

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



**Belfast
City Council**

15th April, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall on Tuesday, 16th April, 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. Notification of Provision/Removal of Accessible Parking Bay

- (a) Removal of 28 St Judes Parade (Pages 1 - 4)
- (b) Removal of 60 Nevis Avenue (Pages 5 - 8)
- (c) Provision of 14 North Hill Street (Pages 9 - 12)
- (d) Provision of 38 Marlborough Park North (Pages 13 - 16)
- (e) Provision of 41 Lichfield Avenue (Pages 17 - 20)
- (f) Provision of Flat 21, Block 13 Queen Victoria Gardens (Pages 21 - 24)

- (g) Provision of 13 Eglantine Avenue (Pages 25 - 28)
- (h) Provision of 5 Jubilee Avenue (Pages 29 - 32)
- 3. **Notifications from Statutory Bodies, Abandonment and Extinguishment**
 - (a) Abandonment at The Back Street at Botanic Avenue and Donegall Pass (Pages 33 - 38)
- 4. **Notifications from Statutory Bodies, Traffic Calming Measures**
 - (a) Provision of McClure Street (Pages 39 - 46)
 - (b) Provision of Third Street (Pages 47 - 50)
- 5. **Planning Appeals Notified (Pages 51 - 52)**
- 6. **Planning Decisions Issued (Pages 53 - 84)**
- 7. **Miscellaneous Reports**
 - (a) Council attendance at Goldmine Public Inquiry (Verbal Report)
 - (b) Consultation on Local Development Plan for Lisburn and Castlereagh City Council - Revised Timetable (Pages 85 - 98)
 - (c) Confirmation of Listed Buildings - Colenso Parade, Botanic Gardens and University Road/Stranmillis Road (Pages 99 - 128)
- 8. **Planning Applications previously considered**
 - (a) ITEM WITHDRAWN: LA04/2023/4208/F - Change of use from Dwelling to HMO (6 Beds). 24 Orient Gardens
- 9. **New Planning Applications**
 - (a) 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 (Pages 129 - 152)
 - (b) 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 (Pages 153 - 180)
 - (c) LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. Lands bound by Glenalpin Street, Wellwood Street and Norwood Street (Pages 181 - 196)

- (d) LA04/2022/1083/F - Residential development comprising 115 units (apartments and duplexes including 27 social housing units) with associated private and communal amenity space, landscaping, parking provision, access, relocation of existing sub station and site works (amended description and scheme). Lands at London Road/Lismore Street (Pages 197 - 222)
- (e) LA04/2023/4397/F - Variation of Condition 3 of LA04/2020/1211/F relating to the submission of a Verification Report for Phase 4 of the approved development. No 46 Montgomery Road (former Hughes Christensen site, now Lidl), vacant site between nos 44 and 46, Montgomery Road, and no 41 Montgomery Road (former Lidl) (Pages 223 - 230)
- (f) LA04/2022/0930/F - Retrospective: Change of Use from Class A1 & D2 to a Gymnasium on Ground Floor. 47 Ravenhill Road (Pages 231 - 238)
- (g) LA04/2023/4162/F - Change of use from retail unit to amusement arcade and adult gaming centre. 51 Rosemary Street (Pages 239 - 248)
- (h) LA04/2024/0055/F - New kiosks and associated canopy structure. Existing open public space along river edge at Queens Quay (Pages 249 - 260)
- (i) LA04/2024/0334/F - Renewal of planning permission LA04/2021/2804/F - shipping container for bikes and equipment. Land adjacent to Connswater Community Centre (Pages 261 - 268)
- (j) LA04/2023/2849/F - Renewal of planning permission LA04/2021/0791/F for temporary single storey timber structure. 402 Newtownards Road (Pages 269 - 274)

10. **Restricted Items**

- (a) Update on LA05/2023/1001/O - Proposed extension to Sprucefield Park comprising new retail units, 1 no. hotel, 1 no. restaurant and 1 no. cafe/restaurant pod (Pages 275 - 282)

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Network Traffic, Street Lighting and Transportation

Eastern Division

Mr John Walsh
Chief Executive
Belfast City Council
City Hall
BELFAST
BT1 6RB

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: 13 March 2024

Dear Mr Walsh

28 ST JUDE'S PARADE, 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 28 St Jude's Parade, 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.

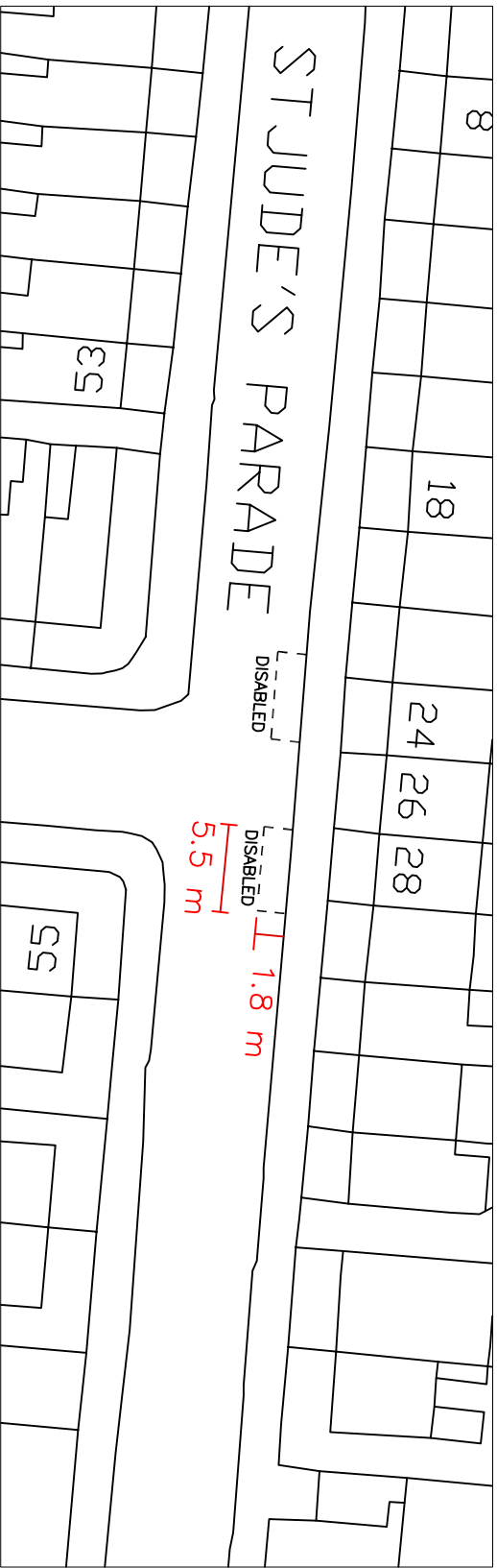
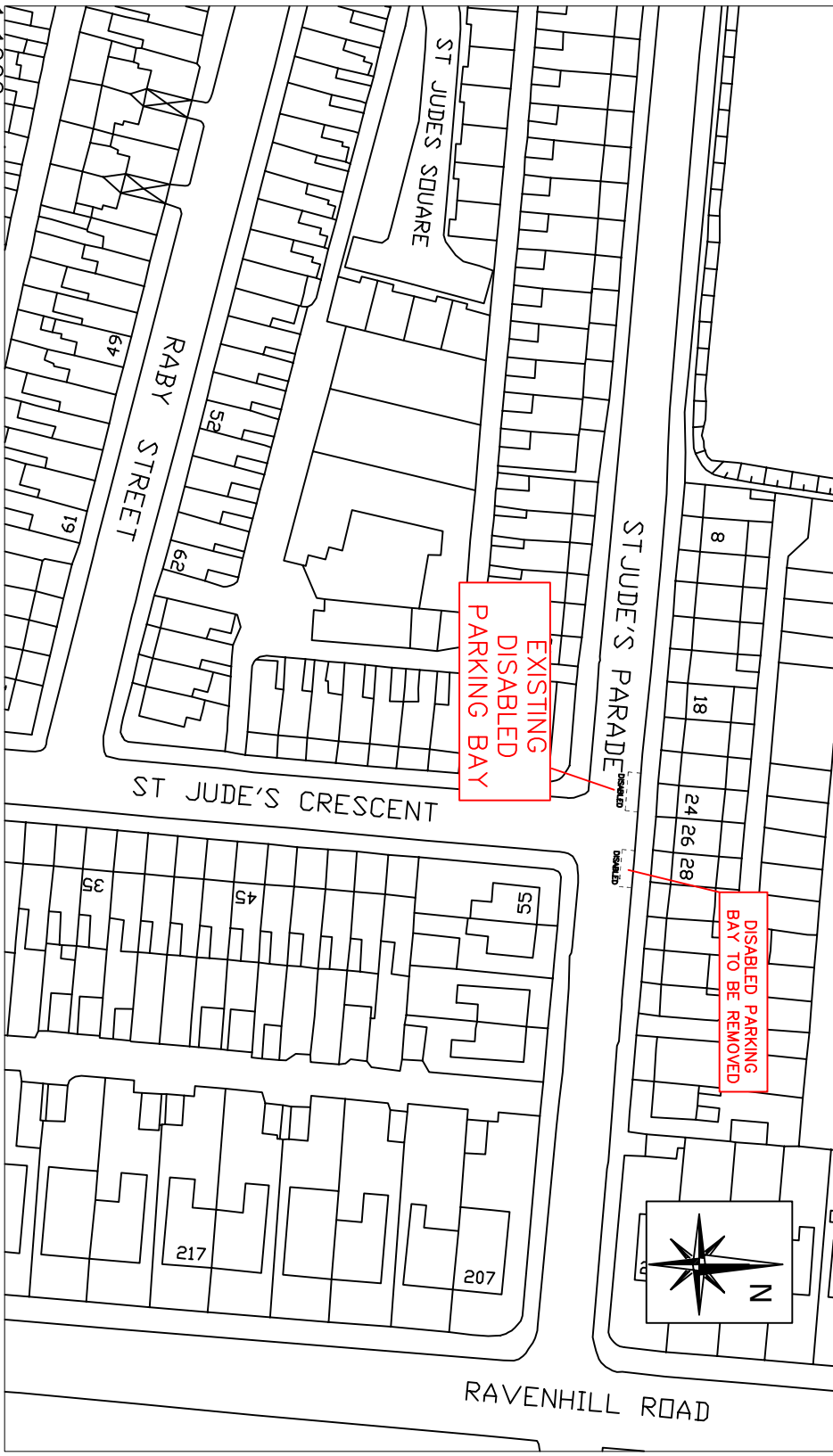
Yours sincerely

PP Alfie O'Hare
Graeme Salmon
Traffic Manager

ENC

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S.R.2021 No. 8 item 2975. St Jude's Parade, Belfast, (north side) – from a point 79.5 metres west of its junction with Ravenhill Road, for a distance of 5.5 metres.



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Project
REMOVAL OF
AN ACCESSIBLE/
DISABLED PARKING BAY

Title
28 ST JUDE'S PARADE
BELFAST

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

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Stormont Estate
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Textphone: 028 90540022

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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: 12 March 2024

Dear Mr Walsh

60 NEVIS AVENUE, 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 60 Nevis Avenue, 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.

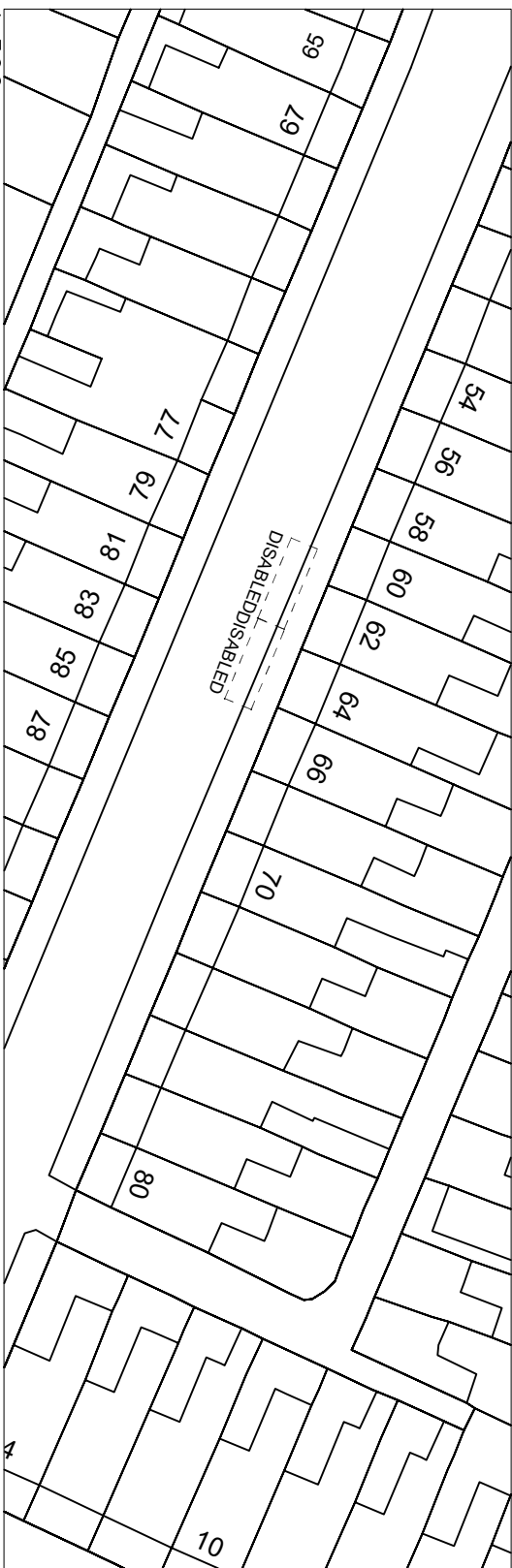
Yours sincerely

PP Alfie O'Hare
Graham Campbell
Traffic Manager

ENC

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S.R. 2024 No. 24 Item 3178. Nevis Avenue, Belfast (north-east side)—from a point 60.5 metres north—west of its junction with Irwin Avenue, for a distance of 5.5 metres in a north—westerly direction.



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Project
60 NEVIS AVENUE
BELFAST

Title
REMOVAL OF AN ACCESSIBLE /
DISABLED PARKING BAY

FILE NO.	DESIGNED	AO'H	date
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Being dealt with by: Mr. Ling Gillespie
Direct Line: 02890522272

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 21 March 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY AT 14 NORTH HILL STREET, BELFAST

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

We would welcome your comments on this proposal.

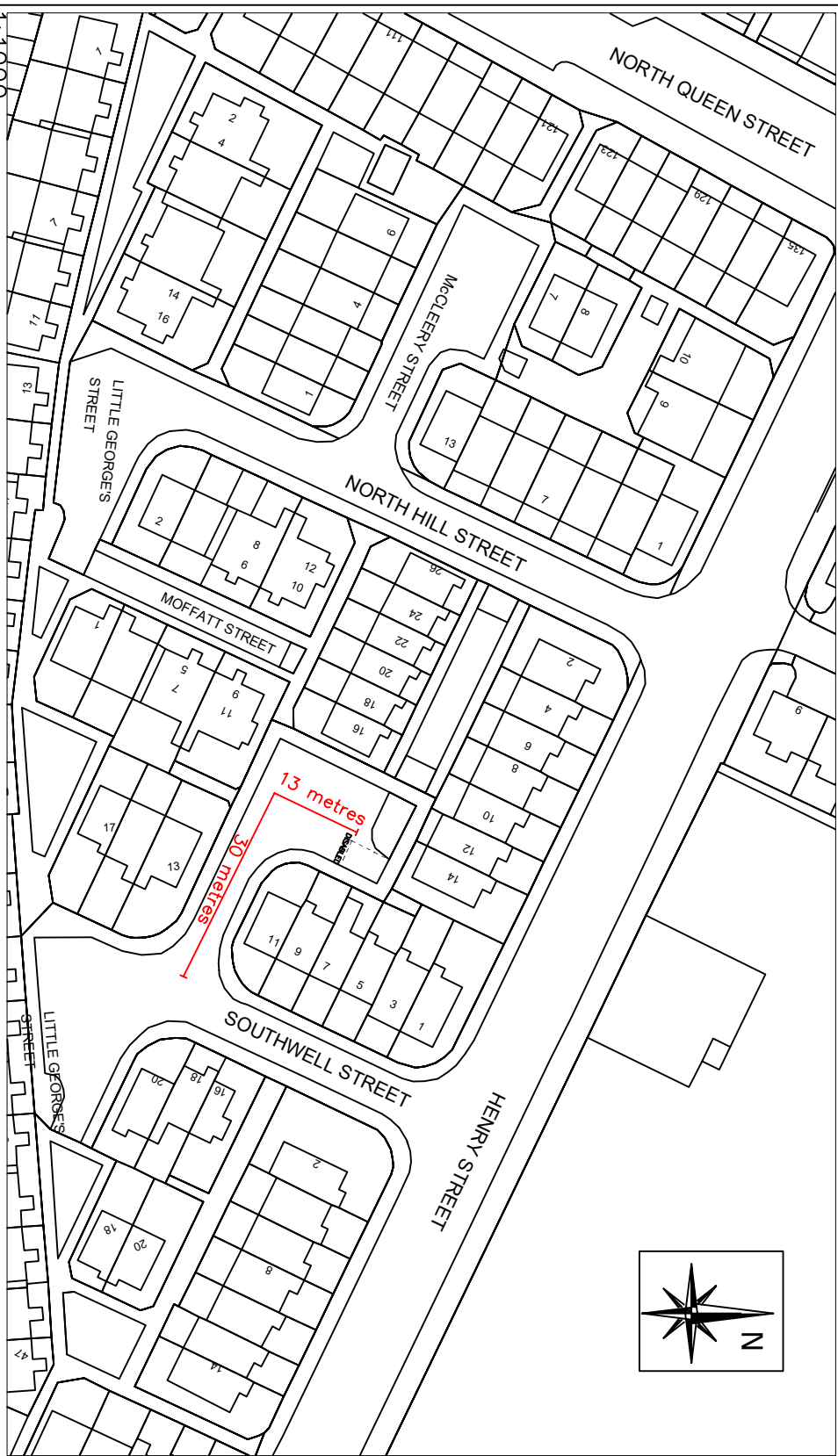
Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

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North Hill Street, Belfast (south-east side) – from a point 30 metres north-west then 13 metres north-east of its junction with Southwell Street, for a distance of 6 metres.



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PROVISION OF AN ACCESSIBLE
DISABLED PARKING BAY

Title
14 NORTH HILL STREET
BELFAST

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

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 26 March 2024

Dear Mr Walsh

**PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY – 38
MARLBOROUGH PARK NORTH, BELFAST**

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

We would welcome your comments on this proposal.

Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

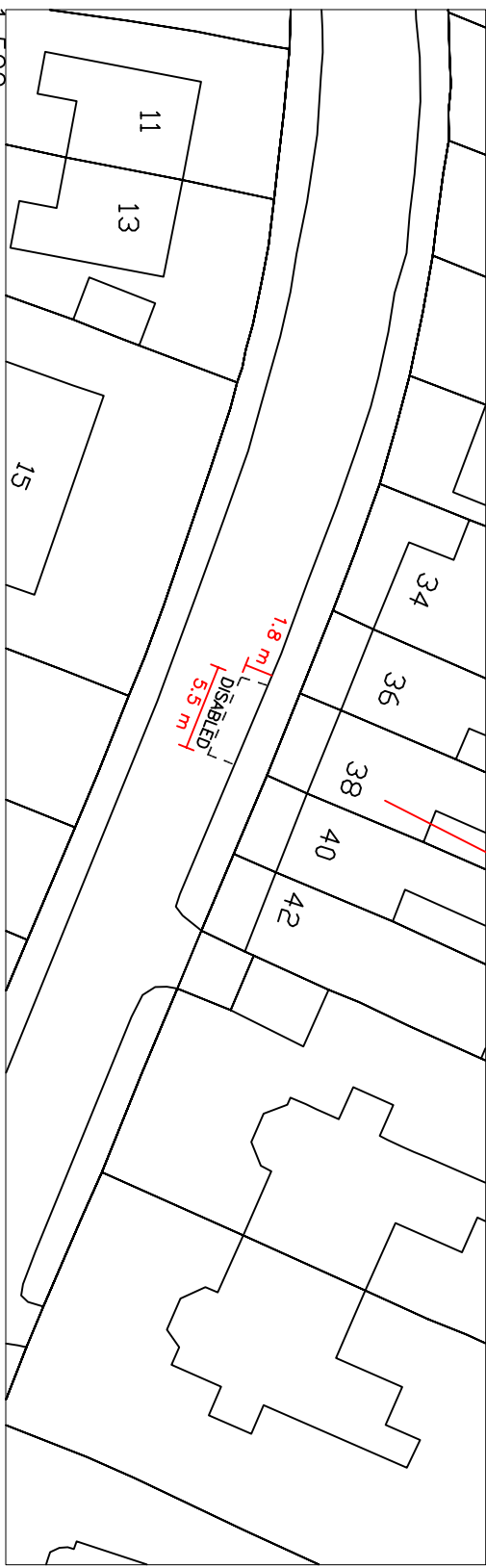
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Marlborough Park North, Belfast (north-east side) – from a point 64 metres north-east then 47 metres south-east of its junction with Marlborough Park, for a distance of 5.5 metres in a south-easterly direction.

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PROVISION OF AN ACCESSIBLE /
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Title
38 MARLBOROUGH PARK NORTH
BELFAST

FILE NO.

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

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 22 March 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY – 41 LICHFIELD AVENUE, BELFAST

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

We would welcome your comments on this proposal.

Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

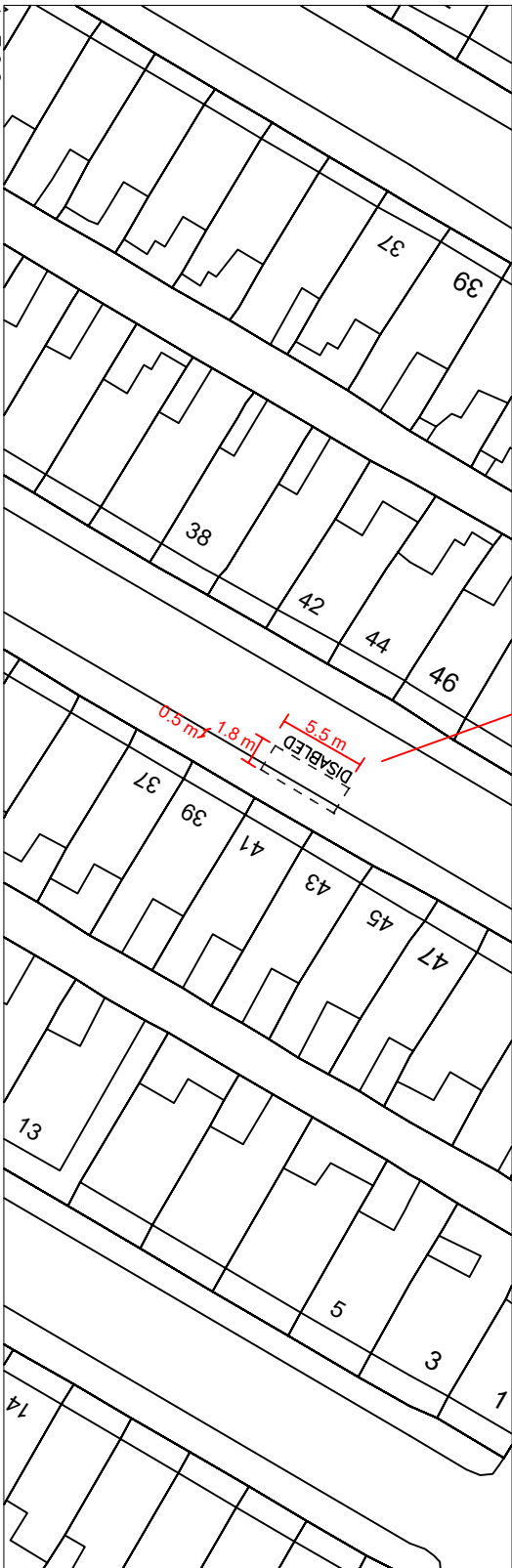
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Lichfield Avenue, Belfast (south-east side) – from a point 52 metres south-west from its junction with Bloomfield Road, for a distance of 5.5 metres in a south-westerly direction.



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41 LICHFIELD AVENUE
BELFAST

Title

PROPOSED ACCESSIBLE
DISABLED PARKING BAY

FILE NO.

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

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 21 March 2024

Dear Mr Walsh

**PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY AT FLAT 21,
BLOCK 13, QUEEN VICTORIA GARDENS, BELFAST**

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

We would welcome your comments on this proposal.

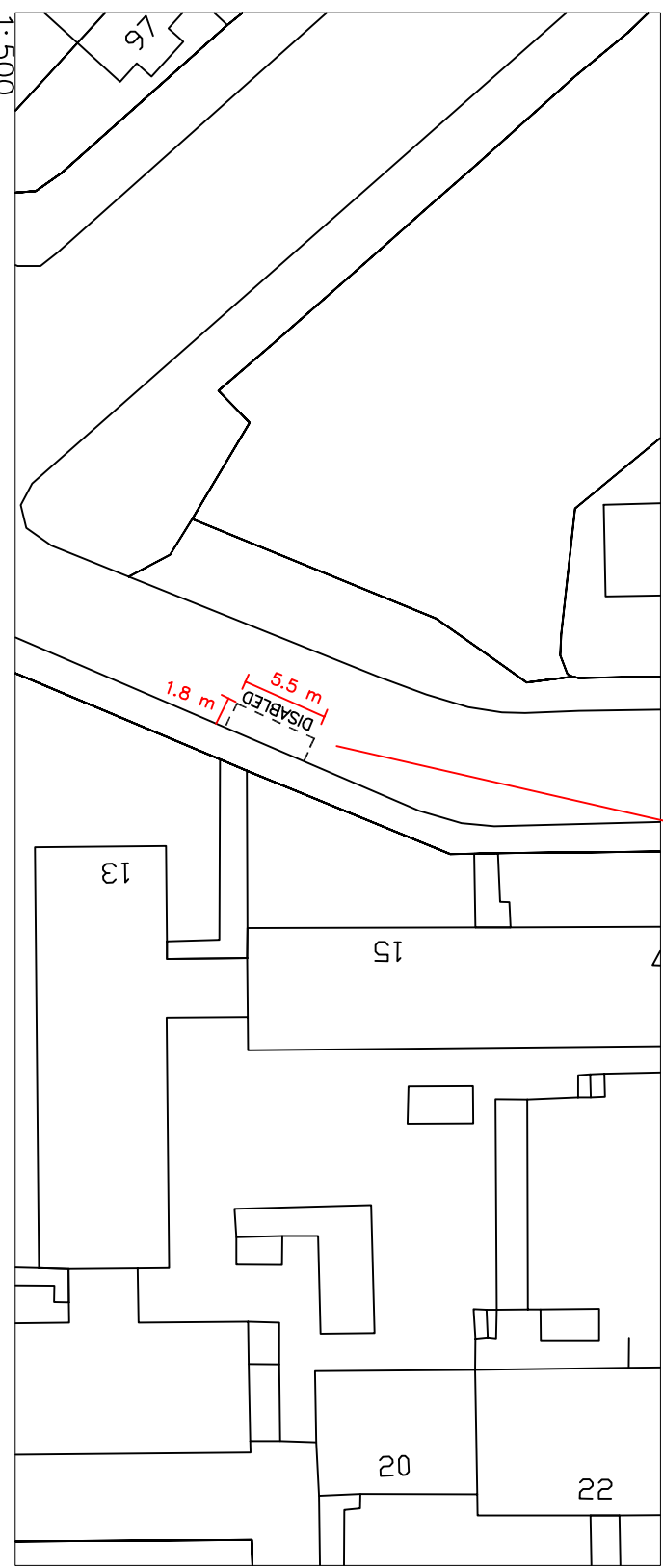
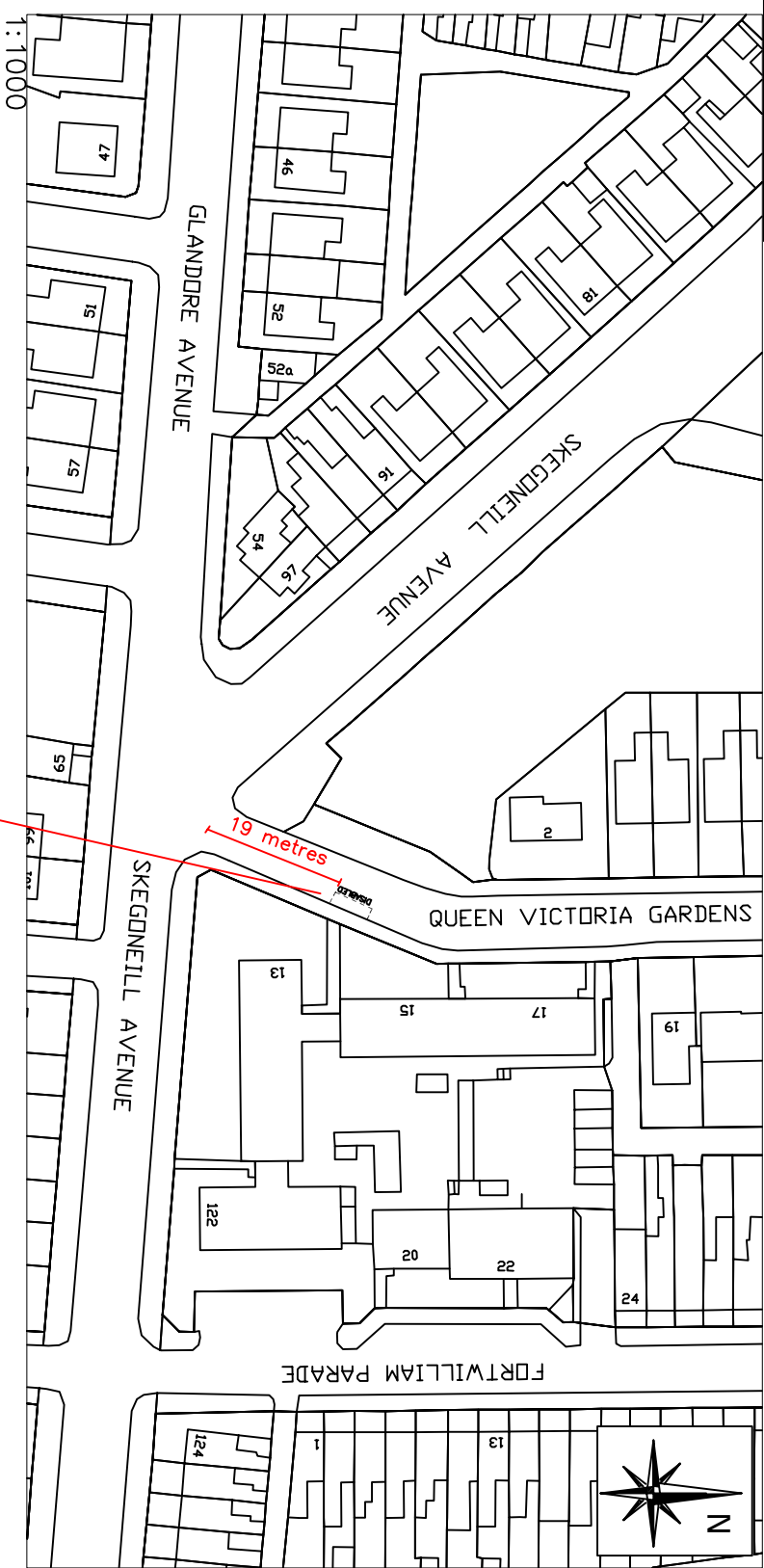
Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

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Queen Victoria Gardens, Belfast (south-east side) – from a point 19 metres north-east of its junction with Skegoneill Avenue, for a distance of 5.5 metres in a north-easterly direction.



