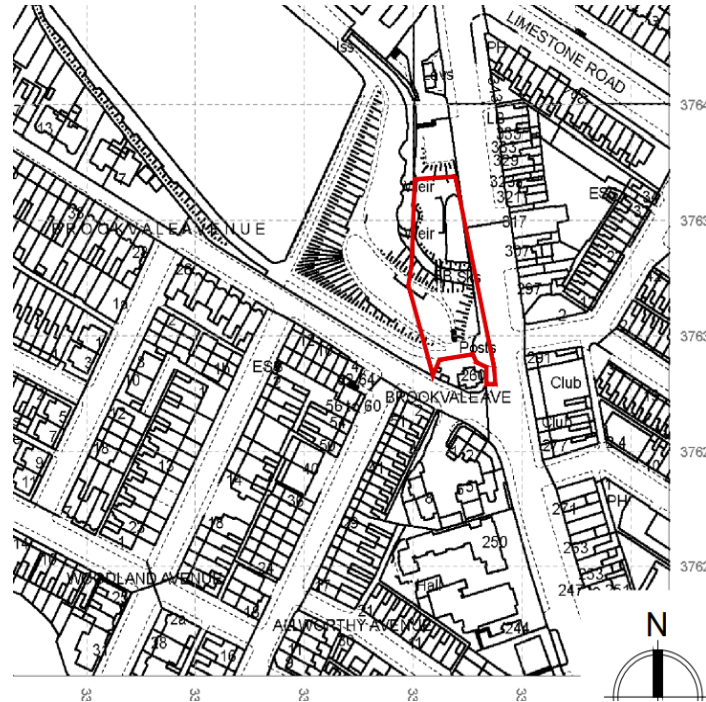
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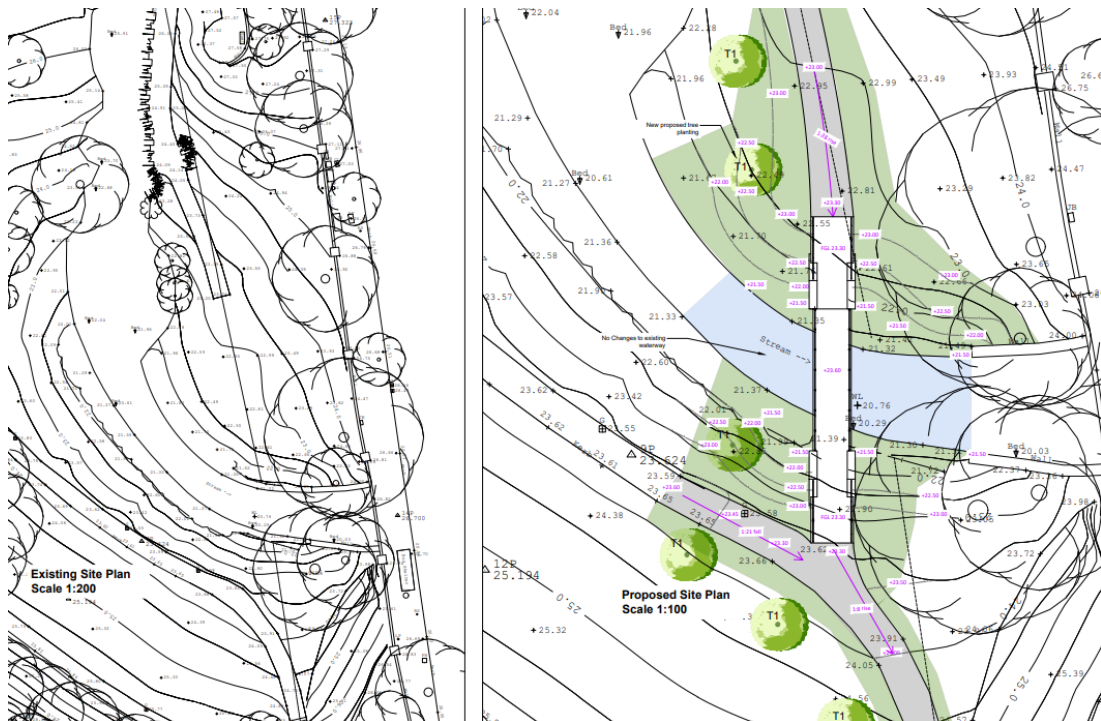
Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/3758/F	Committee Date: Tuesday 19 th March 2024
Proposal: New Pedestrian Footbridge and replacement steps to comply with DDA requirements.	Location: Queen Mary Gardens 40m North of 260 Antrim Road, Belfast, BT15 2AT
Recommendation:	Approve
Referral Route:	Paragraph 3.8.5 (c) and (d) of the Scheme of Delegation (application made by the Council and which the Council has an estate)
Applicant Name and Address: Belfast City Council, 9-21 Adelaide Street, Belfast, BT2 8DJ	Agent Name and Address: Paul McAlister Architects Ltd The Barn Studio, 64A Drumnacanny Road, Portadown BT63 5LY
<p>Executive Summary: The application seeks full planning permission for the redevelopment of the pedestrian footbridge within Queen Mary Gardens adjacent Waterworks Swan Lake. This site is adjacent the Antrim Road in North Belfast. Associated site works include ground levels being graded to suit the new bridge and supplementary planting provided. New DDA compliant steps from the park entrance will also be provided.</p> <p>The site falls under draft Belfast Metropolitan Area plan 2015 - designation BT 124 Local Landscape Policy Area: Waterworks.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> - Scale, Massing & Design - Impact on Landscape Character & Historic Buildings / Assets - Impact on amenity <p>5 consultations were required, DFI Rivers, DFI Roads, Historic Environment Division, LDP Environment & Community and BCC Landscape Planning & Development. All consultees are content subject to planning conditions and informatives being included. No representations were received from third parties including neighbours.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