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Project BLOCK 13 FLAT 21
QUEEN VICTORIA GARDENS
BELFAST

Title PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

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

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 8 April 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY – 13 EGLANTINE AVENUE, BELFAST

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

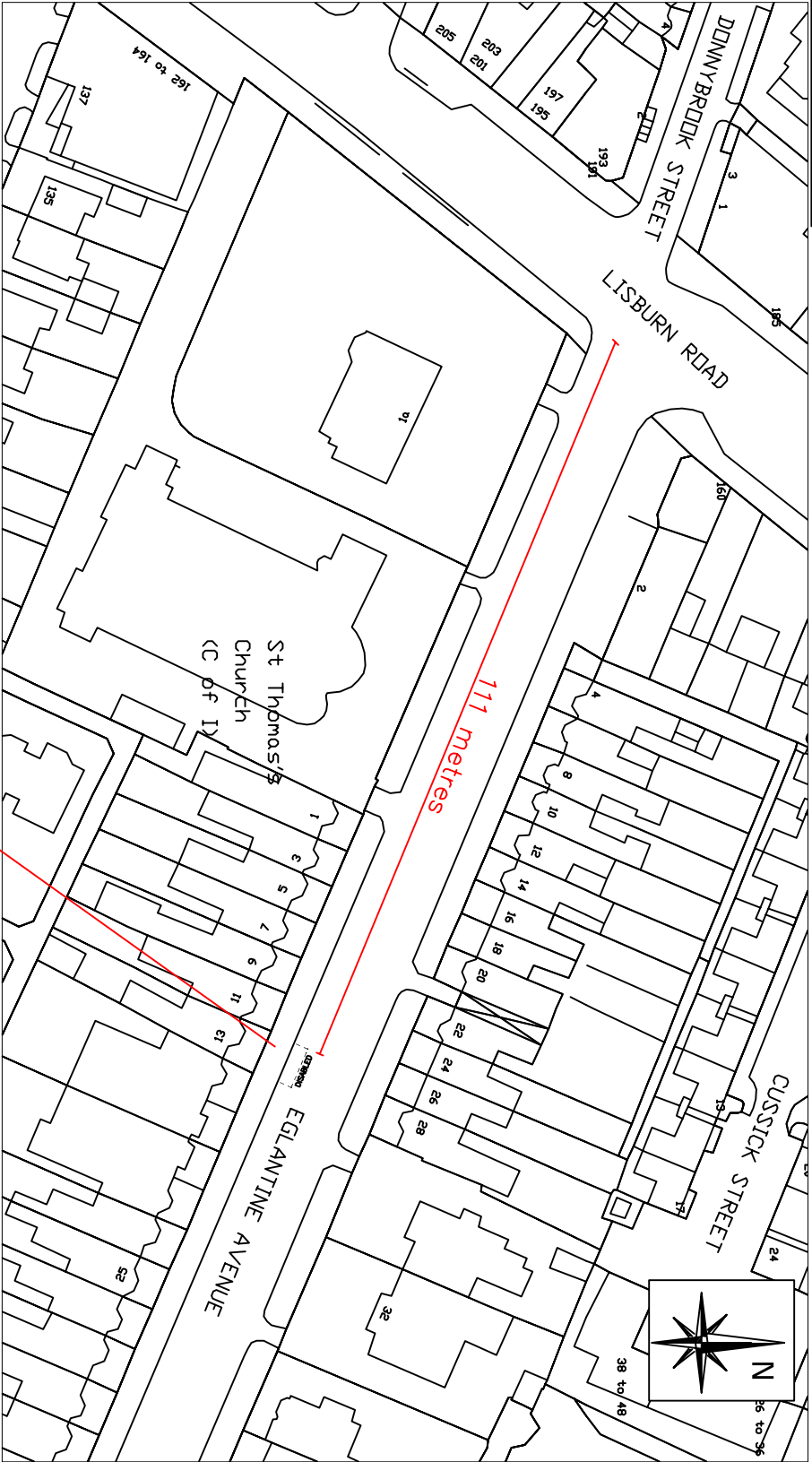
We would welcome your comments on this proposal.

Yours sincerely

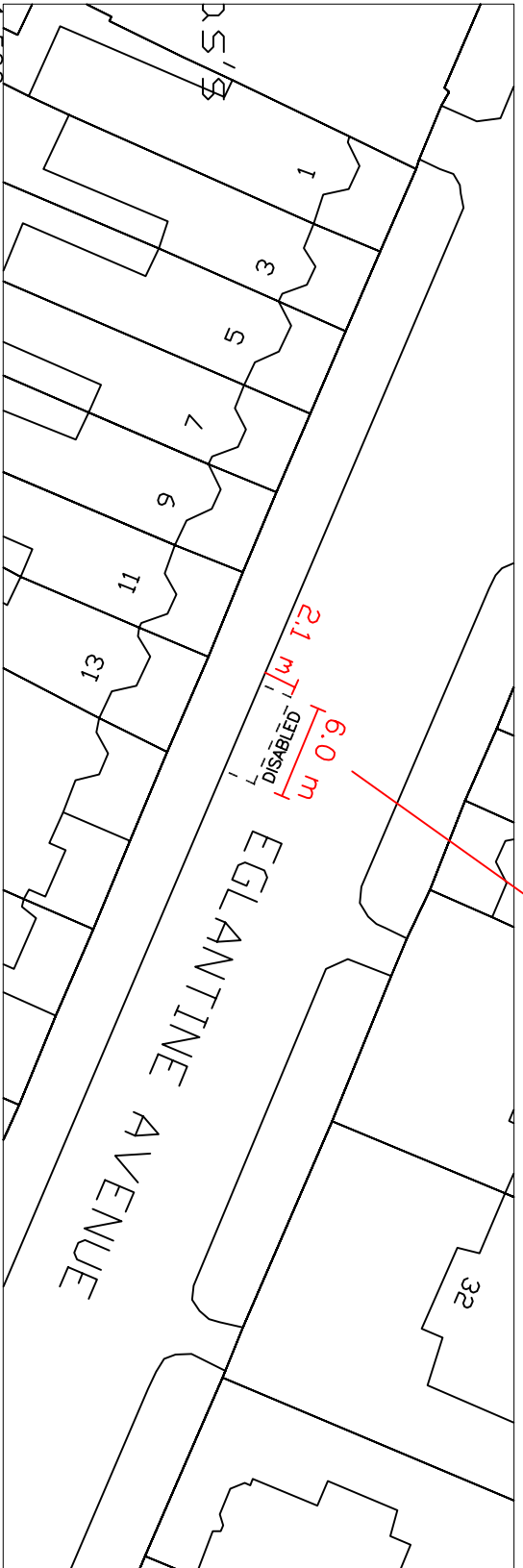
PP Ling Gillespie
Graham Campbell
Traffic Manager

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Eglantine Avenue, Belfast (south-west side)— from a point 111 metres south-east of its junction with Lisburn Road, for a distance of 6 metres in south-easterly direction.



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PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

Title
13 EGLANTINE AVENUE
BELFAST

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

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Your reference:
Our reference: MT

Date: 10 April 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY – 5 JUBILEE AVENUE, BELFAST

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

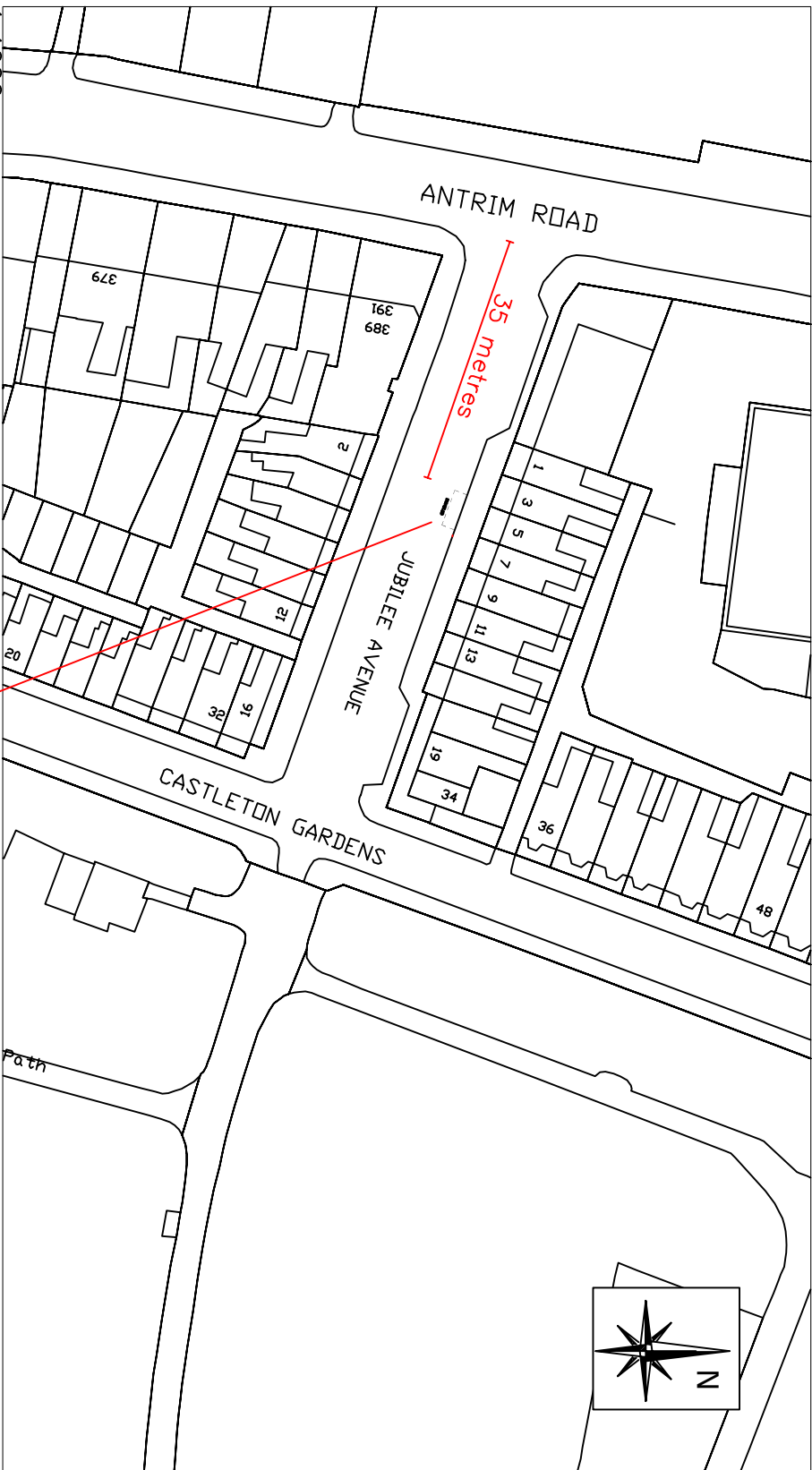
We would welcome your comments on this proposal.

Yours sincerely

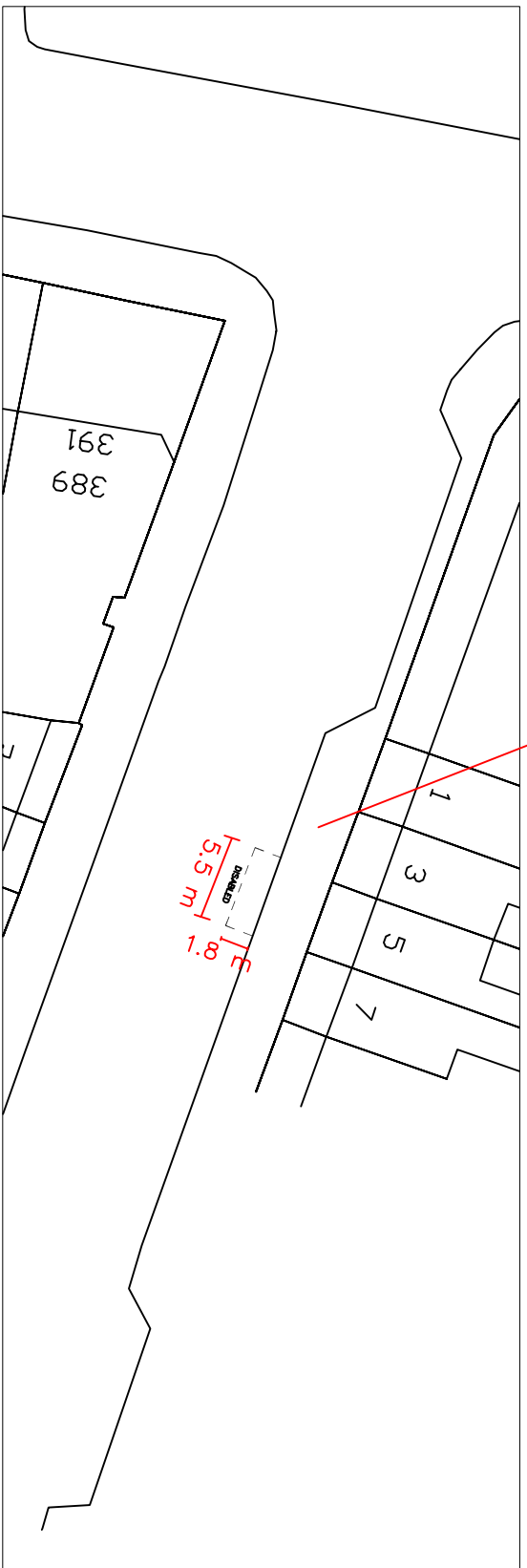
PP Ling Gillespie
Graham Campbell
Traffic Manager

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Jubilee Avenue, Belfast (north-east side) – from a point 35 metres south-east of its junction with Antrim Road, for a distance of 5.5 metres, in a south-easterly direction.



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PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

Title

5 JUBILEE AVENUE
BELFAST

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The Chief Executive
Belfast City Council
BELFAST
BT1 5GS

largeyn@belfastcity.gov.uk

Room 301
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Tel: (028) 90540404
Email: Orla.Hamill@infrastructure-ni.gov.uk
Your reference:
Our reference: IN1-23-13069

11 March 2024

Dear Sir/Madam

**The Back Street at Botanic Avenue and Donegall Pass, Belfast (Abandonment)
Order 2024 – S. R. 2024 No. 35**

Please find enclosed a copy of the above-mentioned statutory rule and related map for your information.

Yours sincerely

Orla Hamill

Orla Hamill
Transport Legislation Branch

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STATUTORY RULES OF NORTHERN IRELAND

2024 No. 35

ROADS

**The Back Street at Botanic Avenue and Donegall Pass, Belfast
(Abandonment) Order (Northern Ireland) 2024**

Made - - - -

6th March 2024

Coming into operation

24th April 2024

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993^(b) and now vested in it^(c).

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

No objection has been received.

Citation and commencement

1. This Order may be cited as the Back Street at Botanic Avenue and Donegall Pass, Belfast (Abandonment) Order (Northern Ireland) 2024 and shall come into operation on 24th April 2024.

Application

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

Sealed with the Official Seal of the Department for Infrastructure on 6th March 2024

(L.S.)

D J Millar

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))

(b) S.I. 1993/3160 (N.I. 15)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

A senior officer of the Department for Infrastructure

SCHEDULE

Article 2

AREA OF ROAD TO BE ABANDONED

An area of 58 square metres of superseded road extending from Ratcliffe Street, Belfast for a distance of 15.43 metres in a south-westerly direction and then 20.84 metres in a south-easterly direction to the rear of No. 12a Botanic Avenue, Belfast more particularly delineated and shown coloured red on map number IN1/23/739777.

A copy of the map has been deposited at the Department's Headquarters, Clarence Court, 10-18 Adelaide Street, Belfast and at DfI Roads Eastern Division, Annexe 7, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road described in the Schedule.

LSS

Land
Survey
Services

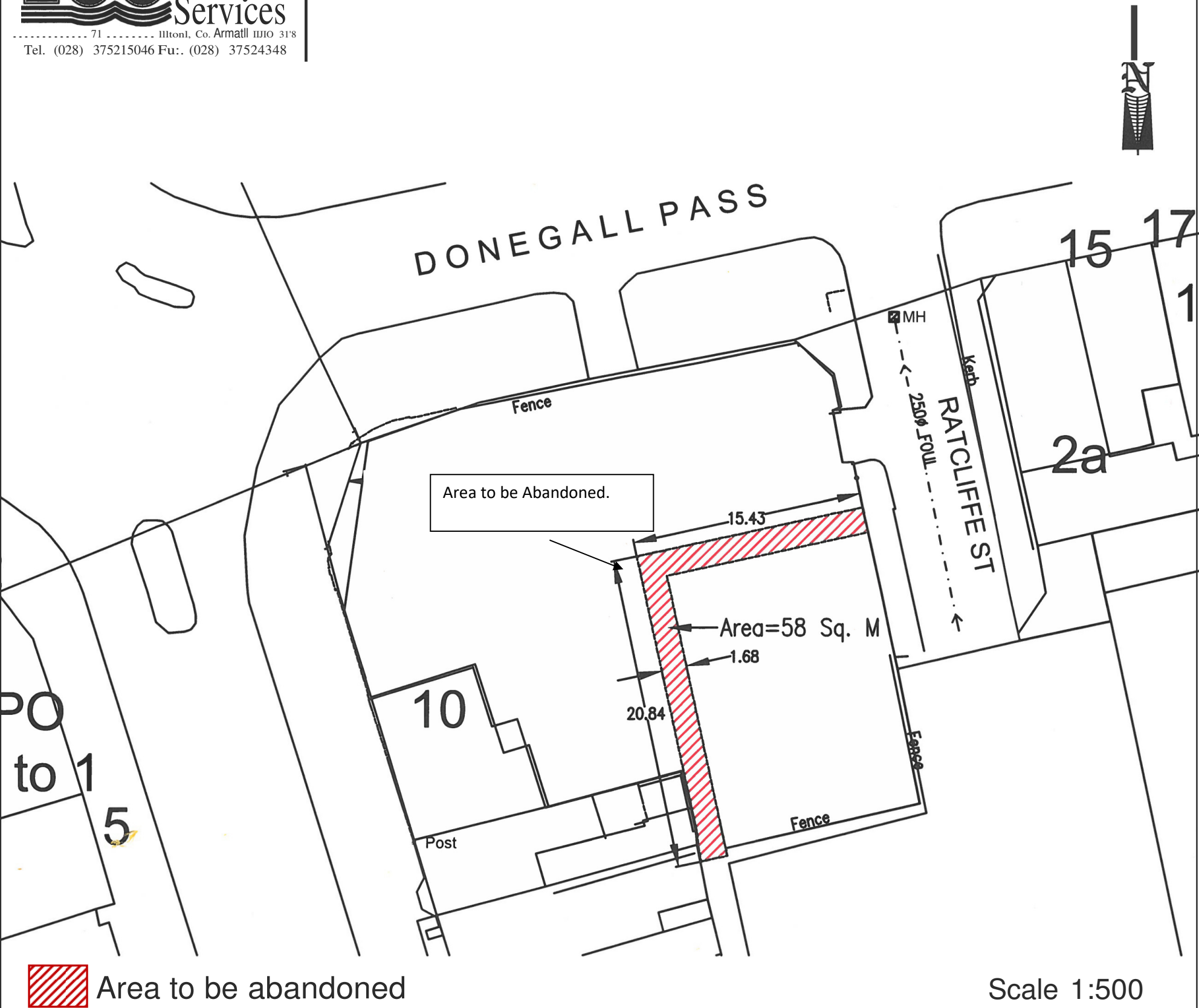
71

Iltonl, Co. Armattl 1110 31'8

Tel. (028) 375215046

Fu.: (028) 37524348

Job Number: 34115



DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/23/739777 referred to in “The Back Street at Botanic Avenue and Donegall Pass, Belfast (Abandonment) Order (Northern Ireland) 2024” made by the Department on 6th March 2024 and coming into operation on 24th April 2024.

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Department for

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Network Traffic Eastern Division

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

Email : walshjohn@belfastcity.gov.uk

Annex 7
Castle Buildings
Stormont Estate
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BT4 3SQ

Tel: 0300 200 7899
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Textphone number 028 9054 0022
Email: Traffic.Eastern@infrastructure-ni.gov.uk
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Being Dealt With By : Stephen McMeekin
Direct Line 028 90 526245

Your reference:
Our reference:

15 March 2024

Dear Mr Walsh,

TRAFFIC CALMING SCHEME - MCCLURE STREET, BELFAST

The Department is undertaking the legislative process for the installation of new traffic calming measures on McClure Street, Belfast associated with planning reference LA 04/2018/2659/F

This scheme will include the provision of the following traffic calming measures as listed below and shown within the attached drawing.

Installation on McClure Street of:

- Seven flat top road humps, 4.1m long, 6m wide and 75mm high.
- One kerb to kerb road hump entrance feature, 50mm high.

In accordance with 'Article 65' of the 'Roads (Northern Ireland) Order 1993' this scheme is scheduled to be advertised in local newspapers on 20 March 2024.



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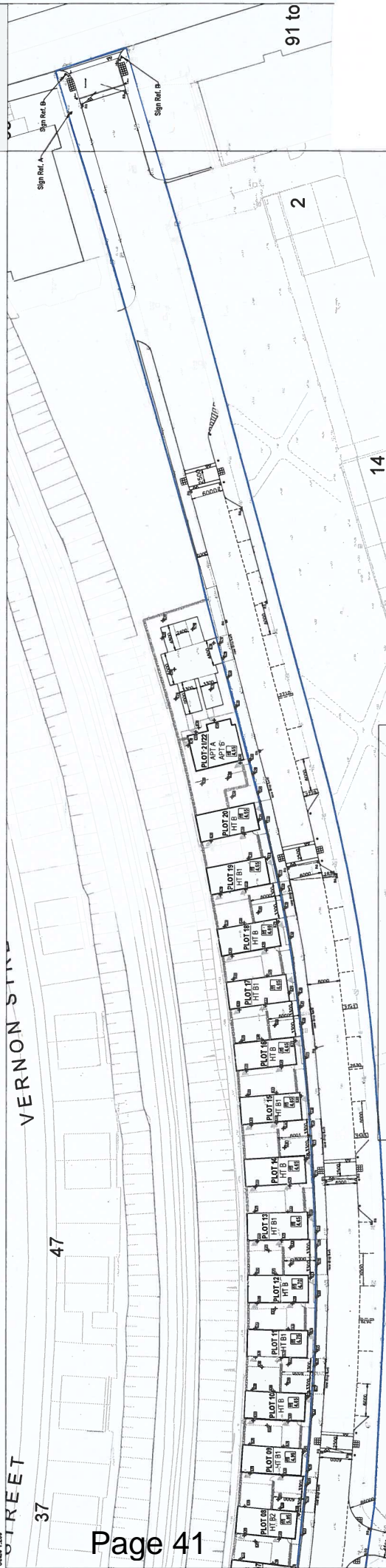
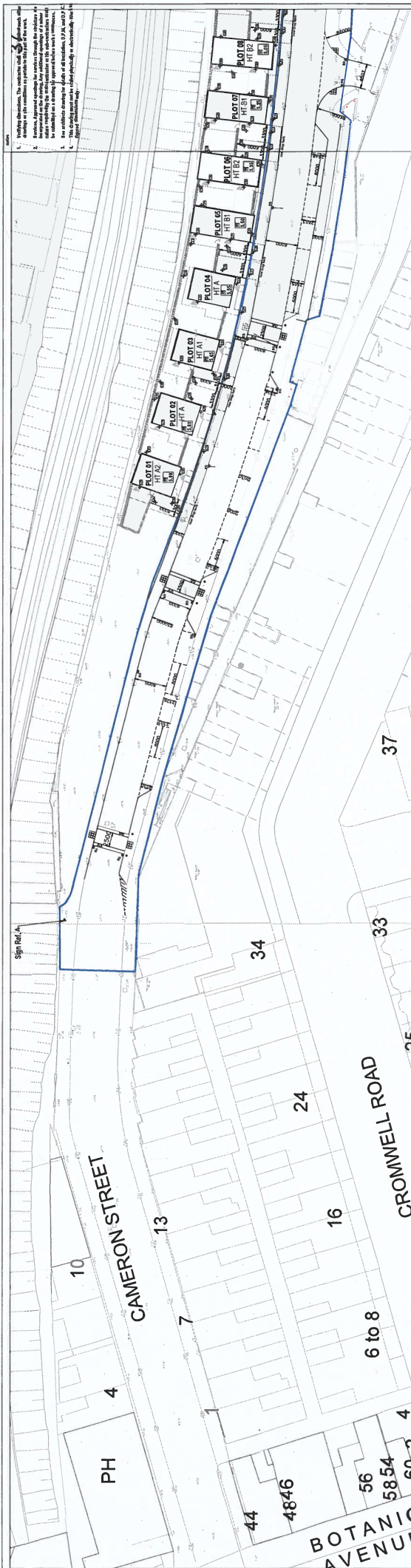
If you, have any comments on the proposals please forward them to me at the above address as soon as possible.

I trust that you will find this information helpful.

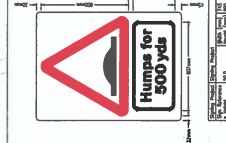
Yours sincerely,

Stephen McMeekin

Stephen McMeekin
Traffic Manager, Traffic Management 3



Proposed Road Signage Layout for Traffic Calmed Road (Part 2)
Scale 1:250



Sign Ref A
Scale:- nts



Sign Ref B
Scale:- nts

**Proposed Residential Development
at McClure Street, Belfast
for Apex Housing Association**

Proposed Road Signage Layout

For Approval



Cherion on road adjacent to traffic calming build-out

Existing concrete kerb to McClure Street, new kerbline to be formed within existing carriageway to ensure a 2m footpath along the site boundary

Flat-topped road hump with tactile paving each side defining pedestrian crossing point, crossing to be protected by bollards

New 2m wide footpath

Traffic calming build-out to narrow carriageway to provide a 2m wide footpath. Build-out to be designed and constructed by architect. Build-out to have decorative bollard with reflective band. Final design to be approved by DfI Roads.

Flat-topped road hump with tactile paving each side defining pedestrian crossing point, crossing to be protected by bollards

New 'no-drive' parking bays formed at side of

new carriageway

New concrete kerb with 150mm show (except at driveway). New kerbline to be formed within existing carriageway to ensure a 2m wide footpath can be constituted across the front of proposed development.

Visitor parking 'on-street'

NOTE:

Development is to be designed to the requirements of Lifetime Homes to ensure adaptability to potential future disabled use which includes parking

NOTE:

NI Water to adopt entire storm system

NOTE:

Each dwelling to have wall mounted bracket within garden space to allow secure locking of bicycles etc.

Proposed Roads Layout- Sheet 1
Scale 1:200

For Approval



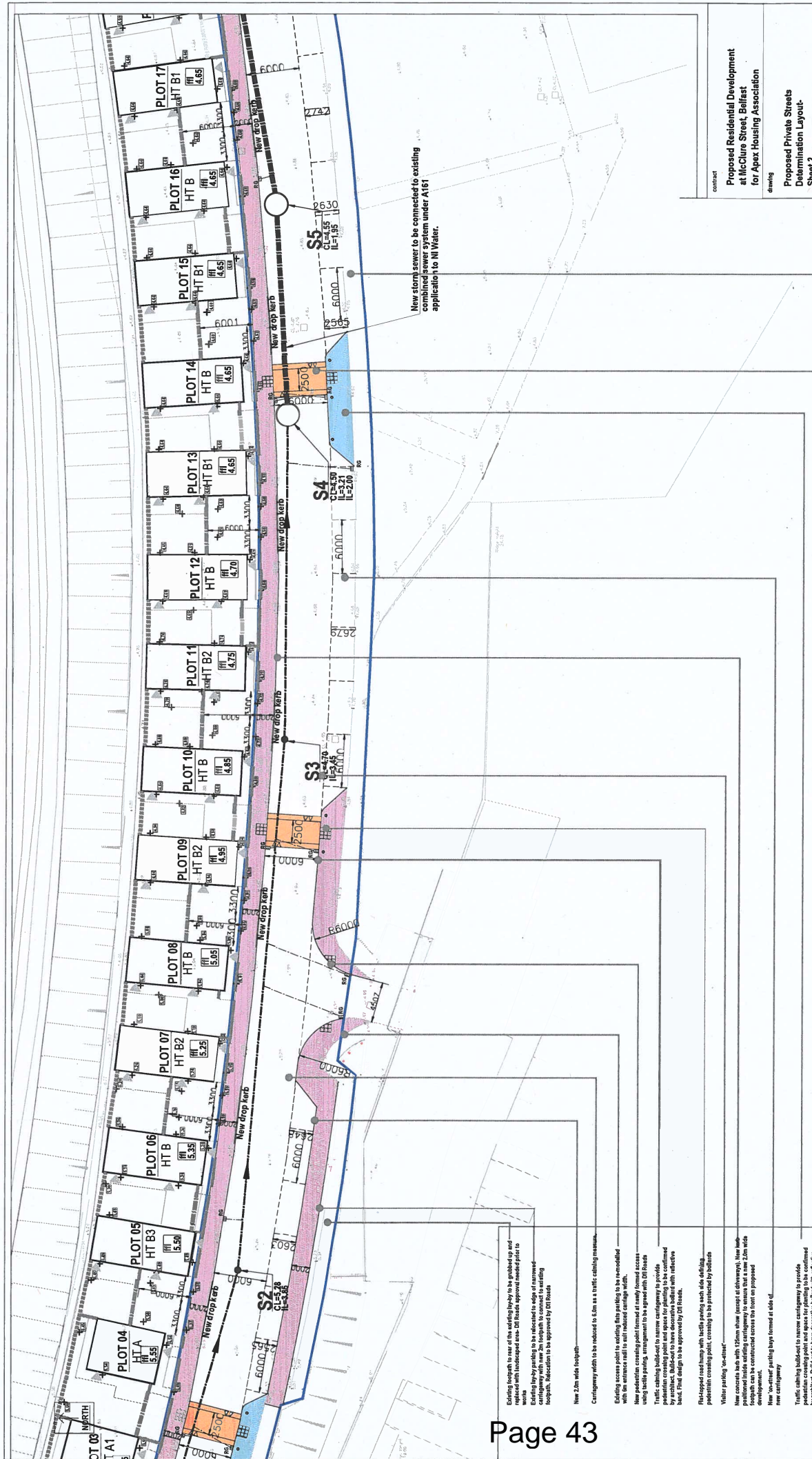
PROPOSED SITE LAYOUT PLAN
(Sheet 1)

contract

Proposed Residential Development
at McClure Street, Belfast
for Apex Housing Association

drawing

Proposed Private Streets
Determination Layout-
Sheet 1



Posts

34

3

38

ORMEAU ROAD

91 to 97

101

2

1

For Approval

contract
Proposed Residential Development
at McClure Street, Belfast
for Apex Housing Association
drawing
Proposed Private Streets
Determination Layout-
Sheet 4

S7

CL=4.42
IL=2.09

extg MH

CL=4.53
IL=1.67

14

New storm sewer to be connected to
existing combined sewer system under
A161 application to NI Water.

2000

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S6

CL=4.48
IL=1.83

Page 45



PROPOSED SITE LAYOUT PLAN
(Sheet 4)

Proposed Roads Layout- Sheet 4
Scale 1:200

- NOTE:
Development is to be designed to the requirements of Lifetime Homes to ensure adaptability to potential future disabled use which includes parking
- NOTE:
NI Water to adopt entire storm system
- NOTE:
Each dwelling to have wall mounted bracket within garden space to allow secure locking of bicycles etc.

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**Network Traffic
Eastern Division**

Mr John Walsh
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Being Dealt With By: Stephen McMeekin
Direct Line 028 90 526245

Your reference:
Our reference:

13 March 2024

Dear Mr Walsh,

THIRD STREET, BELFAST – PROPOSED TRAFFIC CALMING SCHEME

The Department is undertaking the legislative process for a traffic calming scheme on Third Street, Belfast.

Please find attached the drawing detailing the proposals for the scheme.

The works will consist of:

- 1 No flat top tapered road hump removed.
- 1 No flat top tapered road humps, 4.7m long, varied widths and 80mm high.
- Alteration to existing road hump at Third Street / North Howard Street junction.

In accordance with Article 65 of the Roads Order this scheme is scheduled to be advertised in the local newspapers **20 March 2024**.

If you, have any comments on the proposal please forward them to me at the above address as soon as possible.



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I trust that you will find this information helpful.

Yours sincerely,

Stephen McMeekin

Stephen McMeekin
Traffic Manager, Traffic Management 3

1. This drawing shall not be used for construction purposes.

NOTES

GENERAL

1. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.
2. THE DRAWING IS FOR INFORMATION ONLY AND SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.
3. THE DRAWING IS NOT TO BE SCALED FROM ANY OTHER DRAWING.
4. THE CONTRACTOR IS TO USE WITH ALL STATUTORY REQUIREMENTS IN REGARD TO LOCATING ALL UNDERGROUNDS WITHIN AND ADJACENT TO THE SITE OF THE WORKS.
5. ALL DIMENSIONS IN METERS UNLESS OTHERWISE NOTED.
6. ALL LEVELS IN METERS ABOVE ORDNANCE DATUM.

LEGEND

REVISION TO FLAT TOP HUMP

REINSTATE CARRIAGEWAY

EXTEND EXISTING RAMP

EXISTING RAMP TO BE REMOVED. REINSTATEMENT OF CARRIAGEWAY AS EXISTING

REFER TO PRIVATE STREET'S FLAT - TOPPED HUMP SD-2008-16

EXISTING ROAD RAMP TO BE RE-LOCATED AWAY FROM THE NEW ROAD JUNCTION

EXISTING ROAD RAMP TO BE REMOVED. REINSTATEMENT OF CARRIAGEWAY AS EXISTING PER - STANDARD DETAILS SD-2008-16

FOR INFORMATION

NO.	REV.	DATE	DESCRIPTION
01	01	24/05/2024	MODEL 3.1.1E APPROVED

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Agenda Item 5

PLANNING COMMITTEE – 16 APRIL 2024

APPEALS NOTIFIED

COUNCIL: BELFAST

No new appeals received.

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2021/A0180
PLANNING REF:	LA04/2020/1659/F		
RESULT OF APPEAL:	WITHDRAWN		
APPLICANT:	Hutchison 3G UK Ltd		
LOCATION:	Land adjacent to St Matthews Parish Church, Shankill Road, Belfast, BT13 3AE		
PROPOSAL:	Proposed 15m high Phase 8 Monopole c/w wrapround cabinet at base and associated ancillary works		
ITEM NO	2	PAC REF:	2023/L0007
PLANNING REF:	LA04/2021/2502/LDP		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Oakland Homes (Antrim Road) Ltd		
LOCATION:	151-167 Antrim Road and 12 Halliday's Road, Belfast, BT15 2GW		
PROPOSAL:	Demolition of existing public house, betting office and snooker hall, completion of construction of betting office, public house, ATM and 26 No apartments as per planning approval Z/2003/1402/F		
ITEM NO	3	PAC REF:	2023/A0002
PLANNING REF:	LA04/2022/0956/F		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Smart Parking Ltd		
LOCATION:	Site at junction of Academy Street, Exchange Street and Hector Street, Belfast		
PROPOSAL:	Retention of temporary car park		

APPEAL COSTS

ITEM NO	3	PAC REF:	2023/A0002
PLANNING REF:	LA04/2022/0956/F		
RESULT OF APPEAL:	COSTS PARTIALLY ALLOWED		
APPLICANT:	Smart Parking Ltd		
LOCATION:	Site at junction of Academy Street, Exchange Street and Hector Street, Belfast		
PROPOSAL:	Retention of temporary car park		

Decisions issued between 01 Mar 2024 and 31 Mar 2024 - No.214

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2019/0191/DC	LOC	Belvoir Park Hospital Hospital Road Belfast BT8 8JP.	Discharge of condition 6e LA04/2016/1543/RM.	Condition Not Discharged
LA04/2019/1628/DC	LOC	Belvoir Park Hospital Hospital Road Belfast BT8 8JP.	Discharge of conditions 3, 4 & 14 Y/2014/0390/LBC	Condition Discharged
LA04/2019/1805/DC	LOC	Belvoir Park Hospital Hospital Road Belfast BT8 8JP.	Discharge of condition no. 25 & 26 of Y/2009/0462/O	Condition Discharged
LA04/2020/0568/F	LOC	21 Queen Street Belfast BT1 6EA.	Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities.	Permission Granted
LA04/2022/0646/F	MAJ	30-44 Bradbury Place Belfast BT7 1RT	Application under Section 54 of the planning (Northern Ireland) Act 2011 to vary Condition 2 of planning permission LA04/2017/2753/F (relating to details of public realm improvements)	Permission Granted

LA04/2022/1508/F	LOC	8 Malone Ridge Belfast BT9 5QW	Retrospective application for amendments to unauthorised roof terrace. Proposed screening measures to improve privacy and mitigate overlooking. Relates to previously approved applications LA04/2019/2572/F & LA04/2021/0573/F.	Permission Granted
LA04/2022/1605/F	LOC	Ballymacarret Owen O'Cork Mill 288 Beersbridge Road Belfast BT5 5DX	Upgrade works consisting of the removal of existing freestanding frames, support poles, antennas and other ancillary apparatus and the installation of a 7.5m high stub lattice tower with circular headframe, 12no. antennas, 2no.GPS modules, 1no. transmission dish, GRP polycarbonate mesh screening panels (painted to match building) and existing equipment cabin to be internally upgraded and all other ancillary development.	Permission Refused
LA04/2020/0569/LBC	LOC	21 Queen Street Belfast.	Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description).	Consent Granted
LA04/2021/1641/F	LOC	Area of existing footpath located off Upper Knockbreda Road approx. 35M SW of 109 Wynchurch Road.	Proposed Installation of an 20m High Telecoms Street pole c/w wraparound cabinet, with Integrated Antenna, and 3no. additional equipment cabinets and ancillary equipment.	Permission Granted

LA04/2022/0034/PAD	LOC	Lands at 204 204B Knock Road Carnamuck Belfast BT5 6QD	Demolition of existing buildings and construction of 30no. dwellings (apartments) provision of open space, parking and associated development.	PAD Concluded
LA04/2022/0118/F	LOC	146 Parkgate Avenue Strandtown Belfast BT4 1JD.	Erection of 46No.apartment units over three storeys, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (amended plans received 21-9-23)	Permission Granted
LA04/2022/0804/F	LOC	145 Templemore Avenue Belfast BT5 4FQ.	Change of use from residential to bed & breakfast	Permission Granted
LA04/2022/0910/F	LOC	Springbank Industrial Estate 2 Springbank Road Belfast BT17 0QL	3 mixed light industrial blocks containing a total of 16 individual units. (Amended Description)	Permission Granted
LA04/2022/1045/A	LOC	Royal Avenue elevation of Castlecourt Shopping Centre between 17 & 58 Royal Avenue Belfast BT1 1DD	New illuminated front entrance sign and illuminated sign at upper floor level (Amended Description)	Consent Granted

LA04/2022/1612/LBC	LOC	Existing base station rooftop installation at Ballymacarret Owen OCork Mill 288 Beersbridge Road Belfast BT5 5DX	Upgrade works consisting of the removal of existing freestanding frames, support poles, antennas and other ancillary apparatus and the installation of a 7.5m high stub lattice tower with circular headframe, 12no. antennas, 2no. gps modules, 1no. transmission dish, grp polycarbonate mesh screening panels (painted to match building) and existing equipment cabin to be internally upgraded and all other ancillary development.	Consent Refused
LA04/2022/2020/F	LOC	Existing base station rooftop installation at Owen O'Cork Mill 288 Beersbridge Road Belfast BT5 5DX.	Upgrade works consisting of the removal of existing 6no. antennas and other ancillary apparatus and the proposed installation of 12no. antennas on new yoke brackets, stand-off brackets, chs antenna support poles and gantry poles on existing quadpods (to be reorientated), 1no. gps antenna, internal upgrades to existing equipment cabin and all other ancillary development.	Permission Granted

LA04/2022/2021/LBC	LOC	Existing base station rooftop installation at Owen O'Cork Mill 288 Beersbridge Road Belfast BT5 5DX.	Upgrade works consisting of the removal of existing 6no. antennas and other ancillary apparatus and the proposed installation of 12no. antennas on new yoke brackets, stand-off brackets, chs antenna support poles and gantry poles on existing quadpods (to be reorientated), 1no. gps antenna, internal upgrades to existing equipment cabin and all other ancillary development.	Consent Granted
LA04/2022/2183/F	LOC	4 PEMBROKE LOOP ROAD POLEGLASS DUNMURRY ANTRIM BT17 0QL	Section 54 application to vary condition 4 (noise levels) of LA04/2020/1852/F for planning permission for wind turbine with 250KW generator, 50m hub height and 54m rotor diameter.	Permission Granted
LA04/2022/2222/F	LOC	565-567 LISBURN ROAD MALONE LOWER BELFAST ANTRIM BT9 7GS	The construction of a ground floor restaurant with 4no. 1 bed apartments at first and second floor level, at 565-567 Lisburn Road.	Permission Granted
LA04/2022/2226/F	LOC	565-567 LISBURN ROAD MALONE LOWER BELFAST ANTRIM BT9 7GQ	The construction of a ground and first floor restaurant with 2no. 1 bed apartments at second floor level, at 565-567 Lisburn Road.	Permission Granted
LA04/2023/2426/F	LOC	53 KINGS ROAD BALLYCLOGHAN BELFAST BT5 6JH	Refurbishment of 5no. sets of existing, timber external doors to the main Knock Presbyterian Church building.	Permission Granted

LA04/2023/2433/DC	LOC	14 Lower Crescent, Belfast, BT7 1NR	Lester Acoustics Noise Impact Assessment (NIA). Discharge of condition 4 - LA04/2022/1684/F	Condition Discharged
LA04/2023/2444/CLOPUD	LOC	27 CICERO GARDENS BALLYRUSHBOY BELFAST DOWN BT6 9FZ	Single Storey Rear Extension	Application Required
LA04/2023/2358/F	LOC	Belfast Boat Club, 12 Lockview Road, Belfast, BT9 5FJ	Change of tennis court to 3 Padel tennis courts including surround fencing. 2 of the Padel courts to have a PVC canopy cover	Permission Granted
LA04/2023/2490/F	LOC	43A MALONE PARK MALONE LOWER BELFAST ANTRIM BT9 6NL	Extension to existing dwelling to include single storey extensions to side and rear and a storey-and-a-half extension with dormer to front and side.	Permission Granted
LA04/2023/2493/DCA	LOC	43A MALONE PARK MALONE LOWER BELFAST ANTRIM BT9 6NL	Demolition of existing boiler room, conservatory and carport to existing dwelling	Consent Granted
LA04/2023/2528/DC	LOC	Lands to the north of Alloa Street and south & east of 152-162 Manor Street Belfast	Discharge of condition 4 - LA04/2020/2042/F relating to drainage assessment	Condition Discharged
LA04/2023/2872/F	LOC	346 Woodstock Road, Belfast, BT6 9DP	Change of use from cafe to two number apartments, to include a one bedroom apartment on the ground floor and a three bedroom apartment on the first and second floors	Permission Granted

LA04/2023/2913/F	LOC	240 CAMBRAI STREET EDENDERRY BELFAST ANTRIM BT13 3JJ	Retention of biomass boiler (temporary permission)	Permission Granted
LA04/2023/3000/F	LOC	102 Oakhurst Avenue, Belfast, BT10 0PE	Single storey new habitable room to rear of existing garage for domestic purposes (Amended Description).	Permission Granted
LA04/2023/3064/F	LOC	Lands approx. 40m south of No. 77 Edenderry Road, Edenderry Village. BT8 8JN	Proposed detached dwelling and landscaping works. Change of dwelling type from previously approved application. Ref No: LA04/2020/0995/F	Permission Granted
LA04/2023/3113/F	LOC	38 Wandsworth Road, Belfast, BT4 3LT	Part demolition of existing rear extension and construction of new two-storey extension to side and rear.	Permission Granted
LA04/2023/3118/F	LOC	1 Alanbrooke Road, Castlereagh, Belfast, BT6 9HB.	Erection of an ancillary single storey cleanroom within the curtilage of manufacturing premises with associated site works.	Permission Granted
LA04/2023/3114/F	MAJ	150 KNOCK ROAD CARNAMUCK BELFAST DOWN BT5 6QD	Section 54 application to vary condition no. 21 of planning permission LA04/2021/2144/F relating to alterations to the site's acoustic fence.	Permission Granted
LA04/2023/3259/F	LOC	Lands at Barrow Square, Belfast, BT15 1LF (Immediately east of 54 Pilot Street and west of Clarendon Road)	Erection of two temporary single storey structures including pavillions for use under Class A1 (retail) and Sui Generis (Café Use)	Permission Granted

LA04/2023/3243/F	LOC	62 Malone Avenue, Belfast, BT9 6ER	Change of Use from Dwelling to 4no. Apartments & associated works to include refurbishment & internal alterations together with demolition of rear extension	Permission Granted
LA04/2023/3226/DCA	LOC	62 Malone Avenue, Belfast, BT9 6ER	Demolition of 2 storey rear return including store and toilet out-buildings	Consent Granted
LA04/2023/3327/DC	LOC	96 Templemore Avenue, Belfast, BT5 4FW	Discharge of Condition 4 under LA04/2018/2603/F - Cladding warranty information	Permission Granted
LA04/2023/3344/DC	LOC	96 Templemore Avenue, Belfast, BT5 4FW	Discharge of condition no.4- LA04/2018/2611/LBC - Cladding warranty information.	Condition Discharged
LA04/2023/3298/F	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.	Permission Granted
LA04/2023/3417/F	LOC	The Printworks 31 - 39 Queen Street, Belfast, BT1 6EA	Renovation to existing Office building, including new Entrance Lobbies, and Covered Entrance with Change of use from Ground floor Leisure to Restaurant. Addition of rooftop plant area, acoustic barrier and flue. (Change of Description and Amended Plans).	Permission Granted

LA04/2023/3429/NMC	LOC	St. Matthews Presbytery Bryson Street, Belfast, BT5 4ES	Relocation of bin store and ramped access. Non material change - LA04/2018/1821/F	Non Material Change Refused
LA04/2023/3494/F	MAJ	150 Knock Road, Belfast, BT5 6QD	Application under Section 54 of the planning (NI) Act 2011 to vary/remove condition 4 of planning permission LA04/2021/2144/F which reads "There shall be no servicing (including those for water supply, drainage, heating, and gas supplies) affixed to the exterior of the buildings hereby approved, unless specifically shown on the approved plans." It is proposed to remove condition 4 to regularise downpipes and gas pipes affixed to the exterior of the building in order to comply with statutory health and safety requirements.	Permission Granted
LA04/2023/3468/F	LOC	75 Balmoral Avenue, Belfast, BT9 6NY	Proposed roof conversion with front and rear dormers.	Permission Granted
LA04/2023/3474/DC	LOC	A Wing, Crumlin Road Gaol 53-55 Crumlin Road, Belfast, BT14 6ST	Discharge of Condition 18 LA04/2019/2756/F. Final archaeological report	Condition Discharged
LA04/2023/3498/F	LOC	172 C Bates Avenue, Belfast, BT12 6ND	Proposed refurbishment of existing workshop to facilitate reclamation of waste I.T Equipment (PCs, laptops and servers).	Permission Granted
LA04/2023/3506/F	LOC	361 Newtownards Road, Belfast, BT4 1AJ	Retrospective change of use from community building on ground floor to aromatherapy unit.	Permission Granted

LA04/2023/3544/F	LOC	North of 55 Boucher Road, Belfast, BT12 6HR	Construction of a single storey Café Unit with associated hard landscaping and car parking	Permission Granted
LA04/2023/3565/F	LOC	33 Bradbury Place, Belfast, BT7 1RR	Change of use of (currently vacant) ground floor from offices to hot food bar (sit in and takeaway).	Permission Granted
LA04/2023/3580/CLEUD	LOC	81 Margarita Plaza Adelaide Street, Apartment 606, Belfast, BT2 8FF	Existing use: Short Term Holiday Let	Permitted Development
LA04/2023/3591/F	LOC	197-199 Castlereagh Road, Belfast, BT5 5FH	Construction of 11 apartments over 3 storeys along with access and associated siteworks	Permission Granted
LA04/2023/3634/F	LOC	Footpath to the front of Whiterock Business Park, Approximately 70 m South of 703-705 Springfield Road, Belfast, BT12 7FP	THE REMOVAL OF EXISTING 12.5M HIGH MONOPOLE AND ASSOCIATED CABINETS AND REPLACEMENT WITH A 20M HIGH ORION V2 SF POLE ON NEW ROOT FOUNDATION, 6NO. (VM) ANTENNAS, 1NO. (VM) GPS MODULE, 2NO. EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT THERETO (Amended Site Address)	Permission Granted
LA04/2023/3616/CLEUD	LOC	182 Upper Newtownards Road, Belfast, BT4 3ES	Existing use: Use of ground and first floor as a House In Multiple Occupation (HMO).	Permitted Development

LA04/2023/3626/LBC	LOC	28 BEDFORD STREET TOWN PARKS BELFAST ANTRIM BT2 7FE	Refurbishment of 3rd floor and retention of the existing historic fabric, including removal of partitions and finishes and replacement with a modern equivalent. Provision of new exposed mechanical electrical services. Provision of roof top air conditioning plant and erection of a steel screen to conceal.	Consent Granted
LA04/2023/3633/F	LOC	39 Osborne Park, Belfast, BT9 6JP	Single storey rear extension with patio areas to the sides	Permission Granted
LA04/2023/3646/F	LOC	The Stableyard, Barnett's Demesne Malone Road, Belfast, BT9 5PB	Proposed outbuilding to provide ancillary office space and meeting room	Permission Granted
LA04/2023/3652/F	LOC	25 MOUNT EAGLES CLOSE LAGMORE DUNMURRY ANTRIM BT17 0WW	Single storey side extension (Amended description)	Permission Granted
LA04/2023/3660/F	LOC	148 Sydenham Avenue, Belfast, BT4 2DU	Renovation to detached dwelling. Demolition of existing garage. Single storey, flat roof side/rear extension. 2no. front facing dormer windows added. 1no. rear facing dormer window added. Relocation of vehicular entrance to include new gates and pillars and associated site works. (Amended plans)	Permission Granted

LA04/2023/3663/DCA	LOC	31-39 Queen Street, Belfast, BT1 6EA	Proposed Demolition elements in reference to the proposed Renovation to the existing Office building, including new Entrance Lobbies, Toilet facilities and external alterations, Construction of Single storey Retail unit and Covered Entrance and Change of Use from Ground floor Leisure to Restaurant.	Consent Granted
LA04/2023/3788/NMC	LOC	41-49 Tates Avenue, Belfast, BT9 7BY	Minor alterations to the window positions and proportions associated with Apartment No.42 (north, west and south elevations only).	Non Material Change Granted
LA04/2023/3761/F	LOC	BRYSON HOUSE 28 BEDFORD STREET TOWN PARKS BELFAST ANTRIM BT2 7FE	Proposed roof top Air conditioning plant and erection of a steel screen to conceal	Permission Granted
LA04/2023/3769/F	LOC	Lands Approx. 40m North Of 11 Hazel Crescent, Belfast	Proposed residential social housing development comprising (33 dwellings in total) 9 no. detached & 22 no. semi-detached two storey dwellings 1 no. single storey dwelling and 1 no. 2.5 storey dwelling, including amenity space, landscaping and all other site and access works.	Permission Granted
LA04/2023/3825/F	LOC	2 Holland Crescent, Belfast, BT5 6EF	Retrospective two storey side and rear extension. (Amended Proposal Description)	Permission Granted
LA04/2023/3874/F	LOC	677 A Lisburn Road, Malone, Belfast, BT9 7GT	Proposed Change of Use of 1st & 2nd Floors from Office Use Self Contained 2 Bedroom Apartment	Permission Granted

LA04/2023/3857/F	LOC	59 Wellington Park, Belfast, BT9 6DP	Single storey side extension to dwelling and detached single storey garden room / gym to rear.	Permission Granted
LA04/2023/3863/A	LOC	36-40 ANN STREET TOWN PARKS BELFAST BT1 4EG	Main Signage to fascia, 1no. Projecting sign and 2no. Signs attached to window panes (Amended description)	Consent Granted
LA04/2023/3922/F	LOC	Land at and adjacent to 26 Kingswood Park , Belfast, BT5 7EZ	Erection of a 2 storey dwelling, new access and associated site works to land adjacent to no.26 Kingswood Park. A 2 storey rear extension, widening of existing driveway, new 1.2m boundary treatment to the front and associated site works to no.26 Kingswood Park.	Permission Granted
LA04/2023/3924/DCA	LOC	59 Wellington Park, Belfast, BT9 6DP	Partial demolition of side walls to accommodate extension / alteration.	Consent Granted
LA04/2023/3916/LBC	LOC	513 Ormeau Road, Ormeau, Belfast, BT7 3GU	Fit-out of existing listed office building to include, replacement glazing to shop front, new sign boards and internal redecoration	Consent Granted
LA04/2023/3917/A	LOC	513 Ormeau Road, Ormeau, Belfast, BT7 3GU	2 no. Shop sign	Consent Granted
LA04/2023/3930/DC	LOC	2-20 Beersbridge Road, Belfast, BT5 4BF	Discharge of condition 22 LA04/2022/0209/F. External brick sample	Condition Discharged
LA04/2023/4036/DC	LOC	12 Franklin House Brunswick Street, Belfast, BT2 7GE	Discharge Condition 2 LA04/2020/2469/F Management Plan	Condition Discharged

LA04/2023/3948/F	LOC	36-40 Ann Street, Belfast, BT1 4EG	Composite board wall cladding over existing brick piers & fascia to storefront. Awning to storefront. (Retrospective)	Permission Granted
LA04/2023/3981/A	LOC	58 Belmont Road, Belfast, BT4 2AN	Temporary and retrospective application for display of advertising erected to two facades of No. 58 Belmont Road using perforated building wrap.	Consent Granted
LA04/2023/3957/F	LOC	7 Brougham Street, Belfast, BT15 1JQ	Steel storage containers with cladding. (Amended Proposal Description)	Permission Granted
LA04/2023/3974/F	LOC	58 Belmont Road, Belfast, BT4 2AN	Temporary change of use of enclosed hard standing area with loose laying astro turf over existing concrete paving and cladding of existing metal fence with vertical timber boarding. Hardstanding area to include picnic tables. Erection of temporary awning	Permission Granted
LA04/2023/3965/F	LOC	255 Upper Newtownards Road, Belfast, BT4 3JF	Change of use of ground floor from flower shop (A1) to hot food takeaway (suis generis).	Permission Granted
LA04/2023/3986/CLEUD	LOC	31 Ponsonby Avenue, Belfast, BT15 2LS	HMO Property	Permitted Development
LA04/2023/4029/F	LOC	2 Ormonde Crescent, Belfast, BT6 9FP	Change of house type from dwelling previously approved under reference LA04/2020/1029/F. (Amended Proposal Description)	Permission Granted
LA04/2023/3997/DCA	LOC	75 Balmoral Avenue, Belfast, BT9 6NY	Partial demolition of roof to provide dormers to the front and rear of existing dwelling.	Consent Granted

LA04/2023/4092/PAD	MAJ	885 Shore Road, Newtownabbey, Belfast BT36 7DG	The proposed development consists of a changing pavilion (2 units each containing 2 changing rooms/ referee change/ disable wc store and ancillary accommodation) with a shared roof. There are two existing grass pitches. One grass pitch (next to Whitewell Metropolitan Tabernacle) is being upgrade to 3G with flood lighting. The other is being re-laid as a grass pitch. Car parking and associated work is taking place.	PAD Concluded
LA04/2023/4003/F	LOC	49 Stranmillis Park, Belfast, BT9 5AU	Proposed rear single storey extension, existing dwelling is to receive external wall insulation (EWI) with silicone type render finish (colour to be similar to existing) & full refurbishment works.	Permission Granted
LA04/2023/4010/F	LOC	28 Downshire Road, Belfast, BT6 9JL	Two Storey Side Extension (renewal of LA04/2018/0704/F)	Permission Granted
LA04/2023/4044/F	LOC	26 Sans Souci Park, Belfast, BT9 5BZ	Proposed change of house type to 2no. apartments with associated landscaping and car parking from that approved under planning application LA04/2016/1526/F (retrospective).	Permission Granted
LA04/2023/4025/F	LOC	362 Melfort Drive, Belfast, BT5 7FH	Single storey extension to the rear of the property.	Permission Granted
LA04/2023/4027/DC	LOC	484 Upper Newtownards Road, Belfast, BT4 3GZ	Discharge Condition 10 & 11 LA04/2022/0061/F Soft landscaping details and boundary details	Condition Discharged
LA04/2023/4054/CLEUD	LOC	18 Salisbury Court, Belfast, BT7 1DD	Existing use: short term holiday let accommodation	Permitted Development