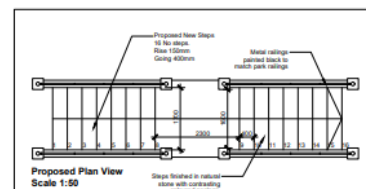
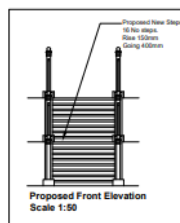
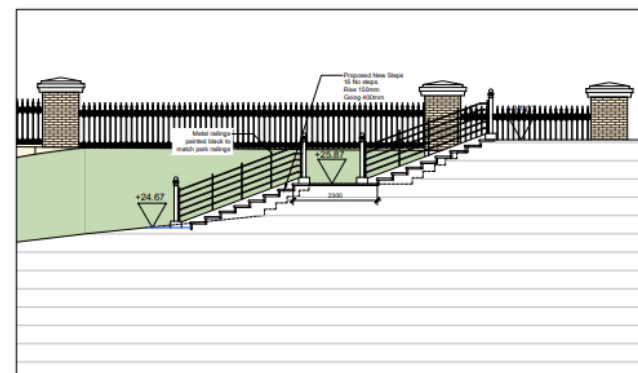
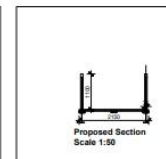
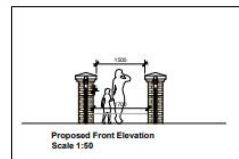
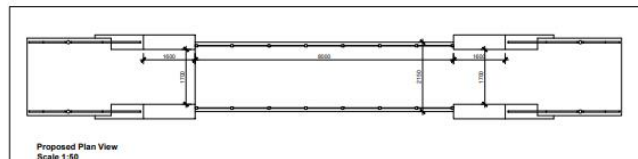
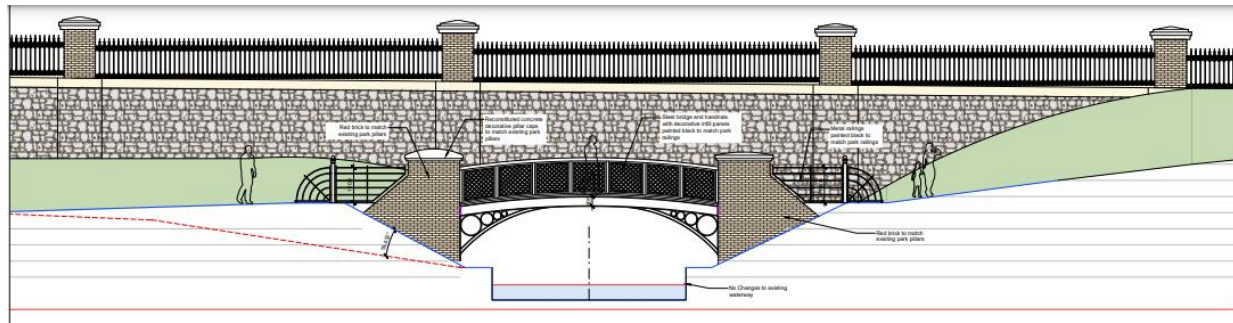
Site Location Plan:



Existing & Proposed Site Plans



Proposed Elevations



1.0	Characteristics of the Site and Area The application site is located within the grounds of the Queen Mary Gardens adjacent to the Antrim Road in North Belfast. The site is a pedestrian footbridge which extends over a watercourse within the a section of the park. The park comprises mature trees and vegetation and manicured landscaping. Belfast City Council maintain and own the park.
2.0	Description of Proposal New Pedestrian Footbridge and replacement steps to comply with DDA requirements.
3.0	Planning Assessment of Policy and Other Material Considerations Section 45(1) of the Planning Act Northern Ireland 2011 requires regard to be had to the development plan insofar as it is material to the application and to any other material considerations. Section 6(4) states that the determination must be made in accordance with the developmental plan unless material considerations indicate otherwise.
4.0	Policy Framework

4.1	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.2	The site is designated within BT 124 Waterworks, which is zoned as a Local Landscape Policy Area. This footbridge is most accessed via the gates adjacent to 260 Antrim Road which is also a Grade B1 Listed Building
5.0	Scale, Massing, Design
5.1	Policy DES1 within the LDP states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking. The scale and massing of the proposal is deemed sympathetic to the location and immediate surrounding area. The pedestrian footbridge will be constructed of red brick to match with the existing pillars at the park. Reconstituted concrete decorative pillar caps will be used to reflect the existing park pillars. The bridge itself will be constructed of steel and decorative steel handrails will be painted black to match the existing park railings and features. There will be no change to the existing waterway. The proposed new steps within the park (16 No.) will be raised and finished in natural stone all to the required DDA (Disability Discrimination Act) standard. This proposal is compliant with the policy criteria detailed in DES1 of the LDP and paragraphs 4.23 – 4.40 of the SPPS.
6.0	Impact on Landscape Character & Historic Buildings / Assets
6.1	Belfast City Council Landscape Planning and Development unit have been consulted on this development proposal and have no objections to the design in terms of scale, accessibility, and architectural references to the historic parkland setting.
6.2	Historic Environment Division (HED) have been consulted as part of this proposal. The site is near the Gate lodge at 260 Antrim Road (HB26/44/027A, Grade B1) and the Park Gate screen, piers, gates and railings to the Waterworks, Antrim Road, Belfast (HB26/44/027B, Grade B2), both of which are listed buildings of special architectural or historic interest, protected by Section 80 of the Planning Act (NI) 2011. HED advised that the proposal satisfies the requirements of SPPS para 6.12 and Policy BH1 of Belfast Local Development Plan, Plan Strategy 2035 on the basis the new vegetation implemented would not obscure views of the Gate Lodge from across the park. HED are content subject to a pre-commencement condition regarding the proposed brick material prior to its construction if permission were to be granted.
7.0	Impact on Amenity
7.1	The application has been advertised in the local press and relevant neighbours have been notified of the proposed works. There have been no comments received to the Council. The pedestrian footbridge is located approximately 35m from the gated entrance to the park. It is set down and screened from public views from the Antrim Road, which is also broken up with railings and vegetation at its boundary. There is no associated negative visual impact deemed to arise from this proposal.

7.2	The design will not adversely impact on visual amenity, taking account of the consultation responses as discussed above. There are no adverse impacts on the amenity of existing properties in terms of dominance, overlooking or related matters due to the separation distances and is deemed acceptable.
8.0	Consultation Responses
8.1	The Department for Infrastructure Rivers Agency have considered the supporting information including a Flood Risk Assessment and are content subject to conditions and informatives.
8.2	DFI Roads have been consulted and have no objections to the proposal, subject to informatives. Belfast City Council Local Development Plan (Environment & Communities) team have been consulted and advised is not considered to raise any significant LDP policy issues in relation to the Waterworks Local Landscape Policy Area designation (Policy LC1C) or the submitted climate change statement (Policies ENV2/3). The proposal is therefore considered compliant with these policies and in relation to climate change.
10.0	Summary of Recommendation: It is recommended that planning permission be granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.
11.0	Draft Conditions: <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No development hereby permitted shall commence until a physical sample of materials and a construction method statement have first been submitted to and approved in writing by the Council. The samples shall be provided on site and made available for inspection by the Council for the duration of the construction works and the construction method statement shall be carried out as agreed. Reason: to ensure the materials and salvaged brick proposed matches the colour, texture and bond of the existing brick piers along the boundary with the Antrim Road, in keeping with the character and appearance of the setting to the listed assets. 3. All external facing materials shall be carried out as specified on the approved plans. Reason: In the interests of the character and appearance of the area.

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