LA04/2023/4037/CLEUD	LOC	Apt 20, Fitzwilliam Square, Belfast, BT7 1JH	Existing HMO	Permitted Development
LA04/2023/4074/F	LOC	33 Ringford Crescent, Belfast, BT11 9LG	Single storey extension to the rear of the property. Level access to front.	Permission Granted
LA04/2023/4082/CLEUD	LOC	69 A Eglantine Avenue, Belfast, BT9 6EW	House of Multiple Occupation	Permitted Development
LA04/2023/4147/F	LOC	US Consulate General Belfast 223 Stranmillis Road, Belfast, BT9 5GR	Proposed freestanding Carport	Permission Granted
LA04/2023/4169/DC	LOC	Former NI Water Ltd Sewage Treatment Works Blackstaff Road, Belfast, Belfast, BT11 9DT	Discharge conditions 17,18,19 LA04/2022/1479/F Verification Report, Remediation Strategy	Condition Discharged
LA04/2023/4172/F	LOC	Unit 62, THE KENNEDY CENTRE 564-568 FALLS ROAD, BELFAST, BT11 9AE	CHANGE OF USE FROM RETAIL TO FAMILY ENTERTAINMENT CENTRE, TO EXTEND ADJACENT UNIT, WITH RELOCATION OF FIRE EXIT DOORS	Permission Granted
LA04/2023/4219/F	LOC	6 Haddington Gardens, Belfast, BT6 0AN	Single storey extension to rear and side. Changes to side elevation. Demolition of existing garage (amended description).	Permission Granted
LA04/2023/4220/DC	LOC	76 Summerhill Drive, Twinbrook, Belfast, BT17 0RE	Discharge condition 7 LA04/2019/2676/F Consent to discharge confirmation	Condition Discharged
LA04/2023/4356/F	LOC	55, 57, 59, 63, 67, 73, 79, 85, 103 HORN DRIVE, BELFAST, BT11 9NE. 2, 10 HORN WALK, BELFAST, BT11 9NG. 36, 38 DOON ROAD, BELFAST, BT11 9GU	Proposed works include the removal of cladding panels to the front elevation of 11 no. properties at Horn Drive, Horn Walk & Doon Road, Belfast to allow the construction of new facing brick external cavity walls. Associated elevational changes also proposed.	Permission Granted

LA04/2023/4244/F	LOC	1 Wandsworth Parade, Belfast, BT4 3FT	Demolition to the rear to facilitate single storey extension to the rear and a new driveway access onto Ardgreenan Gardens. (Amended Proposal Description)	Permission Granted
LA04/2023/4280/F	LOC	2 HAMPTON PARK GALWALLY BELFAST DOWN BT7 3JL	Erection of 1.5 storey detached garage with external level patio and BBQ area and 2.4m high brick boundary wall.	Permission Granted
LA04/2023/4262/CLEUD	LOC	1a Castlereagh Street, Belfast, BT5 4NE	Mixed use of premises with primary use as a theatre and secondary use as place of worship comprising 4-6 people which meets once or twice a month for Sunday services with annual / biannual congregations for larger denominational meetings involving approx. 30 to 40 people.	Permitted Development
LA04/2023/4251/CLEUD	LOC	46 Damascus Street, Belfast, BT7 1QR	Existing use: HMO	Permitted Development
LA04/2023/4252/F	LOC	29 Myrtlefield Park, Belfast, BT9 6NF	Addition of single storey rear extension to garage, two storey extension to rear of house with hipped roof, and single storey extension to rear side.	Permission Granted
LA04/2023/4249/DCA	LOC	29 Myrtlefield Park, Belfast, BT9 6NF	Demolition of sections of rear and side elevation	Consent Granted
LA04/2023/4273/F	LOC	10 Kingsberry Park, Belfast, BT6 0HT	Single storey extension to side and rear.	Permission Granted
LA04/2023/4289/F	LOC	49-51 University Road, Belfast, BT7 1ND	Proposed retractable awning to front of café.	Permission Granted

LA04/2023/4300/A	LOC	55 Ravenhill Road, Belfast, BT6 0AL	(Retrospective) illuminated signs to the front elevation' (Amended Proposal description & Site Address)	Consent Granted
LA04/2023/4305/F	LOC	122 Locksley Park, Belfast, BT10 0AT	SINGLE STOREY REAR EXTENSION TO DWELLING, FORMATION OF DORMER TO THE REAR OF THE DWELLING FOR ROOF SPACE CONVERSION, INSTALLATION OF ROOF LIGHTS TO THE FRONT OF THE DWELLING AND INTERNAL ALTERATIONS	Permission Granted
LA04/2023/4294/F	LOC	Bryson Energy Play Resource North City Business Centre 2 Duncairn Gardens Belfast BT15 2GG	Internal alterations (including installation of new windows) and change of use to include training and community areas. Provision of new PV array roof	Permission Granted
LA04/2023/4318/F	LOC	The Printworks 31 - 39 Queen Street, Belfast, BT1 6EA	Proposed three storey building to include a ground floor Sit - in Cafe and take away with 2no. 2 Bedroom serviced Apartments above.	Permission Granted
LA04/2023/4324/CLEUD	LOC	22 Candahar Street, Belfast, BT7 3AQ	Existing use: House of Multiple Occupancy	Permitted Development
LA04/2023/4400/PAD	MAJ	1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB	Proposed social/affordable housing apartments comprising of c.103no. units (30no. CAT1 social housing including 10no. wheelchair accessible units) with associated car parking and disabled spaces, exterior landscaping and all associated site works.	PAD Concluded
LA04/2023/4338/F	LOC	55 Lyndhurst Parade, Belfast, BT13 3PB	Two storey side extension.	Permission Granted

LA04/2023/4339/F	LOC	5 Wynchurch Avenue, Belfast, BT6 0JP	Loft conversion including changing hip roof to gable.	Permission Granted
LA04/2023/4368/DC	LOC	1-5 Graham House Albert Square, Belfast, BT1 3EQ	Discharge of condition 13 - LA04/2017/1707/F Programme of Archaeological Works	Condition Partially Discharged
LA04/2023/4470/F	LOC	46 QUARRY ROAD BALLYMAGHAN BELFAST DOWN BT4 2NP	Proposed demolition of existing dwelling, including replacement with a new single residential dwelling, double garage, new vehicular access and all other associated siteworks.	Permission Granted
LA04/2023/4408/F	LOC	1 Wynchurch Park, Ballymaconaghy, Belfast, BT6 0JL	Proposed demolition of existing detached garage and conservatory to proposed erection of a single storey side / rear extension.	Permission Granted
LA04/2023/4414/CLEUD	LOC	Flat 3, 103 Fitzroy avenue Belfast, BT7 1HU.	Change of use to HMO.	Permitted Development
LA04/2023/4415/CLEUD	LOC	flat 3, second floor, 8 Cameron Street Belfast BT7 1GU	Existing use : House of Multiple Occupancy	Permitted Development
LA04/2023/4424/F	LOC	41 Walnut Street Belfast BT7 1EN	Demolish existing sub standard conservatory and replace with new conservatory	Permission Granted
LA04/2023/4438/F	LOC	55 North Circular Road, Belfast, BT15 5HD	Single storey rear extension with associated site works	Permission Granted
LA04/2023/4450/F	LOC	22 VIEWFORT PARK OLD FORGE DUNMURRY ANTRIM BT17 9JY	two storey rear extension	Permission Granted

LA04/2023/4491/F	LOC	6 SUMMERHILL ROAD KILLEATON DUNMURRY ANTRIM BT17 0RL	Single storey extension to existing community building to facilitate extension of cafe (Amended description)	Permission Granted
LA04/2023/4558/F	LOC	5 Millennium Way, Springvale Business Park, Belfast, BT12 7AL	Two storey extension and refurbishment of existing office building at 5 Millennium Way. New pathway between 5 & 7 Millennium Way to include installation of timber seating and additional landscaping and associated works.	Permission Granted
LA04/2023/4472/F	LOC	67 Castlereagh Street, Belfast, BT5 4NF	Retrospective change of use of existing ground floor premises from offices (B1) to beauty parlour and laser cosmetic surgery (Sui Generis).	Permission Granted
LA04/2023/4483/F	LOC	19 Corrina Avenue, Belfast, BT17 0HR	PROPOSED REAR EXTENSION AND INTERNAL ALTERATIONS WITH RECONFIGURATION OF ROOF SPACE WITH NEW DORMER WINDOW TO REAR TO ALLOW HEADROOM TO BE ACHIEVED FOR STAIRCASE ATTIC ROOM	Permission Granted
LA04/2023/4522/F	LOC	St Joseph's Rc Church, Princes Dock Street, Belfast, BT1 3AA	Interior refurbishment to include remodel of upper gallery area; entrance foyer and changing area including new servery, w.c. area, storage and office.	Permission Granted
LA04/2023/4524/LBC	LOC	St Joseph's RC Church Princes Dock Street, Belfast, BT1 3AA	Interior refurbishment to include: remodel of upper gallery area; entrance foyer and changing area including new servery, w.c. area, storage and office.	Consent Granted

LA04/2023/4552/F	LOC	6 Orpen Road Belfast BT10 0BP	Proposed amendments to Ref. LA04/2019/2013/F for a single storey extension to the side and rear of a dwelling to include change to finish materials and height of extension.	Permission Granted
LA04/2023/4509/F	LOC	111 Finaghy Road South, Belfast, BT10 0BZ	Proposed single storey rear extension with detached garage (Amended)	Permission Granted
LA04/2023/4525/DC	LOC	2 Dargan Crescent, Duncrue Road, Belfast, BT3 9HJ	Discharge of condition 2 LA04/2020/0235/F Soft landscaping plan	Condition Discharged
LA04/2023/4527/PAD	LOC	1 Beechlands, Belfast, BT9 5HU	Proposed demolition and replacement of existing dwelling	PAD Concluded
LA04/2023/4544/F	LOC	6 Lagmore Dale, Dunmurry, Belfast, BT17 0TQ	Proposed 2 storey kitchen, Utility and bedroom extension to side of existing dwelling	Permission Granted
LA04/2023/4528/F	LOC	76 PRIORY PARK BALLYFINAGHY BELFAST ANTRIM BT10 0AG	Demolition of existing rear single storey extension. Replacement single storey extension to rear and side of dwelling.	Permission Granted
LA04/2024/0031/F	LOC	York Street Train Station, 303 York Street, Belfast, BT15 1FX	Illuminated artwork located to the south of the redeveloped York Street Train Station.	Permission Granted
LA04/2023/4564/CLEUD	LOC	459 Springfield Road, Belfast, BT12 7DL	Existing use: HMO	Permitted Development
LA04/2023/4556/F	LOC	117 Riverdale Park South, Belfast, BT11 9DD	SINGLE STOREY REAR EXTENSION	Permission Granted
LA04/2023/4565/F	LOC	46 Denorrrton Park, Belfast, BT4 1SF	Retrospective single storey rear extension and raised patio.	Permission Granted
LA04/2023/4571/CLEUD	LOC	Apartment 2, 39 Tates Avenue, Belfast, BT9 7BY	Existing HMO in use	Permitted Development

LA04/2023/4573/F	LOC	Central Library Royal Avenue, Belfast, BT1 1EA	Installation of pedestrian gates to entrance portico.	Permission Granted
LA04/2023/4580/LBC	LOC	Central Library, Royal Avenue, Belfast, BT1 1EA	Installation of pedestrian gates to entrance portico.	Consent Granted
LA04/2023/4577/F	LOC	209 Ravenhill Road, Belfast, BT6 0BS	Demolition of a single-storey rear extension. Addition of a single-storey rear extension.	Permission Granted
LA04/2023/4578/F	LOC	10 Bristow Park, Belfast, BT9 6TH	Demolition of a single-storey rear extension. Addition of a single-storey rear extension and patio.	Permission Granted
LA04/2024/0051/F	LOC	The Mac, 10 Exchange Street West, Belfast, BT1 2NJ.	2no green ('living') walls on existing buildings as part of a city centre greening scheme coordinated by Cathedral Quarter BID.	Permission Granted
LA04/2023/4587/F	LOC	6 Inishowen Drive, Belfast, BT10 0EU	First floor extension to existing dwelling	Permission Granted
LA04/2023/4588/F	LOC	87 Belmont Church Road, Belfast, BT4 8FG	Demolition and removal of existing lean to conservatory and erection of single storey extension to the rear of property.	Permission Granted
LA04/2023/4592/F	LOC	Ground Floor 102 Royal Avenue, Belfast, BT1 1DL	Temporary period for change of use from Retail (A1) to Community facility (D1)	Permission Granted
LA04/2024/0056/A	LOC	Ground Floor, 102 Royal Avenue, Belfast, BT1 1DL	1no.shop signage to be located on the front facade of the existing building	Consent Granted
LA04/2023/4590/F	LOC	8 Kimberley Drive, Belfast, BT7 3EE	Proposed two storey extension to rear of dwelling (amended plan)	Permission Granted
LA04/2023/4604/F	LOC	104 Belmont Road, Belfast, BT4 2AQ	PROPOSED SINGLE AND DOUBLE STOREY EXTENSIONS.	Permission Granted

LA04/2024/0012/F	LOC	17 CASTLE PLACE TOWN PARKS BELFAST ANTRIM BT1 1EL	Replacement of existing ATM with a new Smart ATM	Permission Granted
LA04/2024/0013/LBC	LOC	17 CASTLE PLACE TOWN PARKS BELFAST ANTRIM BT1 1EL	Replacement of the existing ATM with a new Smart ATM	Consent Granted
LA04/2024/0008/CLEUD	LOC	11 Riverview Street Belfast BT9 5FD	Existing Use : HMO	Permitted Development
LA04/2024/0064/F	LOC	3 Glenhurst Gardens, Newtownabbey, BT36 7JW	Proposed single storey extension to rear elevation & proposed detached single storey garage.	Permission Granted
LA04/2024/0066/NMC	LOC	30, 32 & 34 CORRIB AVENUE, BELFAST BT11 9JB	Substituting brick retaining wall along the western side of Apartment Block A with a supplier designed & indemnified dry-stack wall with a maximum retention height of 2.0m.	Non Material Change Granted
LA04/2024/0071/F	LOC	12 Clonard Crescent, Belfast, BT13 2QN	Single storey rear extension, to include door widening and level access to front entrance and demolition of existing external store.	Permission Granted
LA04/2024/0075/F	LOC	7 Edgcumbe Park, Belfast, BT4 2EJ	Two storey and single storey extension and patio to rear and render to rear elevation.	Permission Granted

LA04/2024/0079/NMC	LOC	Car park to rear of Arena Building, 85 Ormeau Road,Belfast BT7 1SH	New stair from entrance lobby to first floor reception area. Change from as approved under ref. LA04/2018/0764/F	Non Material Change Granted
LA04/2024/0080/F	LOC	33 Kingsberry Park, Belfast, BT6 0HT	Rear/side single storey extension, front/rear dormer and patio to rear.	Permission Granted

LA04/2024/0070/NMC	LOC	Lands: To The East Of The Westlink (A12); South Of (Nos.127-9) And Including Grosvenor Road; At Intersection Of Grosvenor Road And Stanley Street; At The Intersection Of Durham Street And Grosvenor Road; At The Intersection Of Fisherwick Place And Howard Street; At Great Victoria Street (between Nos. 1-3 To 27-45); At Glengall St (between Nos. 3-21); At The Junction Of Hope Street Bruce Street And Great Victoria Street; At The Junction Of Durham Street Linfield Road Sandy Row And Hope Street; At Sandy Row From 2 Hurst Park To 85-87 Sandy Row Gilpins Site; To North Of Former Whitehall Tobacco Works At Linfield Road Weavers Court Business Park/ Linfield Industrial Estate Blythefield Primary School And Charter Youth Club; At Weavers Court Business Park And Railway Track Lands Surrounding Arellian Nursery And Bounded By Utility Street/Bentham Drive/Egmot Gardens/Felt St (to North); Prince Andrew Park And Abingdon Drive (to South); Beit St Roosevelt Rise Roosevelt Square.	Non Material Change to approved – LA04/2017/1388/F changes to Grosvenor Road entrance to including the steps and the introduction of a new planter to the eastern side.	Non Material Change Granted
LA04/2024/0085/F	LOC	29 North Road, Belfast, BT5 5NE	Replacement Decking and External Windows	Permission Granted

LA04/2024/0090/F	LOC	16 Glasvey Gardens, Dunmurry, Belfast, BT17 0DX	Single storey extension to side and rear. Level access ramp provision to front door.	Permission Granted
LA04/2024/0106/F	LOC	85 Church Road, Belfast, BT8 7AN	Demolition of an existing garage and replacement with a double garage and associated site works.	Permission Granted
LA04/2024/0103/F	LOC	10 Norfolk Parade, Belfast, BT11 8DB	Proposed two storey and single storey extension to rear of dwelling.	Permission Granted
LA04/2024/0113/F	LOC	25 St Bernadettes Avenue, Belfast, BT12 7FF	Proposed single storey rear extension.	Permission Granted
LA04/2024/0125/F	LOC	59 Vauxhall Park, Belfast, BT9 5HB	Single storey rear and side extension with flat roof and roof lantern	Permission Granted
LA04/2024/0120/DC	LOC	Centre House 69-87 Chichester Street, Belfast, BT1 4JE	Discharge of condition 14 LA04/2022/2216/F. Archaeological Programme of Works by Northern Archaeological Consultancy.	Condition Partially Discharged
LA04/2024/0151/F	LOC	7 Luxor Gardens, Belfast, BT5 5NB	Single storey rear extension	Permission Granted
LA04/2024/0147/F	LOC	5 Old Coach Road, Belfast, BT9 5PR	Ground floor bay window extension to rear	Permission Granted
LA04/2024/0154/F	LOC	4 Colinbrook Avenue, Belfast, BT17 0NY	Proposed single storey extension to rear of property with graduated steps to rear.	Permission Granted
LA04/2024/0223/CLOPUD	LOC	Electrical Substation adjacent to: 1 Gibson Park Avenue Belfast BT6 9GL	Refurbishment of Cregagh Main 110/33/6.6kV Substation. Existing red brick switch house to be demolished and new switch house built in it's place. 2no. 110/33kV transformers and associated switch gear to be replaced. 1no. 33/6.6kV transformer to be replaced with 2no. 33/6.6kV transformers. Unused buildings to be demolished.	Permitted Development

LA04/2024/0160/F	LOC	72 Ardmonagh Gardens, Belfast, BT11 8DZ	Single storey rear extension	Permission Granted
LA04/2024/0161/DC	LOC	Queens Square, Belfast, BT1 3FF	Condition 2 of LA04/2019/2097/F. Material Samples	Condition Discharged
LA04/2024/0179/F	LOC	186 Kings Road Tullycarnet, Belfast, BT5 7EN	Erection of single storey extension to existing garage	Permission Granted
LA04/2024/0217/F	LOC	Grand Opera House Great Victoria Street, Belfast, BT2 7HR	A gate and panel system to be installed in front to define operational space.	Permission Granted
LA04/2024/0171/LBC	LOC	Grand Opera House Great Victoria Street, Belfast, BT2 7HR	Digital display signage at ground floor level, with associated gate and panel system installed to the front.	Consent Granted
LA04/2024/0218/A	LOC	Grand Opera House Great Victoria Street, Belfast, BT2 7HR	Digital display signage to be installed on wall of the stage door entrance to Grand Opera House.	Consent Granted
LA04/2024/0175/CLEUD	LOC	122 University Street, Belfast, BT7 1HH	HMO	Permitted Development
LA04/2024/0184/F	LOC	93 Ardmonagh Gardens, Belfast, BT11 8DX	Proposed Attic conversion with dormer to rear.	Permission Granted
LA04/2024/0209/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 LA04/2022/0129/F - amended window positions and amended internal layout of house type B, B1 & B2	Non Material Change Granted
LA04/2024/0200/DC	LOC	277 Lower Braniel Road, Belfast, BT5 7NR	Discharge of condition 7 and 8 of LA04/2022/1359/F. Landscape plan and topographic survey	Condition Discharged
LA04/2024/0206/CLOPUD	LOC	7 Lenwood Drive, Belfast, BT17 0PW	Proposed extension to dwelling	Permitted Development

LA04/2024/0208/A	LOC	EX Sports Direct Unit Unit 18 21-59 Boucher Crescent Boucher Retail Unit Belfast BT12 6HU.	1 Main shop sign with build up letters and 6 other shop signs	Consent Granted
LA04/2024/0219/CLEUD	LOC	22 St Ives Gardens, Belfast, BT9 5DN	change of use of dwelling to short term let accommodation (retrospective)	Permitted Development
LA04/2024/0372/CLEUD	LOC	4 Stranmillis Gardens, Belfast, BT9 5AS	House in multiple occupation (HMO).	Permitted Development
LA04/2024/0254/NMC	LOC	68-72 Eglantine Avenue, Belfast, BT9 6DY	Non-material change to LA04/2016/1646/F - Reduction to the extent of internal and external demolition works with retention of more of the existing buildings, as well as various amendments to the internal layout on all floors with a reduction in the number of bedrooms from 27 to 24.	Non Material Change Granted
LA04/2024/0262/WPT	LOC	8 Shrewsbury Gardens, Belfast, BT9 6PJ	Works to tree in CA	Works to Trees in CA Agreed
LA04/2024/0281/F	LOC	18 Castle Lane Belfast BT1 5DB	Proposed new shopfront entrance & glazing (Amended Description)	Permission Granted
LA04/2024/0283/DCA	LOC	18 Castle Lane Belfast BT1 5DB	Demolition of existing shopfront (to accommodate provision of new front entrance) (Amended description)	Consent Granted
LA04/2024/0282/A	LOC	18 Castle Lane belfast BT1 5DB	Proposed illuminated signage at first floor	Consent Granted

LA04/2024/0271/A	LOC	Queens Sport Main Clubhouse Queens Sport Upper Malone Road Belfast BT9 5NA	Signage on main clubhouse building	Consent Granted
LA04/2024/0291/DC	LOC	Lands approx. 84m south west and 80m west of No. 35 Hampton Park, Belfast, BT7 3JP	Discharge of condition 7 LA04/2022/1027/F. Lighting Impact Assessment	Condition Discharged
LA04/2024/0296/F	LOC	21 Lancefield Road, Belfast, BT9 6LL	Demolition of rear coal house. Proposed Single Storey rear extension.	Permission Granted
LA04/2024/0303/WPT	LOC	Fortwilliam Golf Course, 8A Downview Avenue, BT15 4EZ	Felling TPO Trees	Works to TPO Granted
LA04/2024/0307/WPT	LOC	7 Harberton Park, Belfast, BT9 6TW	Works to tee in CA	Works to Trees in CA Agreed
LA04/2024/0311/WPT	LOC	39A Malone Park, Belfast, BT9 6NL	Works to trees in CA	Works to Trees in CA Agreed
LA04/2024/0320/WPT	LOC	3 Mount Pleasant, Belfast, BT9 5DS	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2024/0346/CLEUD	LOC	39 Magdala Street, Belfast, BT7 1PU	HMO use	Permitted Development
LA04/2024/0360/DC	LOC	Elmwood Building, School of Geography Elmwood Avenue, Belfast, BT9 6AZ	Discharge of Condition 6 on LA04/2023/2563/LBC submission of brick samples	Condition Discharged
LA04/2024/0359/WPT	LOC	Ulster Independent Clinic, 245 Stranmillis Road, Belfast, BT9 5JH	Works to 1 x TPO Tree	Works to TPO Granted
LA04/2024/0364/CLEUD	LOC	24 GALWALLY AVENUE BRED BELFAST BT8 7AJ	Single storey rear extension	Permitted Development
LA04/2024/0375/A	LOC	Gable of 86 Broadway, Belfast.	Retention of existing lightbox signage	Consent Granted

LA04/2024/0374/DC	LOC	3-19 Rydalmere Street, Belfast, BT12 6GF	Discharge of condition 25 and 26 of planning approval LA04/2020/1943/F and discharge of condition 4 and 5 of planning approval LA04/2020/1944/LBC - Fire Safety and demolition method statement	Condition Discharged
LA04/2024/0383/CLOPUD	LOC	28 Kirkliston Park, Belfast, BT5 6EB	Single Storey Rear Extension	Permitted Development
LA04/2024/0396/NMC	LOC	5 Willesden Park, Belfast, BT9 5GX	Non material change LA04/2023/3348/F. Additional window to side elevation. Rear sliding doors amended to double doors. Rear window amended from full height picture window to standard window with raised ceill.	Non Material Change Granted
LA04/2024/0400/WPT	LOC	133 Shandon Park, BT5 6NZ	Works to tree protected by TPO	Works to TPO Granted
LA04/2024/0414/CLEUD	LOC	49a Rugby Avenue, Malone Lower, Belfast, BT7 1RD	House in multiple occupation.	Permitted Development
LA04/2024/0411/CLEUD	LOC	402 Lisburn Road, Malone Lower, Belfast, BT9 6GN	Existing Bookmaking Office	Permitted Development
LA04/2024/0409/WPT	LOC	5 Glenmachan Mews, Belfast, BT4 2RQ	Works to trees protected by TPO	Works to TPO Granted
LA04/2024/0424/NMC	LOC	10 Lorne Street, Belfast, BT9 7DU	Non-Material Change to LA04/2017/1153/F simpification of materials and finishes.	Non Material Change Granted

LA04/2024/0426/PAN	MAJ	Lands between Ballygomartin Road and Upper Whiterock Road and to the rear of Moyard Parade and New Barnsley Crescent, Belfast Co. Antrim BT13 3QZ	Proposed development of new walking trails linking Black Mountain Shared Space Project building (approved under LA04/2022/0853/F) on the Ballygomartin Road with the Upper Whiterock Road and Moyard Parade. Proposal to include gated accesses, stockproof fencing, seated areas, information signage, landscaping and associated site works.	Proposal of Application Notice is Acceptable
LA04/2024/0419/CLEUD	LOC	5 Eblana Street, Belfast, BT7 1LD	Existing HMO Use	Permitted Development
LA04/2024/0452/CLEUD	LOC	68 Carmel Street, Belfast, BT7 1QF	Existing use - HMO	Permitted Development
LA04/2024/0484/CLEUD	LOC	130 Fitzroy Avenue, Belfast, BT7 1HY	Existing HMO use	Permitted Development
LA04/2024/0488/WPT	LOC	3 Derryvolgie Avenue, Belfast, BT9 6FL	Works to trees	Works to TPO Granted
LA04/2024/0501/WPT	LOC	26 Malone Park, Belfast, BT9 6NJ	Works to trees in a Conservation Area	Works to Trees in CA Agreed
				<u>Total Decisions</u>

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Subject:	Consultation on Local Development Plan for Lisburn and Castlereagh City Council – Revised Timetable
Date:	16 April 2024
Reporting Officer:	Kate Bentley, Director of Planning and Building Control
Contact Officer:	Dermot O’Kane, Acting Planning Manager (Plans and Policy) Conor Campfield, Acting 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 checked="" 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"/>
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1.0	Purpose of Report
1.1	The purpose of this report is to advise members that Lisburn and Castlereagh City Council (LCCC) under Regulation 5 of the Planning (Local Development Plan) Regulations (Northern Ireland) consulted Belfast City Council regarding its revised Local Development Plan timetable (Appendix 1).
2.0	Recommendations
	The committee is requested to: <ul style="list-style-type: none"> Note the update which sets out LCCC revised LDP timetable.
3.0	Main Report
	<u>Background</u>
3.1	In accordance with Regulation 5 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, LCCC has consulted Belfast City Council on its revised Timetable for their Local Development Plan.
3.2	As you may be aware LCCC’s Plan Strategy was adopted on 26 September 2023. The revised Timetable indicates that preparatory work on their LPP (second stage in the two-part LDP process) will commence between Quarter 4 2024 and Quarter 5 2025 with a draft LPP ready to be published for consultation between Quarter 3 2025 and Quarter 6

3.3	<p>2026. The revised LDP Timetable further anticipates that their LPP will be adopted between Quarter 3-4 2028.</p> <p>Belfast City Council is currently progressing with the development of its LPP. This will involve liaising closely with adjoining councils including LCCC to review sites and environmental designations at the periphery of our council boundary in line with statutory obligations under Section 9 of the Planning Act (NI) 2011.</p>
3.4	<p><u>Finance and Resource Implications</u></p> <p>There are no resource implications associated with this report.</p>
3.5	<p><u>Asset and Other Implications</u></p> <p>None noted.</p>
3.6	<p><u>Equality or Good Relations Implications</u></p> <p>There are no relevant equality or good relations implications attached to this report.</p>
4.0	Appendices
	Appendix 1 – Letter and revised LDP Timetable

Appendix 1



Date: 15th March 2024

By email

Our Ref: Our Ref COR/LDP/Timetable Revision 3

Dear Sir/Madam

**Re: Local Development Plan for Lisburn & Castlereagh City Council – Revised
Timetable**

In accordance with Regulation 5 of the Planning (Local Development Plan)
Regulations (Northern Ireland) 2015, Lisburn & Castlereagh City Council wish to
consult with you on its revised Timetable for the Local Development Plan.

I would be grateful if you have any comments to forward them to the Local Development
Plan Team at the above address or email LDP@lisburncastlereagh.gov.uk within two
weeks of the date of this letter.

Following approval by resolution of the Council, the Timetable will be submitted to
the Department for Infrastructure for agreement prior to it being advertised and
published on the Council's website.

Yours faithfully

pp Lois Jackson

Conor Hughes
Head of Planning and Capital Development

Local Development Plan

TIMETABLE

May 2024

Getting in Touch

Should you have a planning query, you can contact the Council's Planning Unit in the following ways:

By email to: planning@lisburncastlereagh.gov.uk

By post to:

Planning Unit,
Lisburn & Castlereagh City Council,
Civic Headquarters,
Lagan Valley Island,
Lisburn,
BT27 4RL.

By telephone on: 028 9250 9250

To ensure all consultation documents are accessible to everyone, Lisburn & Castlereagh City Council, on request, will take all reasonable steps to provide documents in alternative formats and in minority languages to meet the needs of those who are not fluent in English.

1.0 Introduction

- 1.1 The purpose of this Timetable is to set out the key stages and the indicative timeframe for the production of Lisburn & Castlereagh City Council's new **Local Development Plan 2032** (LDP).
- 1.2 The Timetable meets the legislative requirements of the Planning Act (Northern Ireland) 2011 and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015. In addition it has been approved by resolution of the Council and agreed with Central Government¹ in accordance with Regulation 7 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

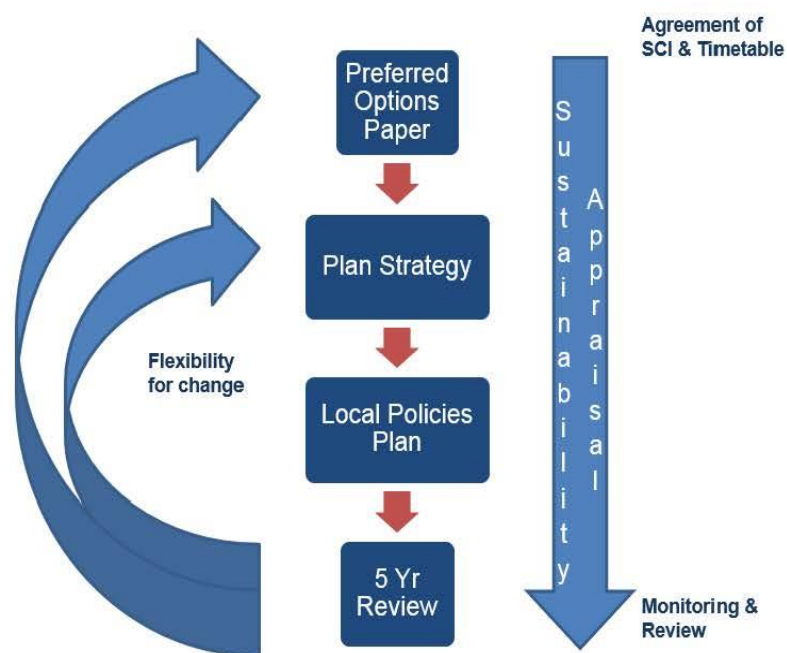
2.0 Purpose of the Local Development Plan

- 2.1 The purpose of the Lisburn & Castlereagh City Council LDP is to inform the public, statutory authorities, developers and other interested parties of the policy framework and land use proposals that will implement the strategic objectives of the Regional Development Strategy and guide development decisions within the Council area up to 2032.
- 2.2 The LDP will be prepared within the context of the Council's Corporate Plan and will take account of the Council's Community Plan to enable us to plan positively for the future of our Council area. It will ensure that lands are appropriately zoned and that our infrastructure is enhanced to develop the Council area for future generations.
- 2.3 The LDP must also take account of the regional policy context set by the Northern Ireland Executive and Central Government Departments. This includes, amongst others, the Sustainable Development Strategy, the Regional Development Strategy and the Strategic Planning Policy Statement.

¹ Department for Infrastructure

3.0 Status of the Local Development Plan

- 3.1 The new Local Development Plan for the Council will replace the range of current extant Development Plans for the Lisburn & Castlereagh City Council area.
- 3.2 Following publication of the Preferred Options Paper, the Plan is produced in two parts consisting firstly of a Plan Strategy followed by a Local Policies Plan. The Plan Strategy will set the aims, objectives, growth strategy and strategic policies applicable to the Plan Area. The Local Policies Plan will provide site specific policies and proposals, including settlement limits, land use zonings and environmental designations.



- 3.3 The Council will undertake an ongoing process of **Sustainability Appraisal** which will run parallel to the preparation of the Preferred Options Paper, Plan Strategy and Local Policies Plan. An integral part of the Sustainability Appraisal is the **Strategic Environmental Assessment (SEA)** which will examine the environmental effects of the LDP proposals. The Sustainability Appraisal process aims to ensure that the policies and proposals in the LDP

are socially, economically and environmentally sustainable. Relevant reports will be published at each of the key stages of the plan making process which will all be made available online.

4.0 The Timetable

- 4.1 The Timetable (Revision 3) provides indicative dates for a number of key stages in the production of the Lisburn & Castlereagh City Council Local Development Plan. These stages are set out in calendar year quarters and a brief summary is provided below. The full Timetable is set out on Pages 8-9.

STAGE 1

- **Statement of Community Involvement** – This sets out how the Council intends to engage with the local community during the preparation of our new LDP.
- **Preferred Options Paper** - The Preferred Options Paper (POP), published in March 2017 is a public consultation document which sets out the key plan issues for the Council area and the preferred options available to address them. A Public Consultation Report (published September 2017) containing an overview of the key issues raised during the public consultation period is available to view [here](#).

STAGE 2

- **Draft Plan Strategy** - The draft Plan Strategy was published for informal public consultation on 11 October 2019 followed by formal consultation on 8 November 2019 to 10 January 2020. This document provides an indication of the Council's strategic land use intentions in relation to the future development of the Council area and provides the overarching policy framework.
- **Independent Examination** - An Independent Examination of the draft Plan Strategy was held between March-May 2022 to determine the **soundness**² of the draft Planning Strategy, taking into account any representations or counter representations. Following the Independent Examination, an Advisory Report of its findings was issued to Central Government on 30 November 2022

² See Development Plan Practice Note 06 Soundness, DfI

- **Binding Report** – following consideration of the Advisory Report, Central Government issued a Binding Report to the Council on 28 June 2023. The Council incorporated the changes outlined in the Binding Report into the Plan Strategy.
- **Adoption of Plan Strategy**- Following the Independent Examination, and direction from the Central Government, the Plan Strategy was formally adopted by the Council on 26 September 2023.

STAGE 3

- **Local Policies Plan** - The Local Policies Plan is the final document comprising the LDP. The draft Local Policies Plan is a public consultation document and will contain the Council's detailed land use proposals in relation to the future development of the Council area.
- **Independent Examination** - An Independent Examination will be held to determine the **soundness** of the draft Local Policies Plan, taking into account any representations or counter representations. Following the Independent Examination, an Advisory Report of its findings will be issued to Central Government.
- **Binding Report** - following consideration of the Advisory Report, Central Government will issue a Binding Report to the Council. The Council must incorporate any changes outlined in the Binding Report into the Local Policies Plan.
- **Adoption of Local Policies Plan** - Following the Independent Examination and direction from Central Government, the Local Policies Plan will be formally adopted by the Council.

STAGE 4

- **Monitoring & Review of LDP** - The LDP will be reviewed every 5 years following adoption of the LPP.
- 4.2 In addition to undertaking a **Sustainability Appraisal** (incorporating Strategic Environmental Assessment (SEA)), the Council is also required to carry out a number of assessments to accompany preparation of the LDP including:

- **Habitats Regulations Assessment (HRA)** for the LDP to consider the potential impact of LDP policies and proposals on European nature conservation sites.
- **Equality Impact Assessment** for the LDP to consider if the LDP is likely to have an impact on different sections of the community and any mitigating measures required as a result.

5.0 Delivery of the Local Development Plan

- 5.1 Meeting the attached timetable is dependent upon Member involvement, adequate resourcing and careful risk management.
- 5.2 A **Steering Group** and **Project Management Team/Stakeholder Group** has been established, to oversee the development of the LDP, the former comprising of the relevant Council Committees, and the latter being Senior Council Officers and representatives from the key Statutory/non-statutory consultees.
- 5.3 The Council and Central Government will be informed as necessary on progress in meeting the Timetable.
- 5.4 Progress reports on the LDP will be submitted regularly to the relevant Council Committees.

6.0 Review

- 6.1 In the event that the Plan Timetable requires amendment, the Council has the power under the Planning Act 2011 to publish a revised Timetable. Any amendments will be publicised and made available on the Council's website at www.lisburncastlereagh.gov.uk following the agreement of Central Government.

Lisburn & Castlereagh City Council Local Development Plan Timetable			
Key Stages	Key Actions	Detail	Timescale
1 Plan Preparation	Agree and publish Statement of Community Involvement	Informal Community Engagement carried out for 8 week period (last quarter 2015)	Q2 2016
	Agree and publish Timetable for LDP	- Consult PAC and other consultation bodies; - Seek agreement with DfI following Council approval of timetable (4 weeks)	Q3 2016
	Utilise Evidence Base in consultation with statutory consultees and key stakeholders	Commission specific studies required; - Identification of key issues with relevant statutory consultees and key stakeholders; - Consult with Consultation Bodies on scope of Sustainability Appraisal (SA); - Initial EQIA and HRA Screening; - Consult with Council in advance of publication	Q4 2016
	Publish Preferred Options Paper with Sustainability Appraisal Interim Report	Publish SA Scoping and Interim Reports; - Minimum 8 week statutory consultation period - Input representations on LDP database	Q1 2017
	Consider responses to POP	Prepare Public Consultation Report	Q3 2017
2 Plan Strategy	Preparatory Work	Survey and analysis Procurement process for independent experts	Q4 2018 - Q2 2019
	Publish Draft Plan Strategy with Sustainability Appraisal Report (incorporating SEA)	Publish Draft Plan Strategy & Associated documents for informal viewing – 4 weeks* - 8 week statutory consultation period for representations; - 8 week statutory period for counter representations; - Consideration of representations (including summary of main issues) - Consideration of any focussed or minor changes *Includes SA Report, draft Habitats Regulations Assessment, EQIA and Rural Proofing;	Q3 2019 - Q4 2020
	Soundness Based Independent Examination	- Submit documents to Department for IE; - Advisory Report from PAC sent to DfI; - DfI issues Binding Report to Council;	Q1 2021 - Q2 2023
	ADOPTION OF PLAN STRATEGY	- Council considers Binding Report - Changes made to finalise Plan Strategy	Q3 2023 - 26th Sept 2023

		<ul style="list-style-type: none"> - Publish Sustainability Appraisal Adoption Statement (incorporating SEA); - Publish Habitats Regulations Assessment, EQIA and Rural Proofing 	
3 Local Policies Plan	Preparatory Work	Survey and analysis Procurement process for independent experts	Q4 2023 – Q2 2025
	Publish Draft Local Policies Plan with Sustainability Appraisal Report (incorporating SEA)	Publish Local Policies Plan & Associated documents for informal viewing – 4 weeks* <ul style="list-style-type: none"> - 8 week statutory consultation period for representations; - 8 week statutory period for counter representations; - Consideration of representations (including summary of main issues) - Consideration of any focussed or minor changes *Includes SA Report, draft Habitats Regulations Assessment, EQIA and Rural Proofing;	Q3 2025 – Q3 2026
	Soundness Based Independent Examination	<ul style="list-style-type: none"> - Submit documents to Department for IE; - Advisory Report from PAC sent to DfI; - DfI issues Binding Report to Council; 	Q4 2026 – Q2 2028
	ADOPTION OF LOCAL POLICIES PLAN	<ul style="list-style-type: none"> - Council considers Binding Report - Changes made to finalise Local Policies Plan - Publish Sustainability Appraisal Adoption Statement (incorporating SEA); - Publish Habitats Regulations Assessment, EQIA and Rural Proofing 	Q3-Q4 2028
4 Monitoring and Review	Monitoring and Review of Local Development Plan	Annual Monitoring including Housing Monitor Reports and Employment Land; - 5 and 10 year review leading to commencement on a replacement LDP	Ongoing



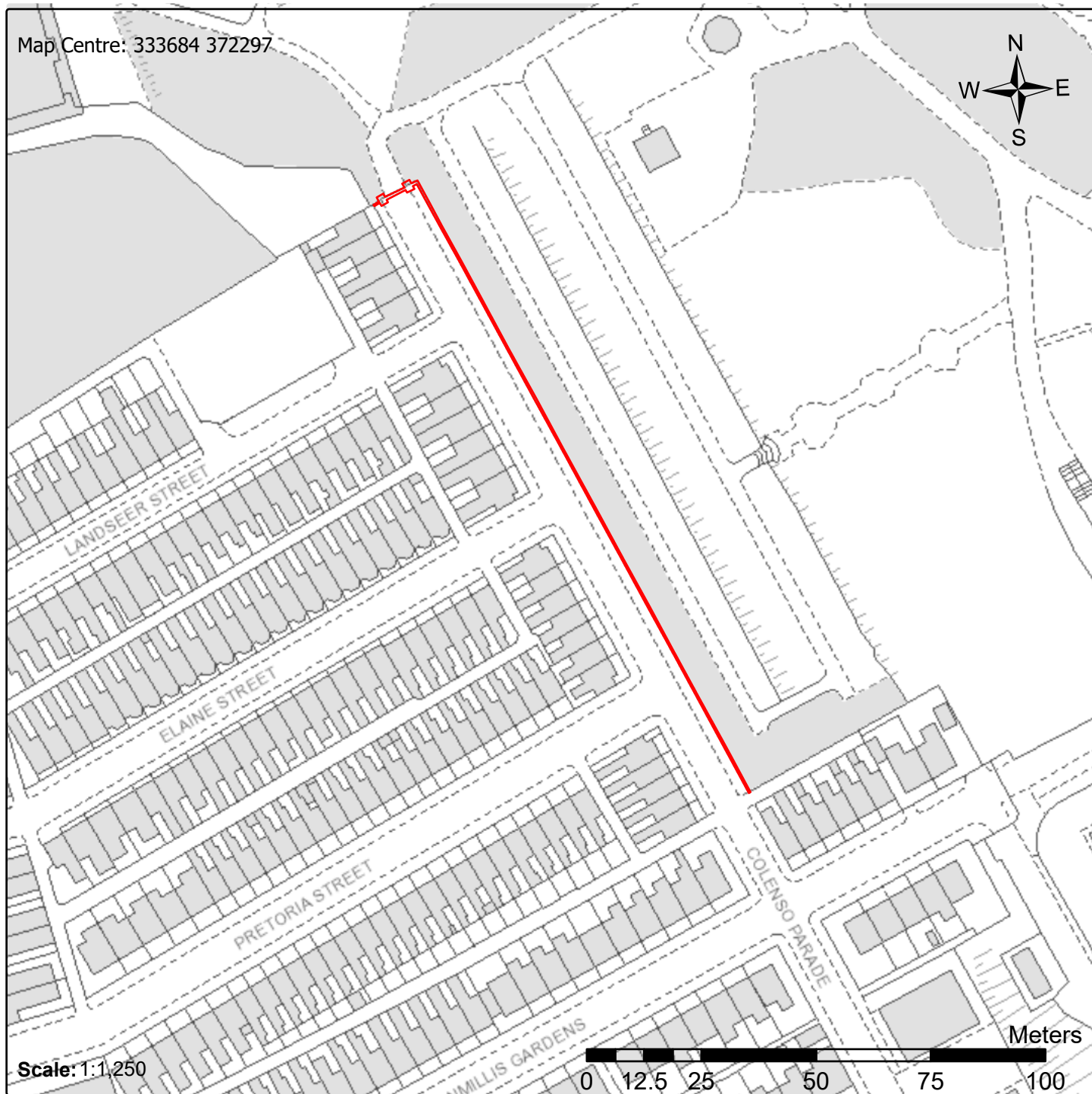
Subject:	Confirmation of Listing of various structures
Date:	Tuesday, 16 th April 2024
Reporting Officer:	Dermot O’Kane, Ext 2293
Contact Officer:	Robert Kennedy, Ext 2294

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	<p>Committee was consulted in March on the proposed listing of</p> <ul style="list-style-type: none"> - Gate Screen, at Colenso Parade, Botanic Gardens, Belfast, BT9 5AN; and, - Gate Screen, at University Road / Stranmillis Road, Botanic Gardens, Belfast, BT7 1LP <p>Committee supported these listings.</p>
1.2	Correspondence has been received from the Historic Environment Division (HED) confirming that both buildings have been added to the list of buildings of special architectural or historic interest.
1.3	The correspondence received from HED is attached as an Appendix.

2.0	Recommendations
2.1	Committee is requested to: Note the confirmation of the listing of both buildings.
3.0	Main report
3.1	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974.
3.2	In considering whether to include a building as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider: <ul style="list-style-type: none"> any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.
3.3	Listing a property 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	<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.
3.5	<u>Equality or Good Relations Implications</u> None
4.0	Appendices – Documents Attached
	APPENDIX 1: Colenso HB26 27 105 E Listing map APPENDIX 2: Colenso HB26 27 105 E Report APPENDIX 3: Colenso HB26 27 105E Listing Notice APPENDIX 4: Stranmillis HB26 27 105 F Listing Map APPENDIX 5: Stranmillis HB26 27 105 F Report APPENDIX 6: Stranmillis HB26 27 105 F Listing Notice APPENDIX 7: Listing Letter - Owner

This map is supplied for information only. Please note any changes to a listed building require Listed Building Consent. Professional advice and relevant planning approvals should be sought.



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Listing Map

HB Ref: HB26/27/105 E

Address: Gate Screen and railings, at Colenso Parade, Botanic Gardens, Belfast, BT9 5AN

Note:

- The following should be treated as part of the listed building - any object or structure within the curtilage of the building and fixed to the building; or although not fixed to the building, forms part of the land and has done so since before 1st October 1973.
- The pink wash has no statutory basis.



Department for

Communities

www.communities-ni.gov.uk

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Page 101

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Address Gate Screen and railings at Colenso Parade Botanic Gardens Belfast BT9 5AN	HB Ref No HB26/27/105 E 
Extent of Listing Gates, pillars and railings	
Date of Construction 1920 - 1939	
Townland Malone Lower	
Current Building Use Gates/ Screens/ Lodges	
Principal Former Use Gates/ Screens/ Lodges	

Conservation Area	Yes	Survey 1	Not_Listed	OS Map No	147/1
Industrial Archaeology	No	HED Evaluation	B2	IG Ref	J3364 7237
Vernacular		Date of Listing	26/03/2024	IHR No	
Thatched	No	Date of Delisting		HGI Ref	AN-101
Monument	No			SMR No	
Area of Townscape Character	No				
Local Landscape Policy Area	Yes				
Historic Gardens Inventory	Yes				
Vacant	N/A				
Derelict	No				

Owner Category

Building Information

Exterior Description and Setting

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 of 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. The 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.

SETTING: The gate screen stands on a north south axis at the northern end of Colenso Parade with flanked with a short section of open railings to the west and an extensive length of similar railing, at right angles, orientated to the south and defining the eastern border of Colenso Parade.

Interior Description

N/A

Architects

Historical Information

The entrance gate screen to Botanic Gardens at the north end of Colenso Parade was erected in 1934, replacing an earlier wooden structure. The gates and adjoining railings in both directions are original and also date from this period. Although the date of some stretches of railing surrounding the park is uncertain, the Colenso Parade gate screen and railings are most likely an unusual survival of decorative pre-war ironwork within the park.

Belfast Botanic Gardens were laid out in the wake of a late 18th and early 19th century upsurge in interest in botany, horticulture and gardening that led to the establishment of botanic gardens in Britain and Ireland. Botanic gardens had been established in Dublin at Glasnevin (1796) and at Ballsbridge (Trinity College, 1806), with the Royal Cork Institution Botanic Garden opening in 1809. Botanic gardens differed from gardens or arboreta constructed solely on aesthetic principles, in that they existed to study and provide instruction in the care and classification of plants, and in horticulture and silviculture. They also served as a show piece for specimens brought back by colonial explorers. The gardens at Glasnevin and Belfast are the only botanic gardens in Ireland from this period to have survived in anything like their original form, although some researchers do not classify Belfast as a 'true' botanic garden, as plant collections were not maintained on site.

In February 1827, the Belfast Botanic and Horticultural Society formed under the presidency of the Marquis of Donegall and resolved to lay out a Botanic and Horticultural Garden in Belfast. On 1st May 1829, a lease was signed on a 14-acre site at the junction of Malone and Stranmillis Roads. Funds to establish the gardens were raised through the issuing of shares supplemented by loans and by the end of May 1829, a large number of shrubs and trees had been planted. Admission was charged to the gardens after 1830 for non-members of the Society. For a short period, after 1865, funds were raised in order to allow working people to be admitted free on Saturday afternoons and employers were encouraged to buy free tickets for their employees, but these schemes lapsed when Ormeau opened as a free public park in 1871. Entry to Botanic Gardens was, therefore, generally by ticket until the gardens were taken over by the Corporation in 1895, and the number of access points to the gardens was restricted in order to control revenue.

The first edition OS map of 1832-3 captions the 'Botanic Gardens' within a landscape of fields and country houses, approximately a mile outside the town of Belfast. Tree lined paths are shown, following roughly the same layout as today, and two ponds towards the SE end, the lower of which was drained in the 1930s. The former upper pond is now the location of a Japanese sunken garden. Initially there was only one main entrance to the gardens, although the gardens could also be entered along a pathway adjacent to Friars Bush graveyard. Adjacent to the main entrance driveway a small structure, possibly a lodge, is shown, but this was soon replaced by a larger entrance building. A Pinetum was established in 1838, to the SE of the main entrance and by 1851 displayed over 170 species of conifers. Adjacent to the pinetum a collection of deciduous and evergreen oaks was planted, some trees from both collections remaining in the park to the present day.

In the early years the gardens were surrounded with a nine-foot wooden fence, the breaking of which was a continual problem. The construction of a wall between the gardens and Friar's Bush was agreed with the trustees of the burial ground in 1829. Today the park is bounded by metal railings along most of its perimeter.

The distinctive early-Victorian Palm House, also initially known as the conservatory, was designed by Sir Charles Lanyon and partially executed by Richard Turner of Dublin, a pioneer in the use of curved iron ribs and curved glass. The Palm House is one of the earliest surviving examples of curvilinear cast and wrought ironwork, pre-dating Glasnevin and Kew. Turner was engaged as contractor between 1839 and 1840, constructing only the wings of Lanyon's design, the west wing opening as a cool house and the east wing as a tropical house. In 1840, the Society and Gardens received the title of Royal from Queen Victoria, at the instigation of the Marquis of Donegall.

As Turner subsequently became heavily involved in other projects, Charles Denoon Young (1822-1887), ironworker of Edinburgh, also responsible for the Dublin Exhibition Building (1853) and the Kensington Gore Museum of Science and Art (1856), was engaged to complete Lanyon's original design for the centre house, with the addition of a dome, some years after the wings were built. The dome, constructed between 1852 and 1853, shows the influence of Turner's Palm House at Kew which had been completed five years earlier and was glazed by Messrs. H McKendry & Co of Waring Street using Hartley's patent rolled plate glass.

The second edition map of 1858 captions the 'Royal Botanic Gardens' now adjacent to the 'Queen's College' (completed 1849). The College was constructed on grounds adjoining the northern boundary of the gardens and was one of several public buildings to fill the surrounding area in the mid-1800s, the gardens gradually becoming surrounded by the rapid outward expansion of the town. The then newly completed conservatory was accessed from the main entrance at University Road, where patrons entered the gardens through an entrance building constructed between 1832 and 1858. A second subsidiary entrance to the SW gave access to the curator's house and a promenade at the SE corner led to the tidal banks of the Lagan. As the area to the NE of the gardens (formerly known as the 'Plains') began to be developed for housing, a second lodge (built 1865 and extended to the rear before 1902) and gate screen were built at a new Botanic Avenue entrance to the park at a cost of £200. Gates costing £75 were put up as a gift of Robert Corry, who was the main developer of housing in the Plains area.

In 1877, the then garden foreman, Charles McKimm, was appointed curator, remaining in the post until his death in 1907. Already projected at the time of McKimm's appointment was a new gate lodge to the gardens, replacing the earlier entrance building. The architect was William Batt (d.1910), who conducted a 'vigorous practice in the High Victorian style' (Brett) and designed numerous Belfast churches and villas, as well as Ballynafeigh and Clifton Street Orange Halls, was Construction was completed in April 1878, the lodge containing public toilets and 'commodious' living accommodation for the gatekeeper. Carving on the lodge and gate piers was by Alexander Stevens, sculptor of Chichester Street, who was active in the 1870s and is also known to have executed carving on the Theatre Royal and on Fitzroy Presbyterian church. The contractors for the lodge and gate screen were Messrs. Dixon & Co and the cost was £1,300 including the gates.

McKimm's next major building project was to oversee the construction of a Fernery (now known as the Tropical Ravine and also formerly known as the 'Intermediate House' or the Glen) on the site of a former Orchid House and propagating house. Construction took place between 1887 and 1889, largely carried out by McKimm and his gardeners. The fernery, a building of stone walls and a glazed roof enclosing a sunken ravine, was initially roughly half its present length.

Raising money to maintain the gardens was a continual problem which the Society addressed with regular garden fetes and other events, featuring numerous balloon ascents (to facilitate which, a gas pipeline was installed in the main lawn), archery, boats on the Lagan, dancing and band music, firework displays, military tournaments, flower shows and on at least one occasion a 'submarine explosion' in one of the ponds. Notable events included a tightrope display by Mr Blondin, the first man to walk across the Niagara Falls on a tightrope and Herr Holtum the 'Cannon King' who could catch a cannon ball fired towards him. Political meetings were another regular occurrence, the largest being the Ulster Unionist Convention in 1892 which attracted a crowd estimated at 300,000. Entry and/or hire fees were charged for these events which helped to raise money to maintain the gardens and for new buildings.

Belfast Corporation took over the gardens in 1895, renaming it the Belfast Botanic Gardens Park and opening it free to the public from 1st January of that year. Following a programme of restoration to the palm house, the Corporation extended the Ravine, under McKimm's supervision, providing a heated lily pond and separating the house into tropical and temperate areas. The new fernery, double the length of

the original structure and brick-built with a lantern ridge, was opened in 1902. No architect for the new building is revealed in contemporary sources, but Larmour speculates that the Dutch gable at the E elevation may be the design of William Batt.

A site for the Belfast Museum and Art Gallery within the garden was reserved in 1912 and the new museum was opened in 1929 with an extension added (completed 1972) that required the former curator's house (built 1844) to be demolished. Images of the museum shortly after opening show a low wall and railings that had been built between the museum and the main entrance to the park, replacing the wall of 1887. The museum appears to have retained to the present day its original pre-war gates and railings at the Stranmillis Road entrance.

Once the park passed into the ownership of the Corporation and became a free public amenity and as the area around the gardens became developed with housing and the park was extended westwards and southwards, several new entrances were opened up. The area to the SW of the gardens remained relatively free of development until c1900 when a 'ladder' of streets was set out to the E of Stranmillis Road, shown on the large-scale map of 1902. At this stage, building had commenced at the western side of the ladder but no development had yet commenced in Colenso 'Street', which formed a boundary to the ladder at the NE. By 1920 (large-scale map) all the houses presently facing onto Colenso Parade were in place, and an entrance had been provided into Botanic Gardens in the location of the present gate-screen. This was a wooden structure, most likely similar to one that was provided at the Agincourt Avenue entrance to the gardens (now Botanic Court) and perhaps constructed at the same time (wooden gates were built at the Agincourt Avenue entrance c1910 and replaced by stone piers and iron gates in 1925). The area of park between Colenso Parade and the former boundary of the Gardens was acquired after a resolution by Belfast Council in November 1903 to lease an additional c3 acres 'for the use and enjoyment of the persons inhabiting the city of Belfast'. This area was laid out in parallel walkways (this layout survives), initially planted with roses and known as a 'rosary', and in the early 1930s replanted as wide herbaceous borders.

The present gate screen was completed in January 1934, replacing the 'old wooden structure' and an image of the new piers and gates appears in the Belfast Newsletter of 23rd January. This provides confirmatory evidence that the gates and railings present at the site today are not replacements and are original to the 1934 structure. They are therefore most likely unusual survivals of pre-war ironwork, the gates and railings at the other three main entrances to the park having fallen foul of the drive to strip out metal as a contribution to the war effort. An advertisement in the Northern Whig of April 1933 invites tenders for 'the supply and erection of about 385 linear yards of Iron Railing 6ft 9in high, together with Ornamental Gates and Gate Piers &c for Botanic Gardens Park' and most likely refers to the gates and railings at Colenso Parade. The plans and specifications were to be viewed in the Engineering Section of the City Surveyor's Department which may indicate that the design for the piers was produced by a Civil Engineer in the employment of Belfast Corporation.

The Colenso Parade entrance was one of three new entrances from this period, two at least of which used identical designs for gates and piers (no information survives regarding the third entrance). In the 1920s and 30s further land was acquired to the south of the park, including 12 acres alongside the River Lagan, formerly laid out in allotments. A road, Stranmillis Embankment, was constructed in the early 1930s along the W bank of the Lagan, bordering these new parklands. In February 1932, the Belfast Newsletter reported that 'tall iron railings' were being erected to enclose the area 'from the high ground at the Stranmillis roadside to the footpath along the embankment roadway which is nearing completion'. Two new entrances to the park along Stranmillis Embankment were created around the time of these works, one opposite King's Bridge and the other at the location of the present-day children's playground. Neither of these two gate screens has survived but an image of the King's Bridge entrance gate screen shortly after completion and prior to the putting up of adjacent railings, was published in the Northern Whig in May 1932. This image shows identical piers and gates to those that would be constructed 18 months later at Colenso Parade.

An image held by the NMNI, dated 1947, shows that the railings between the University Road entrance and the museum had been removed by that date, as had the original gates to the park, and these had been replaced with plain wooden gates. The original gates had most likely been removed as a contribution to the war effort, a similar fate probably befalling the original gates at the Botanic Avenue and Botanic Court entrances. The drive to collect ironwork had been of great propaganda value during WW2 but it is now thought that only about a quarter of iron collected in the UK was used for munitions

and the majority was dumped. As late as June 1954, the gates and railings had still not been replaced, and complaints were made in the newspapers about young people accessing the park out of hours and causing damage.

The wooden gates to the main entrance were eventually replaced with relatively plain iron gates, visible in television footage of 1965, and possibly re-used as the basis of the present-day gates (BBC Rewind – this footage also shows detail of the original wrought iron gates to the gate lodge archways).

In the early 1960s, Queen's University reached an agreement with the Council to exchange their athletic fields in the south of Belfast, Cherryvale, for part of Botanic Gardens. Queens used the new acquisition to build a PE centre which was initially used as part of the 'Ulster '71' exhibition to commemorate the 50th anniversary of the Stormont parliament. Road widening measures were also undertaken around this time and King's bridge was rebuilt (originally built in 1911, substructure re-built 1973 when the Governor's Bridge was added as an additional crossing to the Lagan to form a one-way system). As a consequence of these events, new fencing and gates were erected along the embankment, which is most likely when the two gate screens along Stranmillis embankment were demolished, leaving the Colenso Parade entrance as the only remaining gate screen that dates from the park's expansion in the early decades of the 20th century.

After being threatened with demolition at around this time, the Palm House benefitted from a major restoration programme in the late 1970s including ironwork cleaning, preservation and replacement where necessary. The Tropical Ravine was soon included in the programme, both buildings being completed simultaneously in May 1983. The Tropical Ravine underwent a further £3.8 million renovation project between 2016 and 2018.

In the late 1980s, a Dept of Environment scheme was launched to upgrade the streetscape within the Queen's Conservation Area. Work on the entrance to Botanic Gardens was ongoing in June 1989 and it appears likely that the remodelled gates at the University Road entrance were installed at this time. The new gates with overthrow bearing the name 'Botanic Gardens' in art nouveau style lettering are visible in a photo dating from 1990/1 (NLI collection).

The gardens have gained additional acreage several times as outlined above, however the layout of the original site acquired in 1829 has remained largely unaltered from the 1840s. Although various features have come and gone, elements such as the flower beds shown in the front of the Palm House on the large-scale map of 1873, the open lawn at the centre of the park and some original trees remain in place today. The park remains heavily used for leisure and as a thoroughfare, and the Colenso Parade entrance continues to provide an important access point for residents of the Stranmillis 'ladder' while signifying the increasing permeability of the park as it changed from private to public space.

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Criteria for Listing

NB: In March 2011, revised criteria were published as Annex C of Planning Policy Statement 6. These added extra criteria with the aim of improving clarity in regard to the Department's explanation of historic interest. For records evaluated in advance of this, therefore, not all of these criteria would have been considered. The criteria used prior to 2011 are published on the Department's website under 'listing criteria'.

Architectural Interest

- A. Style
- B. Proportion
- C. Ornamentation
- J. Setting

Historical Interest

- R. Age
- S. Authenticity
- Y. Social, Cultural or Economic Importance
- X. Local Interest

Evaluation

Located at the northern end of Colenso Parade, the gates afford direct access into Botanic Gardens from the brick terraces of Stranmillis.

The area of park between Colenso Parade and the former boundary of the Gardens was acquired after a resolution by Belfast Council in November 1903 to lease an additional c3 acres 'for the use and enjoyment of the persons inhabiting the city of Belfast'. This area was laid out in parallel walkways (this

layout survives), initially planted with roses and in the early 1930s replanted as wide herbaceous borders.

The Colenso Parade entrance was one of three new entrances from this period, two at least of which used identical designs for gates and piers. The gate screen is well proportioned comprising a set of stone pillars with original gates which form an integral part of Botanic Gardens parkland. Although the date of some stretches of railing surrounding the park is uncertain, the Colenso Parade gate screen and railings are most likely an unusual survival of decorative pre-war ironwork within the park. Orientated on a north south axis and comprising of 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.

Replacements and Alterations

If inappropriate, Why?

General Comments

Monitoring Notes – since Date of Survey

Date of Survey 12/01/2024

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NOTICE THAT A BUILDING HAS BECOME LISTED

IMPORTANT ---- This communication affects YOUR PROPERTY

Planning Act (Northern Ireland) 2011
Buildings of special architectural or historic interest

Chief Executive
Belfast City Council
Belfast City Hall
Belfast
BT1 5GS

NOTICE IS HEREBY GIVEN that the building known as Gate Screen and railings, including pillars, at Colenso Parade, Botanic Gardens,

situate in Belfast, BT9 5AN,

has been included in the list of buildings of special architectural or historic interest in that area, compiled by the Department for Communities under section 80 of the Planning Act (Northern Ireland) 2011 on 26th March 2024.

Dated 26th March 2024


.....
Authorised Officer

For Explanatory Note see over

Handwritten notes and signatures at the bottom left of the page.

EXPLANATORY NOTE

Listing of buildings of special architectural or historic interest

This notice is addressed to you as owner or occupier of the building named, which has been included in one of the lists of buildings of special architectural or historic interest prepared under section 80 of the Planning Act (Northern Ireland) 2011 (the "Act") by the Department for Communities ("the Department"). The lists are compiled by the Department as a statutory duty, on the advice of a committee of people including architects and historians interested in historic buildings — the Historic Buildings Council.

This notice does not call for any action on your part unless you propose at any time to demolish the building or to do any works (either to the exterior or to the interior) which would affect its character. In that event you will need to seek "listed building consent", that is to say, the consent of the council to the work you wish to do. Certain buildings are exempt from this requirement, notably ecclesiastical buildings in use for the time being for ecclesiastical purposes.

You should however note that it is an offence under section 85(1) of the Act to carry out any of those works without obtaining listed building consent. It is also an offence under section 85(5) to fail to comply with any condition attached to a listed building consent. A conviction for an offence could result in a fine, imprisonment or both.

Where works which are urgently necessary in the interests of safety or of health or for the preservation of the buildings are carried out without consent it is a defence to prove that —

- (a) it was not practicable to secure safety or health or the preservation of the building by works of repair or works for affording temporary support or shelter;
- (b) the works carried out were limited to the minimum measures immediately necessary; and

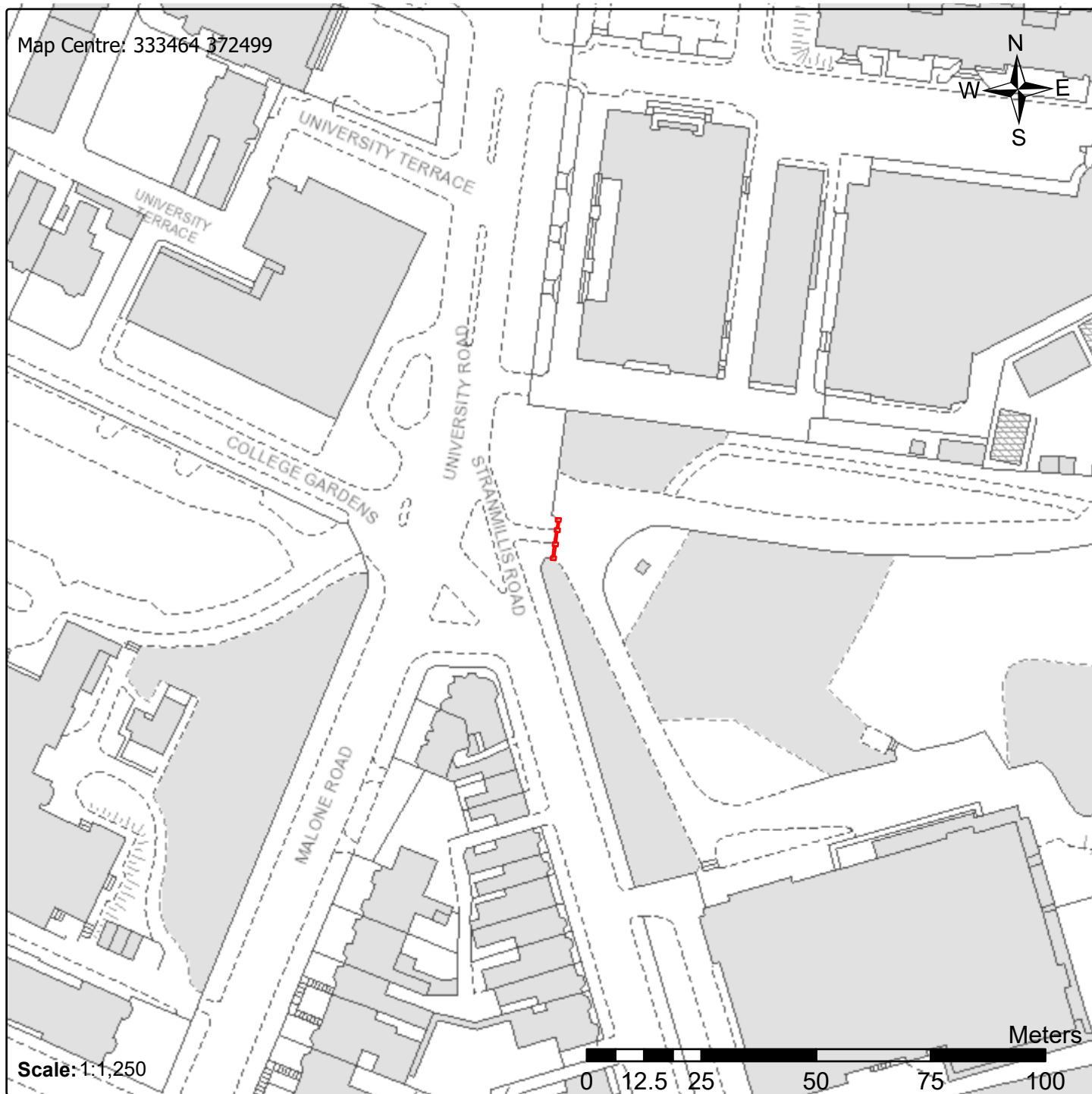
- (c) notice in writing justifying in detail the carrying out of the works was given to the council as soon as reasonably practicable. (section 85(7) of the Act).

Your attention is drawn to section 80(7) of the Act which provides that objects or structures described in that section within the curtilage of a listed building are entitled to the same protection as the building.

There is no right of appeal as such against the listing of a building but if the council should refuse consent for the carrying out of any proposed works, or grant it subject to condition, section 96 of the Act provides a right of appeal to the Planning Appeals Commission. You are not precluded at any time from writing to the Department claiming that the building should cease to be listed on the ground that it is not in fact of special architectural or historic interest; and any such claim, with the evidence supporting it, will be carefully considered.

If at any time you propose to take any action which may affect the character of your building, you should refer to the provisions of Chapter 1 Part 4 of the Act and the Planning (Listed Buildings) Regulations (Northern Ireland) 2015. Further details can be obtained from your council.

This map is supplied for information only. Please note any changes to a listed building require Listed Building Consent. Professional advice and relevant planning approvals should be sought.



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Listing Map

HB Ref: HB26/27/105 F

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

Note:

- The following should be treated as part of the listed building - any object or structure within the curtilage of the building and fixed to the building; or although not fixed to the building, forms part of the land and has done so since before 1st October 1973.
- The pink wash has no statutory basis.



Department for

Communities

www.communities-ni.gov.uk

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Page 115

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Address Gate Screen at University Road / Stranmillis Road Botanic Gardens Belfast BT7 1LP	HB Ref No HB26/27/105 F
Extent of Listing gates and screen	
Date of Construction 1860 - 1879	
Townland Malone Lower	
Current Building Use Gates/ Screens/ Lodges	
Principal Former Use Gates/ Screens/ Lodges	

Conservation Area	Yes	Survey 1	Not_Listed	OS Map No	147/1
Industrial Archaeology	No	HED Evaluation	B2	IG Ref	J3346 7251
Vernacular	No	Date of Listing	26/03/2024	IHR No	
Thatched	No	Date of Delisting		HGI Ref	
Monument	No			SMR No	
Area of Townscape Character	No				
Local Landscape Policy Area	Yes				
Historic Gardens Inventory	No				
Vacant	N/A				
Derelict	No				

Owner Category

Building Information

Exterior Description and Setting

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 remodelled 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.

SETTING: Located at the northwest corner of Botanic Gardens, the gate screen is flanked, either side with extensive open railings which enhance the setting. This defines the gate screen as a prominent entry point to Botanic Gardens.

Interior Description

N/A

Architects

Batt, William

Historical Information

The University Road entrance gate screen to Belfast Botanic Gardens was constructed in 1878 to designs by William Batt, carving to the capitals and finials being the work of noted local sculptor Alexander Stevens. The original gates and railings were removed as a contribution to the war effort in WW2 and the present, sympathetically remodelled, gates were installed c1989. The gate piers have been moved back three times (1887, c1925 and 1965) since they were originally built and are currently located approximately 30 feet E of their original position.

Belfast Botanic Gardens were laid out in the wake of a late 18th and early 19th century upsurge in interest in botany, horticulture and gardening that led to the establishment of botanic gardens in Britain and Ireland. Botanic gardens had been established in Dublin at Glasnevin (1796) and at Ballsbridge (Trinity College, 1806), with the Royal Cork Institution Botanic Garden opening in 1809. Botanic gardens differed from gardens or arboreturns constructed solely on aesthetic principles, in that they existed to study and provide instruction in the care and classification of plants, and in horticulture and silviculture. They also served as a show piece for specimens brought back by colonial explorers. The gardens at Glasnevin and Belfast are the only botanic gardens in Ireland from this period to have survived in anything like their original form, although some researchers do not classify Belfast as a 'true' botanic garden, as plant collections were not maintained on site.

In February 1827, the Belfast Botanic and Horticultural Society formed under the presidency of the Marquis of Donegall and resolved to lay out a Botanic and Horticultural Garden in Belfast. On 1st May 1829, a lease was signed on a 14-acre site at the junction of Malone and Stranmillis Roads. Funds to establish the gardens were raised through the issuing of shares supplemented by loans and by the end of May 1829, a large number of shrubs and trees had been planted. Admission was charged to the gardens after 1830 for non-members of the Society. For a short period, after 1865, funds were raised in order to allow working people to be admitted free on Saturday afternoons and employers were encouraged to buy free tickets for their employees, but these schemes lapsed when Ormeau opened as a free public park in 1871. Entry to Botanic Gardens was, therefore, generally by ticket until the gardens were taken over by the Corporation in 1895, and the number of access points was restricted in order to control revenue.

The first edition OS map of 1832-3 captions the 'Botanic Gardens' within a landscape of fields and country houses, approximately a mile outside the town of Belfast. Tree lined paths are shown, following roughly the same layout as today, and two ponds towards the SE end, the lower of which was drained in the 1930s. The former upper pond is now the location of a Japanese sunken garden. Initially there was only one main entrance to the gardens, although the gardens could also be entered along a pathway adjacent to Friars Bush graveyard. Adjacent to the main entrance driveway a small structure, possibly a lodge, is shown, but this was soon replaced by a larger entrance building. A pinetum was established in 1838, to the SE of the main entrance and by 1851 displayed over 170 species of conifers. Adjacent to the pinetum a collection of deciduous and evergreen oaks was planted, some trees from both collections remaining in the park to the present day.

In the early years the gardens were surrounded with a nine-foot wooden fence, the breaking of which was a continual problem. The construction of a wall between the gardens and Friar's Bush was agreed with the trustees of the burial ground in 1829. Today the park is bounded by metal railings along most of its perimeter.

The distinctive early-Victorian Palm House, also initially known as the conservatory, was designed by Sir Charles Lanyon and partially executed by Richard Turner of Dublin, a pioneer in the use of curved iron ribs and curved glass. The Palm House is one of the earliest surviving examples of curvilinear cast and wrought ironwork, pre-dating Glasnevin and Kew. Turner was engaged as contractor between 1839 and 1840, constructing only the wings of Lanyon's design, the west wing opening as a cool house and the east wing as a tropical house. In 1840, the Society and Gardens received the title of Royal from Queen Victoria, at the instigation of the Marquis of Donegall.

As Turner subsequently became heavily involved in other projects, Charles Denoon Young (1822-1887), ironworker of Edinburgh, also responsible for the Dublin Exhibition Building (1853) and the Kensington Gore Museum of Science and Art (1856), was engaged to complete Lanyon's original design for the centre house of the conservatory, with the addition of a dome, some years after the wings were built. The dome, constructed between 1852 and 1853, shows the influence of Turner's Palm House at Kew which had been completed five years earlier and was glazed by Messrs. H McKendry & Co of Waring Street using Hartley's patent rolled plate glass.

The second edition map of 1858 captions the 'Royal Botanic Gardens' now adjacent to the 'Queen's College' (completed 1849). The College was constructed on grounds adjoining the northern boundary of the gardens and was one of several public buildings to fill the surrounding area in the mid-1800s, the gardens gradually becoming surrounded by the rapid outward expansion of the town. The then newly completed conservatory was accessed from the main entrance at University Road, where patrons entered the gardens through an entrance building constructed between 1832 and 1858. A second subsidiary entrance to the SW gave access to the curator's house and a promenade at the SE corner led to the tidal banks of the Lagan. As the area to the NE of the gardens (formerly known as the 'Plains') began to be developed for housing, a second lodge (built 1865 and extended to the rear before 1902) and gate screen were built at a new Botanic Avenue entrance to the park at a cost of £200. Gates costing £75 were put up as a gift of Robert Corry, who was the main developer of housing in the Plains area.

In 1877, the then garden foreman, Charles McKimm, was appointed curator, remaining in the post until his death in 1907. Already projected at the time of McKimm's appointment was a new gate lodge to the gardens, replacing the earlier entrance building. The initial design, by William Batt (d.1910), who conducted a 'vigorous practice in the High Victorian style' (Brett) and designed numerous Belfast churches and villas, as well as Ballynafeigh and Clifton Street Orange Halls, was exhibited at Belfast Industrial Exhibition in 1876. This original design shows a lodge which may have borne a passing resemblance to the existing lodge as it comprised a building with central entrance arches through which patrons passed to enter the gardens. However, the Society was forced, most likely for financial reasons, to curtail its ambitions and instructed Batt to prepare fresh plans on a reduced scale. Batt's amended design for a Venetian gothic lodge was realised and featured a clock tower (a clock was added to the tower c1881) finished with vane and finial of gilt wrought iron. Ornamental carving on the gate lodge took the forms of birds, flowers and plants such as passion flowers, grape vines, and water lilies. Construction was completed in April 1878, the lodge containing public toilets and 'commodious' living accommodation for the gatekeeper. The Society felt that the lodge and gates would form a 'most attractive feature of the gardens'. They were seen as a 'credit to the company and an ornament to the town' and it was hoped, would induce a much larger number of visitors 'to frequent these grounds and enjoy their beauties'.

The original ornamental wrought-iron gates 'of very superior design' were hung on 'heavy cut-stone piers' fitted with gilt iron gas standards and glass globes. The wrought iron work at the lodge including the gates was supplied by Messrs. Riddell & Co and the cut stone was 'of the best description from Dungannon quarries' – difficulties in getting the stone from the Dungannon quarries had delayed the construction of the lodge. Carving on the capitals of the gate piers is of anemones, primroses, lilies of the valley, pansies and hop blossom. The finials on the two outer piers were intended to resemble the Nile lily and convolvulus. Carving on the lodge and gate piers was by Alexander Stevens, sculptor of

Chichester Street, who was active in the 1870s and is also known to have executed carving on the Theatre Royal and on Fitzroy Presbyterian church. The contractors for the lodge and gate screen were Messrs. Dixon & Co and the cost was £1,300 including the gates.

The gate screen, which originally attached to the SW corner of the clock tower, was moved back several times after its initial construction. In 1887 a new front wall was added to the gardens, which was set back ten feet from the original line in order to allow for the widening of Stranmillis Road. The gate screen was also moved back about eight feet to the SE corner of the clock tower, 'so that the wall might finish with an easy curve at the gate pillar'. The main gate screen was moved back once again c1925, to a position adjoining the SE corner of the lodge.

McKimm's next major building project was to oversee the construction of a Fernery (now known as the Tropical Ravine and also formerly known as the 'Intermediate House' or the Glen) on the site of a former Orchid House and propagating house. Construction took place between 1887 and 1889, largely carried out by McKimm and his gardeners. The fernery, a building of stone walls and a glazed roof enclosing a sunken ravine, was initially roughly half its present length.

Raising money to maintain the gardens was a continual problem which the Society addressed with regular garden fetes and other events, featuring numerous balloon ascents (to facilitate which, a gas pipeline was installed in the main lawn), archery, boats on the Lagan, dancing and band music, firework displays, military tournaments, flower shows and on at least one occasion a 'submarine explosion' in one of the ponds. Notable events included a tightrope display by Mr Blondin, the first man to walk across the Niagara Falls on a tightrope and Herr Holtum the 'Cannon King' who could catch a cannon ball fired towards him. Political meetings were another regular occurrence, the largest being the Ulster Unionist Convention in 1892 which attracted a crowd estimated at 300,000. Entry and/or hire fees were charged for these events which helped to raise money to maintain the gardens and for new buildings.

Belfast Corporation took over the gardens in 1895, renaming it the Belfast Botanic Gardens Park and opening it free to the public from 1st January of that year. Following a programme of restoration to the palm house, the Corporation extended the Ravine, under McKimm's supervision, providing a heated lily pond and separating the house into tropical and temperate areas. The new fernery, double the length of the original structure and brick-built with a lantern ridge, was opened in 1902. No architect for the new building is revealed in contemporary sources, but Larmour speculates that the Dutch gable at the E elevation may be the design of William Batt.

A site for the Belfast Museum and Art Gallery within the garden was reserved in 1912 and the new museum was opened in 1929 with an extension added (completed 1972) that required the former curator's house (built 1844) to be demolished. Images of the museum shortly after opening show a low wall and railings connecting the museum and the main entrance to the park, replacing the wall of 1887. The museum appears to have retained to the present day its original pre-war gates and railings at the Stranmillis Road entrance.

As the area around the gardens became developed with housing, and the park was extended westwards and southwards, further entrances were opened up. At Agincourt Avenue (now Botanic Court), a wooden gate of c1910 was replaced with the present-day gate screen in 1925. Two entrances were opened along the newly built Stranmillis Embankment in 1932 and a gate screen was installed at Colenso Parade in 1934, replacing an earlier wooden structure.

An image held by the NMNI, dated 1947, shows that the railings between the University Road entrance and the museum had been removed by that date, as had the original gates to the park, and these had been replaced with plain wooden gates. The original gates had most likely been removed as a contribution to the war effort, a similar fate probably befalling the original gates at the Botanic Avenue and Botanic Court entrances. The drive to collect ironwork had been of great propaganda value during WW2 but it is now thought that only about a quarter of iron collected in the UK was used for munitions and the majority was dumped. As late as June 1954, the gates and railings had still not been replaced, and complaints were made in the newspapers about young people accessing the park out of hours and causing damage.

The wooden gates were eventually replaced with relatively plain iron gates, visible in television footage of 1965, and possibly re-used as the basis of the present-day gates (BBC Rewind – this footage also

shows detail of the wrought iron gates to the gate lodge archways, which replicated the design of the original main entrance gates).

Although the lodge itself was demolished in 1965, as it had become costly to maintain and no longer appealed to a mid-1960s aesthetic, the stone piers designed by Batt and erected in 1878 survive within the present-day gate screen. The only other survival within the park is a stone, carved with the name 'Royal Botanic Gardens' which has been incorporated into a modern brick wall at the Botanic Avenue entrance. The stone was originally built into the wall of the old gate lodge and is shown in images of the building above the right-hand entrance archway. Other parts of the lodge, namely the weathervane and the clock were distributed to members of the public, while the Ulster Museum recovered some of the stonework including a gargoye and some of the bird and plant sculptures.

When the gate lodge was demolished, the gates and railings were 're-aligned' a third time to their present-day position, being moved back to give greater visibility for increasing vehicular traffic. They are now located approximately 30 feet E of their original position.

After being threatened with demolition, the Palm House benefitted from a major restoration programme in the late 1970s including ironwork cleaning, preservation and replacement where necessary. The Tropical Ravine was soon included in the programme, both buildings being completed simultaneously in May 1983. The Tropical Ravine underwent a further £3.8 million renovation project between 2016 and 2018.

In the late 1980s, a Dept of Environment scheme was launched to upgrade the streetscape within the Queen's Conservation Area. Work on the entrance to Botanic Gardens was ongoing in June 1989 and it appears likely that the remodelled gates were installed at this time. The new gates with overthrow bearing the name 'Botanic Gardens' in art nouveau style lettering are visible in a photo dating from 1990/1 (NLI collection). The original spherical lamps atop the inner piers were replaced, most likely at the same time as the gates, with lanterns in a traditional four-sided style. However, these lanterns have recently been removed (2024).

The gardens have gained additional acreage several times as outlined above, however the layout of the original site acquired in 1829 has remained largely unaltered from the 1840s. Although various features have come and gone, elements such as the flower beds shown in the front of the Palm House on the large-scale map of 1873, the open lawn at the centre of the park and some original trees remain in place today. The park remains heavily used for leisure and as a thoroughfare, and the main entrance gate screen is among its earliest and most recognisable features.

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Criteria for Listing

NB: In March 2011, revised criteria were published as Annex C of Planning Policy Statement 6. These added extra criteria with the aim of improving clarity in regard to the Department's explanation of historic interest. For records evaluated in advance of this, therefore, not all of these criteria would have been considered. The criteria used prior to 2011 are published on the Department's website under 'listing criteria'.

Architectural Interest

- A. Style
- B. Proportion
- C. Ornamentation
- H-. Alterations detracting from building
- J. Setting

Historical Interest

- R. Age
- S. Authenticity
- V. Authorship
- X. Local Interest

Evaluation

The University Road entrance gate screen to Belfast Botanic Gardens was constructed in 1878 to designs by William Batt with carving to the capitals and finials being the work of noted local sculptor Alexander Stevens. The original gates and railings were removed as a contribution to the war effort in WW2 and the present, sympathetically remodelled, gates were installed c1989. The gate piers have

been moved back three times (1887, c1925 and 1965) since they were originally built and are currently located approximately 30 feet E of their original position.

The original ornamental wrought-iron gates 'of very superior design' were hung on 'heavy cut-stone piers' fitted with gilt iron gas standards and glass globes with carving on the capitals of the gate piers is of anemones, primroses, lilies of the valley, pansies and hop blossom. The finials on the two outer piers were intended to resemble the Nile lily and convolvulus. Carving on the now demolished lodge and extant gate piers was by Alexander Stevens, sculptor of Chichester Street.

The gate screen, despite not being on the original footprint as designed by Batt is an important remnant of his design and is among the most recognisable feature of the public park and is now heavily used for leisure and as a pedestrian thoroughfare. The high quality work of the Parks Department and the remodelling of the gates in the 1980s with the overthrow are statements of civic pride outlining the value of retention of the Batt ensemble with embellishments of overthrow etc following the remodelling of the Queen Mary Gardens at The Waterworks in the North of the City. The recent replacement and renewal of the cast metal lights complete the ensemble.

Replacements and Alterations

Appropriate

If inappropriate, Why?

Overthrow etc is a positive intervention by the Parks Department.

General Comments

Monitoring Notes – since Date of Survey

Date of Survey 12/01/2024

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NOTICE THAT A BUILDING HAS BECOME LISTED

IMPORTANT ---- This communication affects YOUR PROPERTY

Planning Act (Northern Ireland) 2011
Buildings of special architectural or historic interest

Chief Executive
Belfast City Council
Belfast City Hall
Belfast
BT1 5GS

NOTICE IS HEREBY GIVEN that the building known as Gate Screen,
at University Road / Stranmillis Road, Botanic Gardens,

situate in Belfast, BT7 1LP,

has been included in the list of buildings of special architectural or historic
interest in that area, compiled by the Department for Communities
under section 80 of the Planning Act (Northern Ireland) 2011
on 26th March 2024.

Dated 26th March 2024


.....
Authorised Officer

For Explanatory Note see over

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EXPLANATORY NOTE

Listing of buildings of special architectural or historic interest

This notice is addressed to you as owner or occupier of the building named, which has been included in one of the lists of buildings of special architectural or historic interest prepared under section 80 of the Planning Act (Northern Ireland) 2011 (the "Act") by the Department for Communities ("the Department"). The lists are compiled by the Department as a statutory duty, on the advice of a committee of people including architects and historians interested in historic buildings ---- the Historic Buildings Council.

This notice does not call for any action on your part unless you propose at any time to demolish the building or to do any works (either to the exterior or to the interior) which would affect its character. In that event you will need to seek "listed building consent", that is to say, the consent of the council to the work you wish to do. Certain buildings are exempt from this requirement, notably ecclesiastical buildings in use for the time being for ecclesiastical purposes.

You should however note that it is an offence under section 85(1) of the Act to carry out any of those works without obtaining listed building consent. It is also an offence under section 85(5) to fail to comply with any condition attached to a listed building consent. A conviction for an offence could result in a fine, imprisonment or both.

Where works which are urgently necessary in the interests of safety or of health or for the preservation of the buildings are carried out without consent it is a defence to prove that ----

- (a) it was not practicable to secure safety or health or the preservation of the building by works of repair or works for affording temporary support or shelter;
- (b) the works carried out were limited to the minimum measures immediately necessary; and

(c) notice in writing justifying in detail the carrying out of the works was given to the council as soon as reasonably practicable. (section 85(7) of the Act).

Your attention is drawn to section 80(7) of the Act which provides that objects or structures described in that section within the curtilage of a listed building are entitled to the same protection as the building.

There is no right of appeal as such against the listing of a building but if the council should refuse consent for the carrying out of any proposed works, or grant it subject to condition, section 96 of the Act provides a right of appeal to the Planning Appeals Commission. You are not precluded at any time from writing to the Department claiming that the building should cease to be listed on the ground that it is not in fact of special architectural or historic interest; and any such claim, with the evidence supporting it, will be carefully considered.

If at any time you propose to take any action which may affect the character of your building, you should refer to the provisions of Chapter 1 Part 4 of the Act and the Planning (Listed Buildings) Regulations (Northern Ireland) 2015. Further details can be obtained from your council.

Development Management Report

Summary	
Committee Date: 16 th April 2024	
Application ID: LA04/2023/4366/F	
Proposal: 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.	Location: 14 Dublin Road, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Kainos 4-6 Upper Crescent Belfast BT7 1NT	Agent Name and Address: TSA Planning 20 May Street Belfast
<p>Executive Summary:</p> <p>This application relates to the northern part of the former cinema site at 14 Dublin Road. Full planning permission is sought for the erection of a 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. The building is to provide the headquarters for Kainos, a locally based ICT company.</p> <p>The application follows a detailed Pre-Application Discussion (PAD) process.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of the proposed uses • Design and placemaking • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Employability and Skills • Section 76 planning agreement • Pre-Application Community Consultation 	

The site is within the City Centre and is a highly sustainable location for new office development. The proposal would provide office accommodation for 500 staff and would have a very positive impact in terms of investment and economic activity.

The proposed building is considered to be of a high-quality design appropriate to its location that would regenerate the land which has been cleared and currently occupied by meanwhile uses.

No objections have been received from statutory consultees other than NI Water which is concerned about waste-water capacity. However, it is considered unreasonable to withhold planning permission on those grounds for the reasons specified in the main report. The Council's Environmental Health service and Urban Design Officer raise no objections. There is an outstanding response from Shared Environmental Services, however, it is expected to offer no objection subject to conditions to mitigate potential impacts on Belfast Lough. A response is also awaited from the Council's Waste Management team following the submission of further information by the applicant.

Two objections have been received, which are detailed in the main report.

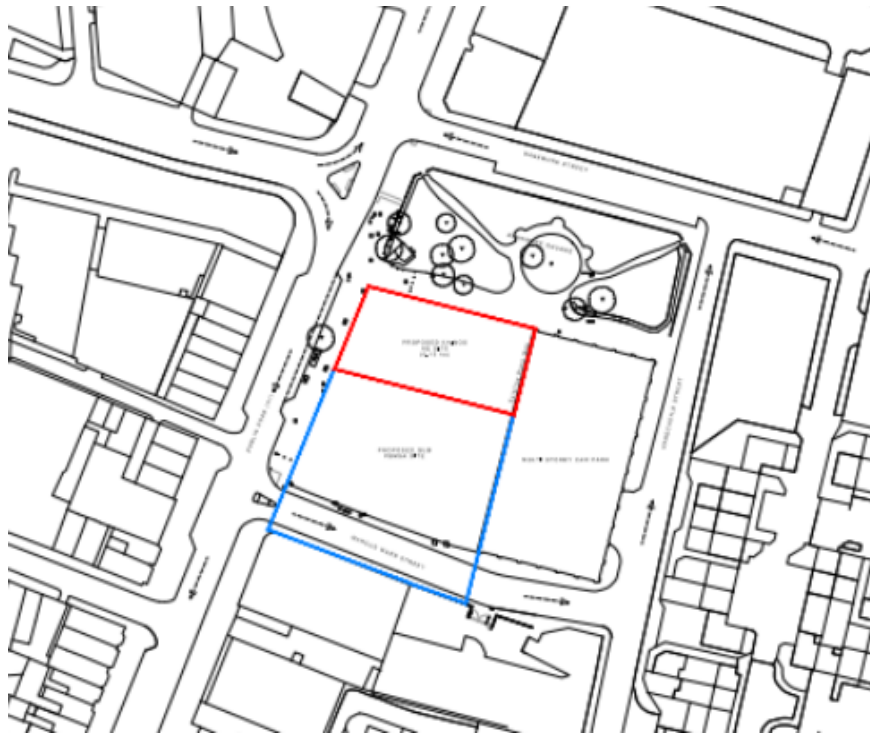
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

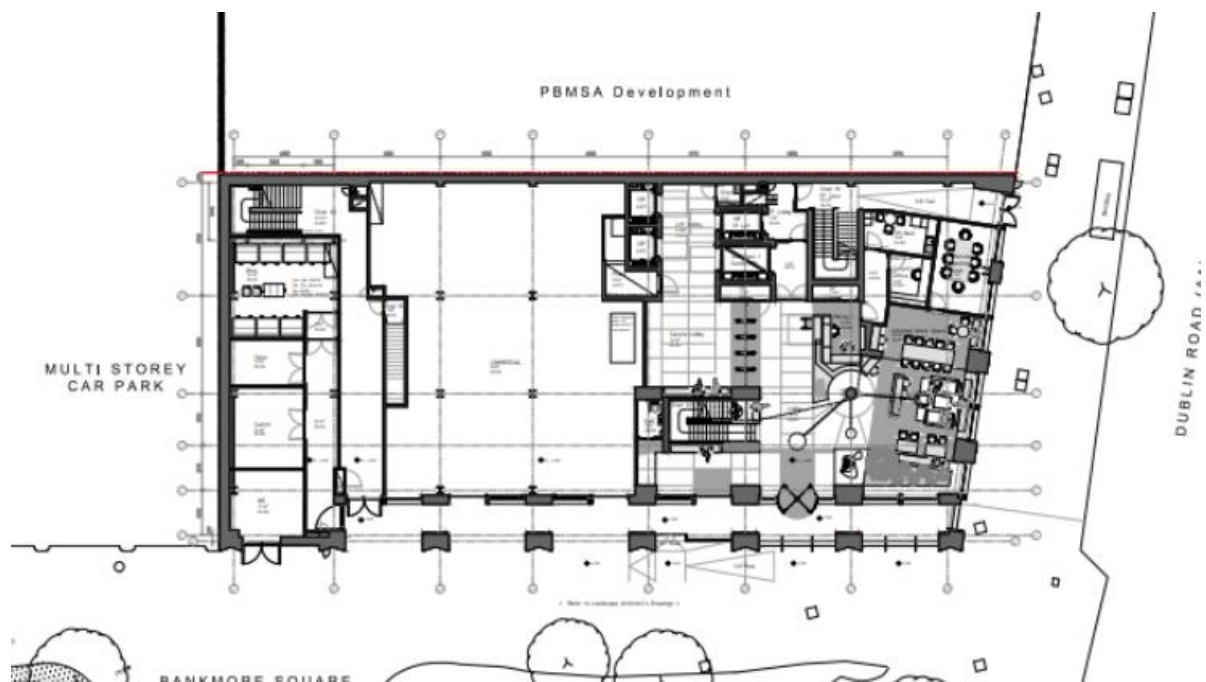
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, including those raised in the further consultation responses from Shared Environmental Services and Waste Management team, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

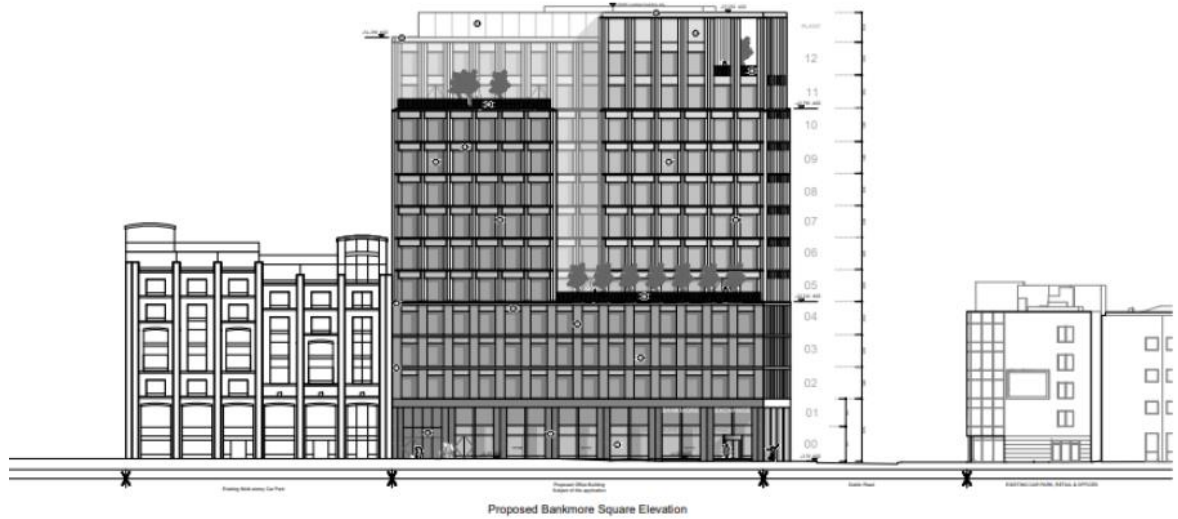
Site Location Plan:



Ground floor plan:



Proposed Elevations:





CGIs:



1.0	Characteristics of the Site and Area
1.1	This application relates to the northern part of the former cinema site at No. 14 Dublin Road. The former cinema was demolished some years ago, the site cleared and currently occupied by mean-while uses.
1.2	The site is approximately 0.15 hectares (ha) in size and relatively flat. It has a frontage to Dublin Road on its west side. To the north is Bankmore Square beyond which is Bankmore House and rear of the Clayton Hotel. The site backs onto a multi-storey car park to the east. The remainder of the former cinema site is located to the immediate south and is subject to a separate planning application for Purpose Built Student Managed Accommodation (PBMSA), also being considered by the Committee on the same agenda (LA04/2023/4373/F). Beyond this, further to the south, is Marcus Ward Street which comprises residential apartments.
1.4	The site is located to the south of the Linen Conservation Area.
	Description of Proposed Development
1.5	The application seeks full planning permission for the erection of a 14 storey (plus basement) purpose-built Grade A Office. The building is intended to provide the headquarters for Kainos, a locally based ICT company, which owns the site.
1.6	The proposed building would be 54.3 metres in height. The building would be predominantly clad in red brick alongside anodised/metal PPC aluminium and wet cast concrete.
1.7	The application follows a detailed Pre-Application Discussion (PAD) process.
2.0	RELEVANT PLANNING HISTORY
2.1	LA04/2021/1703/F – temporary erection (for 2 years) of shipping containers to form an outdoor public house, food and retail market with associated covered canopies, seating and boundary. Permission granted on 24 th May 2022 and expires on 23 rd May 2024.
2.2	LA04/2017/0562/F – demolition of existing cinema building and erection of a 12 storey Grade A office building comprising eleven floors of offices above a ground floor foyer and retail units, basement parking and other ancillary works. Proposal also includes the refurbishment of Bankmore Square open space and wider public realm improvements to surrounding footpath network. The Planning Committee resolved to approve the application subject to a Section 76 planning agreement. However, the application was withdrawn on 11 th December 2020.
2.3	<p>The Council is currently considering a second application on the former cinema site on the land to the immediate south. The application is being heard at the same Committee meeting. The details of the application are below.</p> <p>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, Belfast, BT2 7HN.</p>

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 Policy SP7 – connectivity</p> <p>Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy DES3 – Tall buildings Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH5 – Archaeology</p> <p>Policy EC1 – Delivering inclusive economic growth Policy EC6 – Office development Policy RET1 – Establishing a centre hierarchy</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment 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</p> <p>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)</p> <p>Policy HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</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 – no objection, recommends conditions.</p> <p>DfC HED – no objection.</p> <p>DfI Rivers – no objection, the proposal is not within a flood plain.</p> <p>DAERA – no objection, recommends conditions.</p> <p>NI Water – objection due to network capacity concerns. The applicant should liaise directly with NI Water and submit a Waste-water Impact Assessment.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Urban Design Officer – no objection, recommends conditions.</p> <p>Environmental Health – no objection, recommends conditions.</p> <p>BCC Landscape and Development – no objection, no significant adverse impact on the townscape and the proposal will likely assimilate within its surroundings.</p> <p>BCC Tree Officer – no objection, recommends conditions.</p> <p>BCC Economic Development Unit – advises that a Construction Employability and Skills Plan is required.</p> <p>BCC Waste Management team – advises that the proposal does not comply with the supplementary waste storage guidance for commercial developments in Belfast. Additional information provided and re-consultation taken place.</p> <p>Shared Environmental Services (SES) – advises that it should be re-consulted once a substantive response is received from DAERA Water management unit; Natural Environment Division and Land and Groundwater team. DAERA offers no objection and SES has been re-consulted.</p>

<p>4.3</p> <p>4.4</p> <p>4.5</p>	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>Two objections have been received from a local resident, raising the following concerns.</p> <ul style="list-style-type: none"> • Parking and traffic. Cars already parked on the footways. Cars obstructing the cycle lanes • Current infrastructure will not support the proposal • Local streets are a dumping ground for rubbish and anti-social behaviour • Deterioration of the quality of their life. • The height of the building is not in line with the building heights in this historic area of Belfast. The proposed building should be reduced in height. • The current traders on the site add a lot more to the area than any office block could do. <p>Matters relating to transport, parking, traffic and infrastructure are addressed in the main report. Littering and anti-social behaviour are matters for other services within the council and the police. There is no evidence that the proposal would adversely affect the amenity of local people in land-use planning terms.</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of the proposed uses • Design and placemaking • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Employability and Skills • Section 76 planning agreement • Pre-Application Community Consultation <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>

5.3	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.
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 are listed above.</p> <p><u>Proposals Maps</u></p>
5.6	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.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit. A Proposed Strategic Road Scheme is located to the north. A Housing zoning (C7) is located to the east of Hardcastle Street to the east.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the Development Limit. A Road Proposal runs along an east-west axis through Bankmore Square to the north (CC 098). A Housing zoning (CC 02/04) is located to the south side of Marcus Ward Street to the south. A Protected City Centre Housing Area is located to the east and south of Hardcastle Street to the east, south and south west (CC 097/05). The site is located to the south of the Linen Conservation Area. The site is within the Shaftesbury Square Character Area (CC 016) where development proposals shall take account of the height of adjoining buildings. Development fronting Dublin Road shall be a minimum height of 5 storeys (17 metres to shoulder height) and a maximum height of 7 storeys.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the Development Limit. A Road Proposal runs along an east-west axis through Bankmore Square to the north (CC 022/01). A Housing zoning (CC 02/04) is located to the south side of Marcus Ward Street to the south. A Protected City Centre Housing Area is located to the east and south of Hardcastle Street to the east, south and south west (CC 021/05). The site is located to the south of the Linen Conservation Area. The site is within the Shaftesbury Square Character Area (CC 013) where development shall take account of the height of adjoining buildings. Development fronting Dublin Road shall be a minimum height of 5 storeys (17 metres to shoulder height) and a maximum height of 7 storeys.

	<p><u>Principle of the proposed uses</u></p>
5.10	<p>The site is located within the urban development limit in the BUAP 2001 and both versions of dBMAP 2015. It is within the City Centre in both versions of dBMAP 2015.</p> <p><i>Office use:</i></p>
5.11	<p>Policy EC6 states that planning permission will be granted for new office development within the City Centre. Policy EC1 supports business sectors with strong growth potential in Belfast including ICT. The proposal is consistent with these policies.</p>
5.12	<p>This is a sustainable location for office development with excellent access to public transport, shops and services, providing opportunity to reduce the need to travel by the private car. The proposal would make effective use of previously developed land and would regenerate the site, which has been cleared and currently occupied by meanwhile uses, planning permission for which expires in May 2024.</p> <p><i>Retail/restaurant uses:</i></p>
5.13	<p>In terms of the proposed ground floor retail/restaurant unit, Policy RET1 directs such town centre uses to the City Centre first. The site is located within the City Centre where retail, food and drink are acceptable in principle. The proposed ground floor commercial unit onto Bankmore Square would help activate the building at ground floor onto a public space and add to the vibrancy of the scheme.</p> <p><i>Economic development:</i></p>
5.14	<p>The proposed building is intended to provide the headquarters for Kainos, a locally based ICT company, providing office accommodation for around 500 staff. The proposal would have a Gross Value Added (GVA) to the economy of £35 million and is projected to support 810 jobs during construction and operation. It would increase footfall and spend in the City Centre. In these regards, the proposal would have a very positive economic impact.</p>
5.15	<p>Having regard to the above factors, the proposed uses are welcomed in principle. The proposal accords with Policies EC1, EC6 and RET6 of the Plan Strategy, and relevant provisions of the SPPS.</p> <p><u>Design and placemaking</u></p>
5.16	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and DES3 of the Plan Strategy. 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 development, while Policy DES3 relates to the assessment of tall buildings including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.</p>
5.17	<p>The application follows a Pre-Application Discussion (PAD) process when issues relating to scale, height, massing and architectural treatment were discussed in detail.</p>

	<p><i>Scale, height and massing:</i></p>
5.18	<p>The proposed building would occupy a prominent corner at the junction of Dublin Road, Bankmore Square and Bruce Street. A large cinema previously occupied the site and adjacent plot. The height of the proposed building would be approximately 54 metres. In comparison, the heights of other buildings in the vicinity include the Clayton Hotel (37 metres) and Bankmore House (29 metres) to the north; multi storey car park (26 metres) to the east; and Shaftesbury Court (31 metres) and Somerset Studio (34 metres) to the south. The height of the original cinema on the site was 19 metres. The height of the proposed PBMSA building on the adjacent plot would be 57 metres.</p>
5.19	<p>Whilst taller than surrounding buildings, it is considered that this prominent corner site can accommodate a building of the height proposed. The Urban Design Officer notes that the height of the proposed building is only 1 metre higher than the previous withdrawn application (LA04/2017/0562/F), which the Committee had resolved to approve. A comparison of the current application (also showing the proposed PBMSA building on the adjacent plot) with the previous application is shown in the image below. The previous Committee decision is a material consideration.</p> <div data-bbox="335 828 1495 1469" data-label="Image"> </div> <p>View towards focal corner of site from Bruce Street. - - - - - Massing approved at Committee</p>
5.20	<p>The Urban Design Officer offers no objection to the scale, height or massing of the proposed building, or its design overall. The Urban Design Officer advises that the lower podium onto Bankmore Square nods to the shoulder height of surrounding buildings on Bruce Street, also shown in the image above. Vertical shifts in the design of the building help to break up its massing. Neither does the Council's Landscape and development team object to the proposal in terms of its impact on the wider townscape.</p>
5.21	<p>Whilst dBMAP 2015 specifies heights of buildings on Dublin Road to be between 5 and 7 storeys, the height and scale of the proposed building are considered appropriate for the reasons stated. The scheme also ensures that more effective use is made of the site, desirable given the finite availability of land.</p>

	<p><i>Architectural treatment:</i></p>
5.22	<p>The proposed building would be predominantly clad in red brick traditional to the city. Cladding would also be in red hues. This is deliberately in contrast with the lighter, grey materials used to clad the PBMSA scheme on the adjacent plot, successfully breaking up the overall massing of the block.</p>
5.23	<p>A ground floor colonnade would provide an attractive base to the building as well as shelter, with generous lobby area wrapping around the corner.</p>
5.24	<p>The large exposed east gable of the building has been articulated to provide visual interest and relief.</p>
	<p><i>Active frontage:</i></p>
5.25	<p>The proposed building would be activated on both its north and west frontages onto Bankmore Square and Dublin Road respectively, which is welcomed.</p>
	<p><i>Public realm:</i></p>
5.26	<p>The proposal originally included public realm enhancements on Bankmore Square and Dublin Road, consistent with the requirements of the Council's <i>Developer Contribution Framework</i>. However, the public realm proposals onto Bankmore Square were removed to ensure no conflict with the Road Proposal in dBAMP 2015 (now planned as a Glider route). The public realm enhancements on Dublin Road have also been removed because of concerns raised by DfI Roads about licensing and future maintenance.</p>
	<p><i>Masterplanning:</i></p>
5.27	<p>As mentioned, the Council is currently considering two applications on the former cinema site – the application subject to this report and the second application by QUB on the adjacent plot. Both applications have been developed in close association with one another and the buildings have been designed to create a cohesive block. As mentioned, the predominant materials for each building are deliberately contrasting but complementary to avoid the scale and massing of both buildings combined being overwhelming in the street scene. Both buildings would be finished in brick and cladding with the Grade A office building being in a red tone finish and the PBMSA scheme in a lighter grey tone. It is considered that the scale, height, massing and design of the two buildings would complement one another.</p>
5.28	<p>In terms of masterplanning, one of the key concerns is if only one of the two proposed buildings is constructed – this would leave only half of the block completed with the sole constructed building presenting a significant blank gable onto Dublin Road. This would have a damaging impact on the street scene. This was a key discussion point raised by officers during the PAD process.</p>
5.29	<p>In order to give the Council assurances that such circumstances would not arise, the applicants for both applications advise that the contract between the respective applicant's contains a reciprocal commitment/penalty with regards the obligations to each party in terms of the build out of the respective party's development site. The contract contains an obligation to the effect that, in circumstances where works on either development site have not been finished to an extent where their core and shell have not been completed and the envelope of the building is not fully weather tight on or before a date, which is 24 months from the commencement of the development works authorised by the planning consent, and such a delay is a result of acts or delays</p>

	on the part of either party (or its retained contractors), then the offending party shall pay the other by way of compensation until the core and shell of the relevant site have been completed and the building envelope is fully weather tight.
5.30	Officers are satisfied that this gives appropriate assurances that both buildings will be constructed.
	<i>Impact on the adjacent Linen Conservation Area:</i>
5.31	The site is located to the south of the Linen Conservation Area. However, for the reasons stated, the scale, height and design of the proposed building are considered appropriate. It is considered that the proposal, which would develop a significant gap site, would enhance the character and appearance of the adjacent Conservation Area.
5.32	Having regard to the above assessment, the proposal is considered to accord with Policies DES1, DES2, DES3 and BH2, and relevant provisions of the SPPS.
	<u>Impact on the heritage assets</u>
5.33	A number of Listed Buildings are located further to the north close to the junction of Bedford Street with Linenhall Street and Ormeau Avenue. The closest Listed Building is Nos. 35 to 37 Bedford Street (Wetherspoons), Grade B2, to the north.
5.34	However, given the appropriateness of the scale, form and design of the building and that it would complement its surrounding context, it is considered that the setting of this and other Listed Buildings would not be harmed.
5.35	DfC HED offers no objection to the proposal in terms of potential impact on historic buildings and archaeology. It is considered that the proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS.
	<u>Impact on amenity</u>
5.36	The proposed building is sufficiently far from occupied neighbouring buildings so as not to result in harmful loss of amenity. There would be no harmful overlooking, loss of outlook, daylight or sunlight to nearby properties. In these regards, the proposal is considered to satisfy Policy DES1.
	<u>Climate change</u>
5.37	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. The proposed building is targeting BREEAM Excellent rating as a minimum, which is considered to satisfy both policies. A condition to ensure that this standard or equivalent is met is recommended accordingly.
5.38	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 scheme proposes the use of hard SUDs in the form of a geocellular underground storage tank. The space constraints on the site are the primary reason for the lack of soft SUDs solutions. The existing site is completely impermeable and through the provision of attenuation and

	<p>separation of surface water runoff from foul flows this new proposal provides betterment. These measures will be required to be implemented by condition.</p> <p><u>Open space</u></p>
5.39	<p>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.</p>
5.40	<p>The proposed building incorporates open space in the form of external terracing (280.7 sqm / 19% of the site) and ground floor colonnade recess (96.4 sqm / 6%), providing a total of 377 sqm / 25% of the site as open space. This exceeds the 10% policy requirement and the proposal accords with Policy OS3.</p> <p><u>Access and transport</u></p> <p><i>Accessibility and parking:</i></p>
5.41	<p>The site is a highly accessible location in the City Centre, within short walking and cycling distance of the city centre and its shops, services and leisure. The site has very good public transport links and is very close to the new Grand Central Station (Transport Hub). Whilst no dedicated on-site parking is proposed, this is considered acceptable in view of the sustainable location of the site, the applicant's commitment to a green travel plan and provision of secure sheltered bicycle parking within the building.</p>
5.42	<p>The applicant has provided details of disabled parking in the vicinity of the site. The multi-storey car park next to the site to the east has five dedicated disabled parking spaces with no restriction on the length of stay. The Little Victoria Street car park, approximately 55 metres from the site entrance, contains four disabled parking bays. Pay and display parking is available on Dublin Road itself with Blue Badge concessions available for people with mobility issues. Satisfactory parking provision is therefore in place for disabled car users.</p>
5.43	<p>Provision is made for sheltered and secure cycle parking for 66 bicycles within the building. Locker facilities and showers are included to encourage cyclists and walkers. These facilities will be required to be implemented by planning condition.</p> <p><i>Road Proposal:</i></p>
5.44	<p>In both versions of dBMAP 2015, a "Road Proposal" runs along an east-west axis through Bankmore Square to the north (CC 098 and CC 022/01). DBMAP 2015 (v2014) describes this as a non-strategic road scheme and southern section of a new City Centre Ring. The wider Road Proposal includes the construction of a new carriageway (Bankmore Link) between the existing Dublin Road/Bruce Street/Bankmore Street junction and the existing Cromac Street/Ormeau Avenue/Lower Ormeau Road junction.</p>
5.45	<p>DBMAP 2015 cross references relevant regional planning policy for the protection of the non-strategic road scheme as the former Planning Policy Statement 3: Access, Movement and Parking. This has been superseded by Policy TRAN 7 (Access to</p>

	protected routes) of the Plan Strategy. However, since the proposal does not involve direct vehicular access onto the Road Proposal, Policy TRAN7 does not apply.
5.46	The Department for Infrastructure (DfI) is reserving the Road Proposal for a new Glider route through Bankmore Square, linking Ormeau Road with Dublin Road. The proposed office building is in the most part on the same building line as the former cinema, save for a small area of land along the north-west boundary. However, it is clear that the proposal would not comprise the Road Proposal and delivery of the new Glider route and that has been confirmed by DfI Roads.
5.47	DfI Roads offers no objection to the proposal, which is considered acceptable in terms of accessibility, parking and highway safety. DfI Roads advises conditions, which are recommended as appropriate.
5.48	The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.
	<u>Health impacts</u>
5.49	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.
5.50	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through excellent linkages with the city centre. Active travel will be further encouraged through the applicant's green travel plan.
5.51	Good levels of open space/amenity space are proposed including outdoor terraces.
5.52	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant working environment for employees and visitors, and well as enhancing the character and appearance of the area.
5.53	The proposal is considered to satisfy the requirements of Policy HC1.
	<u>Environmental protection</u>
5.54	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 contaminated land, air quality, noise and odour impacts.
	<u>Contaminated land</u>
5.55	The contaminated land reports provided with the application conclude that no remediation is required. Environmental Health therefore advises that only an informative is required on the decision notice. The proposal is considered to accord with Policy ENV1.

	<u>Air quality</u>
5.56	The application is accompanied by an Air Quality Assessment, which concludes that the relevant thresholds would not be exceeded. Environmental Health notes that a range of plant rooms and a generator are proposed as part of the scheme. It therefore advises a condition to require a further Air Quality Assessment should centralised combustion sources be proposed. Subject to this condition, it is considered that the proposal accords with Policy ENV1.
	<u>Noise and vibration</u>
5.57	In relation to noise, Environmental Health notes that the main current sources of noise are traffic, buses and pedestrian activity. It advises conditions in relation noise levels from plant and equipment as well as limiting the hours for deliveries.
5.58	In relation to construction noise, Environmental Health advises that a Construction Environmental Management Plan (CEMP) should be required by condition. These conditions are recommended.
5.59	It is considered that the proposal accords with Policy ENV1.
	<u>Odour</u>
5.60	Environmental Health is concerned that the proposed ground floor restaurant could have an adverse odour impact on existing and future sensitive receptors. Further details of kitchen extraction and odour abatement are therefore required, and these can be secured by condition. Subject to this condition, the proposal complies with Policy ENV1.
	<u>Flood risk and drainage</u>
5.61	DfI Rivers advises that the site is not withi a present day or climate change flood plain. Nor are there any watercourses within the site. It is satisfied with the proposed geocellular tank and drainage proposals. Accordingly, it offers no objection to the proposal. The proposal is considered to satisfy Policy ENV5.
	<u>Waste-water infrastructure</u>
5.62	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient network capacity. It states that there are significant risks to the environment and detrimental impact on existing properties. NI Water advises that the applicant consult directly with NI Water on this issue.
5.63	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. Moreover, NI Water has not provided direct evidence of expected harm that would result from the development. For these reasons, it would be unreasonable to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
	<u>Natural heritage</u>
5.64	Policy NH1 relates to the protection of natural heritage resources.

5.65	NI Water has objected to the application on grounds of insufficient network capacity and has cited concerns about environmental pollution. Particular regard should be had to potential pollution of Belfast Lough – an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC) – should the site and lough be hydrologically linked.
5.66	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. 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.
5.67	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 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.
5.68	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 DAERA and SES. DAERA Water Management Unit has advised that in view of the objection from NI Water, the proposal has the potential to adversely affect the surface water environment. However, it advises mitigation in the form of a condition to require submission and approval of details of sewage disposal. SES has been reconsulted following DAERA's response and its further consultation response is currently awaited. However, based on SES's positive response to the application for the PBMSA scheme on the adjacent plot which presents similar issues, it is considered unlikely that it will object to the proposal and it is anticipated that they will recommend a condition requiring details of drainage to be agreed prior to commencement of development. The recommendation is therefore subject to the receipt of SES's consultation response and Appropriate Assessment.
5.69	DAERA has advised that it has no further concerns about the proposal, advising conditions in relation to piling, decommissioning of boreholes and requirements should future contamination be found. These conditions are recommended as appropriate.
5.70	Subject to a satisfactory further response from SES, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
	<u>Waste management</u>
5.71	The application is supported by a waste management plan. However, the Council's Waste Management team advises that the proposals do not comply with the Supplementary Waste Storage guidance for commercial developments in Belfast. For example, the proposal for the breakdown of general waste/recycling is out of date and insufficient detail is provided in relation to the full range of wastes to be accommodated. An updated Waste Management Plan has been provided and the Waste Management team re-consulted. The recommendation is therefore subject to the receipt of the Waste Management team's further consultation response.

	<p><u>Employability and Skills</u></p>
5.72	The <i>Developer Contribution Framework</i> requires proposals for Major development to contribute towards Employability and Skills where necessary.
5.73	The Economic Development Unit advises that given the scale of the construction employment required to implement the proposal, together with current skills shortages, employability and skills related Developer Contributions are required in relation to the construction phase.
5.74	Accordingly, officers advise that a Construction Employability and Skills Plan is required to be submitted and implemented, and that this should be secured by way of a Section 76 planning agreement.
5.75	<p>Typical interventions in the Employability and Skills Plan may include:</p> <ul style="list-style-type: none"> • creating access to employment opportunities • delivering training to upskill people • creation and delivery of apprenticeship opportunities • ring-fencing opportunities for under-represented groups • delivery of employability interventions • addressing barriers to employment and skills development • delivery of youth interventions <p><u>Section 76 planning agreement</u></p>
5.76	<p>Should the application be approved, the following planning obligation should be secured by way of a Section 76 planning agreement. This is considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Employability and Skills – requirement for the submission and implementation of a Construction Employability and Skills Plan.
5.77	A draft Section 76 planning agreement is currently being drafted without prejudice and will need to be finalised before planning permission is granted.
	<p><u>Pre-Application Community Consultation</u></p>
5.78	For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
5.79	Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in July 2023 (LA04/2023/3621/PAN) and confirmed by the Council to be acceptable.
5.80	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 describes the engagement process and feedback received. A public event was held and dedicated community consultation website setup. A total of seven feedback forms were completed. Feedback was provided in relation to design, regeneration, sustainability, need, active travel, public accessibility, relocation of the trade market.

5.81	The PACC report is considered compliant with the legislative requirements.
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
6.2	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 those raised in the further consultation responses from Shared Environmental Services and Waste Management team, provided that the issues are not substantive.
7.0	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 external brickwork or external cladding panels 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 brick materials and panelling. Reason: In the interests of the character and appearance of the area. 3. Within one year of the occupation, evidence that the building has been constructed to at least BREEAM Excellent standard, or equivalent, shall be submitted in writing to the Council. Reason: To ensure that the development mitigates and adapts to climate change. 4. The development hereby approved shall not be occupied until the external terraces have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times. Reason: To ensure that a quality residential environment is provided for occupants of the approved development. 5. The SuDS measures shall be implemented as specified in the application and the building shall not be occupied until verification and evidence of such has been submitted to and approved in writing by the Council. Reason: In order that the development provides sustainable drainage

	<p>6. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.</p> <p>Reason: To ensure that appropriate provision is made for storage and disposal of waste.</p> <p>7. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan (Issued 27 October 2023 and authored by Ove Arup & Partners Ltd).</p> <p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>8. The development hereby permitted shall not be occupied until the secure cycle storage area, lockers and shower facilities have been provided in accordance with the approved plans and shall be permanently retained as such at all times.</p> <p>Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.</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 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. The development hereby approved shall not be commenced until a final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP 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 construction phases in line with BS 5228:2009 <i>Code of practice for noise and vibration control on construction and open sites</i>. All construction must be carried out in accordance with the approved CEMP.</p> <p>Reason: Protection of residential amenity.</p> <p>11. All plant and equipment associated with the development hereby permitted shall be designed so as to achieve a rating level (LAr) no greater than the Background Sound Level, LA90, both during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014+A1 2019 Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: In the interests of local amenity.</p> <p>12. Deliveries and collections to and from the development hereby permitted development shall not take place outside the hours of 0700 to 2300.</p> <p>Reason: In the interests of local amenity.</p>
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13. No development or piling shall be carried out 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 to and approved in writing by the Council. No piling shall be carried out unless in accordance with the approved details.

Reason: To protect the groundwater environment.

14. Should new contamination or risks be encountered during the construction phase 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. 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. After completing any required remediation works, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

Reason: To protect the groundwater environment.

15. No development or works shall commence until protective barriers (fencing) and ground protection (geocell membrane) erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site are in place. The protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.

Reason: To protect trees of amenity value.

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

Reason: To protect trees of amenity value.

DRAFT INFORMATIVES

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 requires the submission, approval and implementation of a Construction Employability and Skills Plan.

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>NOT03 Discharge of condition(s)</p> <p>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</p> <p>The grant of planning permission does not dispense with the need to obtain licenses, 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, consents or permissions under other legislation or protocols.</p>
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Development Management Report

Summary	
Committee Date: 16 th April 2024	
Application ID: LA04/2023/4373/F	
Proposal: 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	Location: 14 Dublin Road, Belfast, BT2 7HN
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Queens University Belfast Universtiy Road Belfast BT7 1NN	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>This application relates to the southern part of the former cinema site at 14 Dublin Road. Full planning permission is sought for the erection of a 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. The applicant is Queens University.</p> <p>The application follows a detailed Pre-Application Discussion (PAD) process.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of PBMSA in this location • Design and placemaking • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Section 76 planning agreement • Pre-Application Community Consultation 	

The site is within the City Centre and is a highly accessible location for new PBMSA development within walking distance of both the Queens University and Ulster University campuses. The application is supported by satisfactory evidence of need for the proposal.

The proposed building is considered to be of a high-quality design appropriate to its location that would regenerate the land which has been cleared and currently occupied by meanwhile uses.

It is considered that the proposal would not have a harmful impact on the amenity of neighbouring residents on Marcus Ward Street by reason of noise, overlooking or loss of sunlight/daylight.

No objections have been received from statutory consultees other than NI Water which is concerned about waste-water capacity. However, it is considered unreasonable to withhold planning permission on those grounds for the reasons specified in the main report. Further advice is awaited from the Council's Waste Management team and delegated authority is sought to resolve any outstanding issues that may arise from its consultation response.

Four objections have been received, which are detailed in the main report.

Recommendation

Having regard to the Development Plan and material considerations, 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 any raised in the further consultation response from the Council's Waste Management team, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

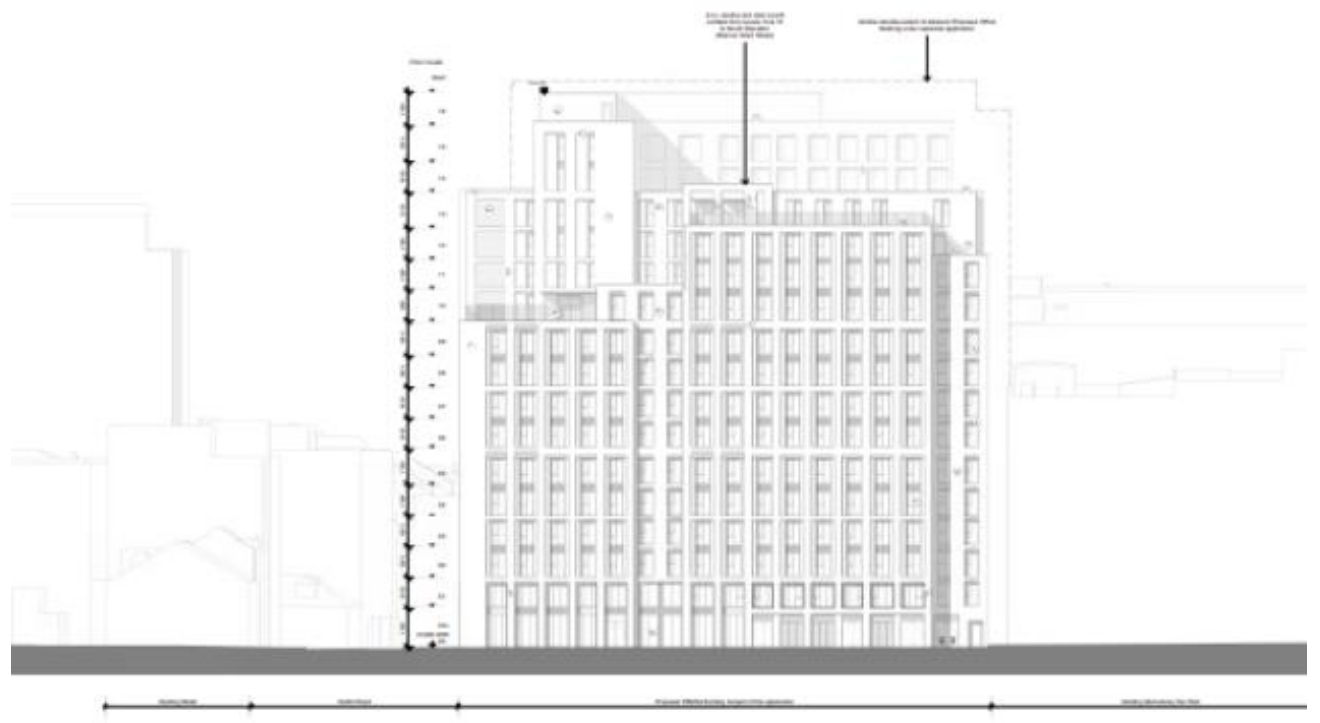
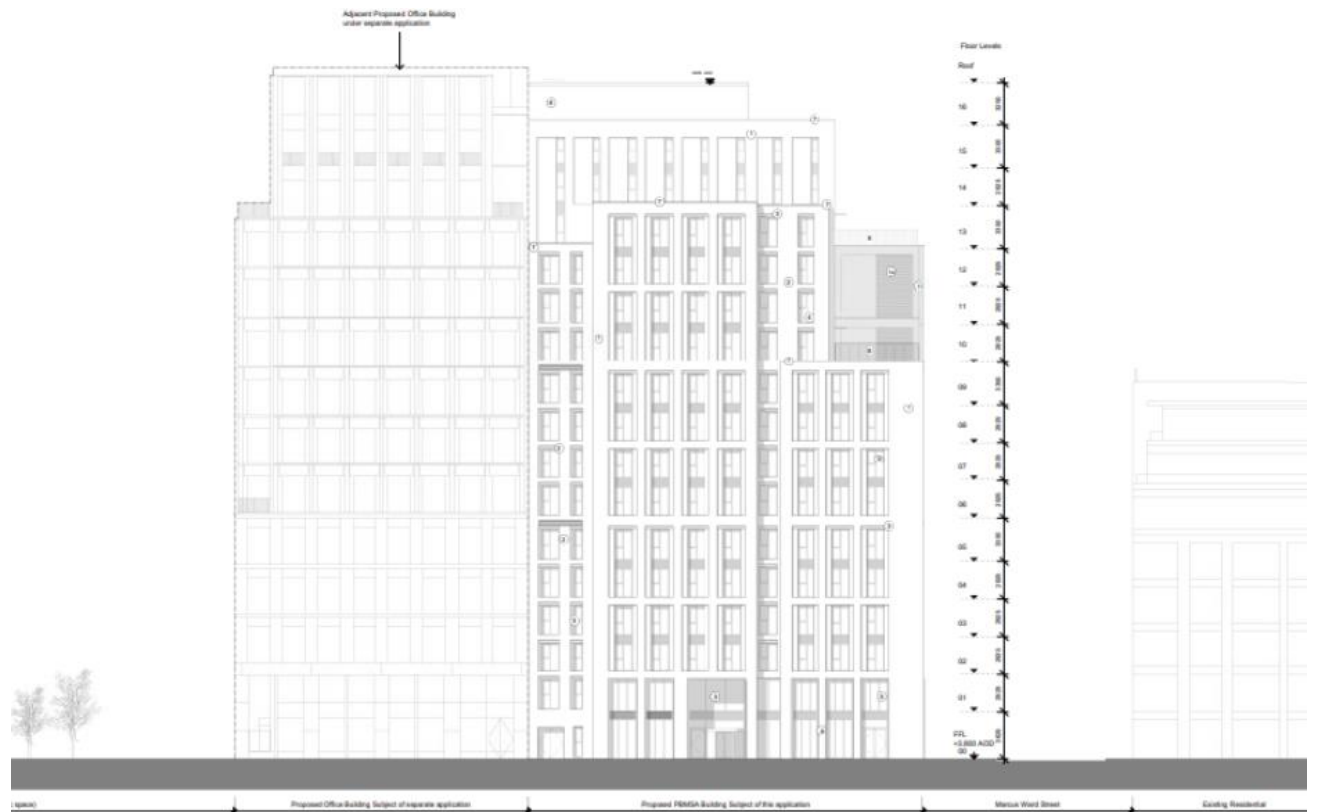
Site Location Plan:



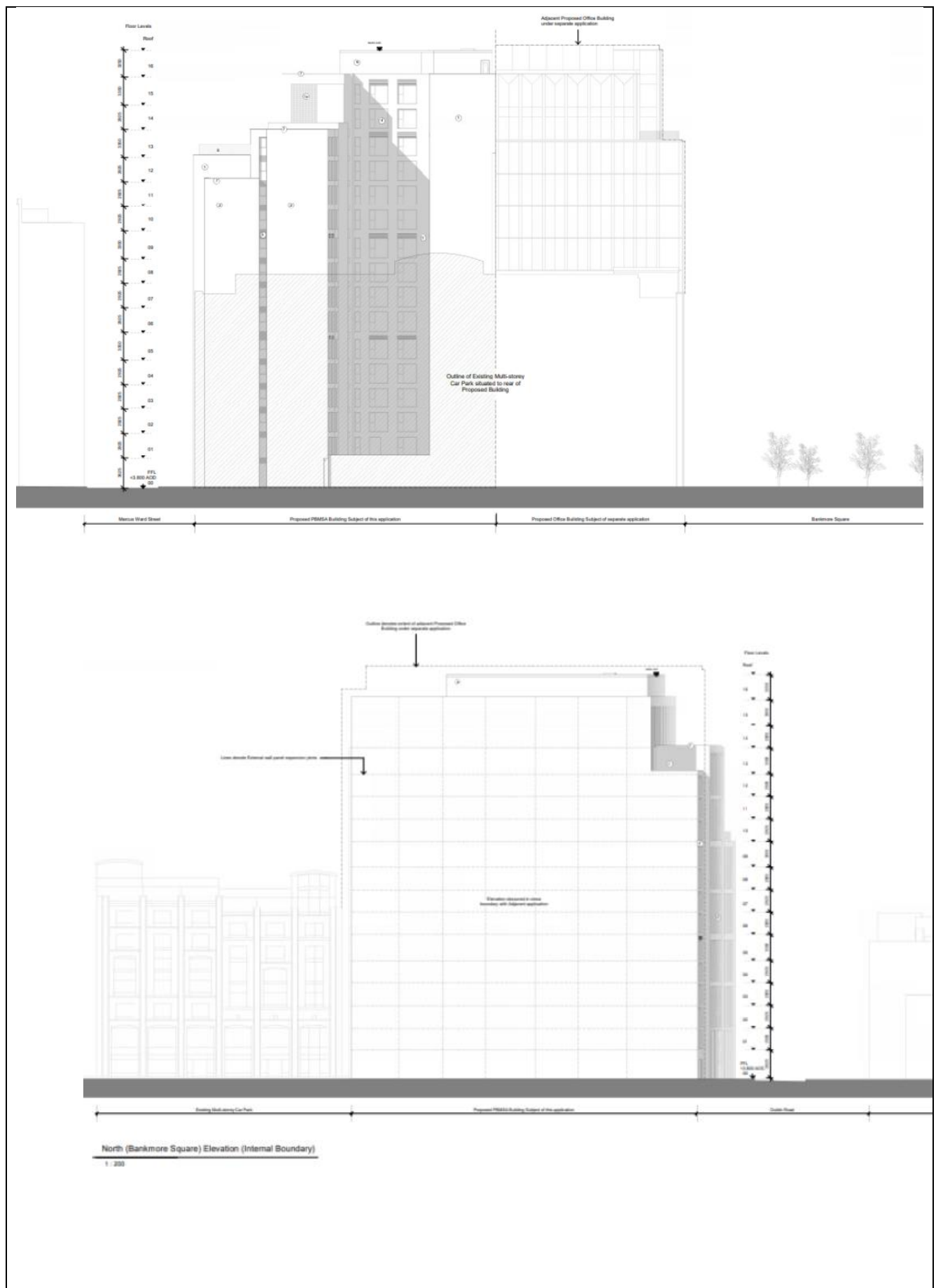
Proposed Ground floor:



Proposed Elevations:



(Meroux Ward St) Elevation



CGIs:



1.0	Characteristics of the Site and Area
1.1	This application relates to the southern part of the former cinema site at No. 14 Dublin Road. The former cinema was demolished some years ago, the site cleared and currently occupied by mean-while uses.
1.2	The site is approximately 0.16 hectares (ha) in size and relatively flat. It has a frontage to Dublin Road on its west side. To the south is Marcus Ward Street, which comprises residential apartments on its far side. The site backs onto a multi-storey car park to the east. The remainder of the former cinema site is located to the immediate north and is subject to a separate planning application for Grade A offices, also being considered by the Committee on the same agenda (LA04/2023/4366/F). Beyond this, further to the north, are Bankmore Square, Bankmore House and rear of the Clayton Hotel.
1.4	The site is located to the south of the Linen Conservation Area.
	Description of Proposed Development
1.5	The application seeks full planning permission for the 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. The applicant is Queens University.
1.6	The proposed building would be 57.25 metres in height. The building would be predominantly clad in facing clay brickwork alongside aluminium curtain walling and panelling, render and natural stone faced panels.
1.7	The application follows a detailed Pre-Application Discussion (PAD) process.
2.0	RELEVANT PLANNING HISTORY
2.1	LA04/2021/1703/F – temporary erection (for 2 years) of shipping containers to form an outdoor public house, food and retail market with associated covered canopies, seating and boundary. Permission granted on 24 th May 2022 and expires on 23 rd May 2024.
2.2	LA04/2017/0562/F – demolition of existing cinema building and erection of a 12 storey Grade A office building comprising eleven floors of offices above a ground floor foyer and retail units, basement parking and other ancillary works. Proposal also includes the refurbishment of Bankmore Square open space and wider public realm improvements to surrounding footpath network. The Planning Committee resolved to approve the application subject to a Section 76 planning agreement. However, the application was withdrawn on 11 th December 2020.
2.3	<p>The Council is currently considering a second application on the former cinema site on the land to the immediate north. The application is being heard at the same Committee meeting. The details of the application are below.</p> <p>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, Belfast.</p>

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 Policy SP7 – connectivity</p> <p>Policy SD2 – Settlement Areas</p> <p>Policy HOU12 – Purpose Built Managed Student Accommodation (PBMSA)</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy DES3 – Tall buildings Policy RD1 – New residential developments Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH5 – Archaeology</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment 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</p> <p>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 HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</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 Purpose Built Managed Student Accommodation in Belfast (June 2016) Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework (2020) Belfast Agenda (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – no objection, recommends conditions.</p> <p>DfC HED – no objection.</p> <p>DfI Rivers – no objection, the proposal is not within a flood plain.</p> <p>DAERA – no objection, recommends conditions.</p> <p>NI Water – objection due to network capacity concerns. The applicant should liaise directly with NI Water and submit a Waterwater Impact Assessment.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Urban Design Officer – concerns in relation to the proposed scale, height and massing of the building as it extends along Marcus Ward Street. Concerns about daylight and sunlight to the bedrooms facing the inner courtyard. Content with other aspects of the scheme.</p> <p>Environmental Health – no objection, recommends conditions.</p> <p>BCC Landscape and Development – no objection, unlikely significant adverse impact on the townscape.</p> <p>BCC Economic Development Unit – advises that a Construction Employability and Skills Plan is not required where Buy Social requirements are in place.</p> <p>Shared Environmental Services (SES) – following an appropriate assessment advises that the proposal would not have an adverse effect on the integrity of any protected European sites, either alone or in combination. Advises no objection subject to a condition to require submission and approval of details of sewage disposal.</p> <p><u>Representations</u></p>
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	<p>Four representations have been received, raising the following concerns.</p> <ul style="list-style-type: none"> • Saturation of student accommodation in the city centre. • Impact on local business owners.

4.5	<ul style="list-style-type: none"> • Adverse impact on light to the apartments in Shaftesbury Court on Marcus Ward Street. Overshadowing of apartments on Marcus Ward Street. • Overlooking and loss of privacy from the raised terrace areas. • Lack of parking. • The height of the building is not in line with the building heights in this historic area of Belfast. The proposed building should be reduced in height. • The current traders on the site add a lot more to the area than any office block could do. <p>Matters relating to the need for student accommodation, impact on the amenity of residents on Marcus Ward Street, parking and the appropriateness of the height, scale, massing and design of the building are dealt with in the main assessment below. There is no evidence that the proposal would have an adverse impact on local businesses in land-use planning terms.</p>
5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of PBMSA in this location • Design and placemaking • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Section 76 planning agreement • Pre-Application Community Consultation <p>Development Plan Context</p> <p>5.2 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.</p> <p>5.3 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.</p> <p>5.4 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</p>

	<p>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 are 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” within the Development Limit.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the Development Limit. A Housing zoning (CC 02/04) is located to the south side of Marcus Ward Street to the south. A Protected City Centre Housing Area is located to the east and south of Hardcastle Street to the east, south and south west (CC 097/05). The site is located to the south of the Linen Conservation Area. The site is within the Shaftesbury Square Character Area (CC 016) where development proposals shall take account of the height of adjoining buildings. Development fronting Dublin Road shall be a minimum height of 5 storeys (17 metres to shoulder height) and a maximum height of 7 storeys.</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the Development Limit. A Housing zoning (CC 02/04) is located to the south side of Marcus Ward Street to the south. A Protected City Centre Housing Area is located to the east and south of Hardcastle Street to the east, south and south west (CC 021/05). The site is located to the south of the Linen Conservation Area. The site is within the Shaftesbury Square Character Area (CC 013) where development shall take account of the height of adjoining buildings. Development fronting Dublin Road shall be a minimum height of 5 storeys (17 metres to shoulder height) and a maximum height of 7 storeys.</p> <p><u>Principle of PBMSA in this location</u></p>
5.10	<p>The site is located within the urban development limit in the BUAP 2001 and both versions of dBMAP 2015. It is within the City Centre in both versions of dBMAP 2015. Policy SD3 of the Plan Strategy states that the Council will support new economic and residential development to create a compact and vibrant city centre. The proposal is consistent with this strategic policy.</p>

	<p><i>Accessibility:</i></p>
5.11	<p>Policy HOU12 relates to proposals for PBMSA. In locational terms, criterion a. requires that proposals are easily accessible to higher education institution campuses by sustainable transport modes and not within established residential areas. The site is a central location close to the city centre core and within walking and cycling distance of the Queens University, Ulster University and Belfast Met campuses. It is within short walking and cycling distance to the new Grand Central Station (Transport Hub) and has good public transport links to Stranmillis University College, St. Mary's University College and Belfast Metropolitan College on Queens Island. In these regards, the proposal satisfies the accessibility requirements of criterion a.</p>
	<p><i>Development not within an Established Residential Area:</i></p>
5.12	<p>In terms of the second part of criterion a., Appendix B of the Plan Strategy states that an Established Residential Area is '<i>...normally taken to mean residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens. These areas may include buildings in commercial, retail or leisure services use, usually clustered together and proportionate in scale to the size of the neighbourhood being served.</i>' The site is located at the northern end of Dublin Road, which comprises a mix of uses including commercial uses, offices, hotels, residential and a multi-storey car park. This part of Dublin Road is not dominated by a recognisable form of housing styles and does not meet the definition of an Established Residential Area in the Plan Strategy. Criterion a. is therefore satisfied.</p>
	<p><i>Scale of the development:</i></p>
5.13	<p>Criterion b. specifies that PBMSA proposals should consist of a minimum of 200 occupants. The proposal comprises 459 bedrooms, therefore satisfying this criterion.</p>
	<p><i>Need for additional PBMSA:</i></p>
5.14	<p>Criteria e. requires that proposals meet an identified need for the type of accommodation proposed, demonstrated through a statement of student housing need. The application is supported by a Statement of Student Need. The statement states that in 2021/22 there were 46,165 full-time students enrolled in higher education institutions in Northern Ireland. In Belfast, the higher education institutions are Queens University (QUB), Ulster University, Stranmillis University College and St. Mary's University College. In addition, Belfast Met is the largest Further and Higher Education College in Northern Ireland.</p>
5.14	<p>According to the statement, around 7,000 PBMSA bed spaces have been granted permission across the city with approximately 5,000 beds currently available. This is approximately 10% of the total student population in Belfast. The applicant (QUB) is confident that the demand from their students for accommodation will remain high and continue for the coming years.</p>
5.15	<p>QUB and Ulster University gave a joint presentation to the Council's City Growth and Regeneration Committee in December 2022. The Committee was advised that the city required a further 6,000 rooms for students by 2028/30. In addition, there was a growing demand for PBMSA over private rental sector accommodation and insufficient rooms either in the planning process or being constructed to address the shortfall.</p>

5.16	In September 2023, QUB announced further investment to help meet the demand for student accommodation in Belfast. QUB states that a further 3,000 more rooms will be needed in Belfast within the five years for QUB students alone.
5.17	Officers advise that since the universities' deputation to the City Growth and Regeneration Committee in December 2022, planning permission has been granted for a further 700 PBMSA bed spaces with 2,000 bed spaces pending in the planning process. This means that there is still headroom for further PBMSA schemes across the city. Moreover, the proposal is not a speculative venture but a commitment from QUB as applicant. QUB states that the proposal will be for the exclusive use of students registered at its university. It intends to commence development in Q3 2024 with the building ready for occupation in September 2026 for the 2026/27 academic year.
5.18	Having regard to these factors, it is considered that a need for the proposal is clearly established and that criterion e. is satisfied. <i>Economic development:</i>
5.19	The proposed building has a construction value of £35 million and is expected to support around 220 jobs during the construction phase. The proposal would increase the City Centre residential population and increase spending in the City Centre, supporting its shops, services and amenities. The proposal would have a positive economic impact for the city. <i>Purpose Built Managed Student Accommodation in Belfast SPG:</i>
5.20	In advance of the Plan Strategy, the Council published the above guidance to support the consideration of planning applications for PBMSA. The guidance sets out similar requirements to Policy HOU12 and other relevant policies in the Plan Strategy, covering areas such as accessibility, controlling development in established residential areas, open space, space standards, parking, waste and recycling. The Plan Strategy is the statutory development plan and carries greater weight than the equivalent topics in the SPG guidance. For the reasons set out in this report, it is considered that the proposal is consistent with the objectives of the guidance.
5.21	Having regard to the factors discussed above, the principle of PBMSA development in this location is considered acceptable. <u>Design and placemaking</u>
5.22	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and DES3 of the Plan Strategy. 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 development, while Policy DES3 relates to the assessment of tall buildings including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.
5.23	The application follows a Pre-Application Discussion (PAD) process when issues relating to scale, height, massing and architectural treatment were discussed in detail.

	<p><i>Scale, height and massing:</i></p>
5.24	<p>The proposed building would occupy part of a prominent block at the junction of Dublin Road, Bankmore Square and Bruce Street. A large cinema previously occupied the site and adjacent plot. The height of the proposed building would be approximately 57 metres. In comparison, the heights of other buildings in the vicinity include the Clayton Hotel (37 metres) and Bankmore House (29 metres) to the north; multi storey car park (26 metres) to the east; and Shaftesbury Court (31 metres) and Somerset Studio (34 metres) to the south. The height of the original cinema on the site was 19 metres. The height of the proposed Grade A office building on the adjacent plot would be 54 metres.</p>
5.25	<p>The Urban Design Officer has no concerns in relation to the general scale, height and massing along the primary Dublin Road frontage, advising that this part of the scheme would be appropriate to its context. However, concerns are raised in relation to the scale, height and massing as the build extends along Marcus Ward Street, which is a secondary street. In terms of building hierarchy, buildings would traditional step down to reflect the lower heights of buildings on secondary streets. In this case, the opposite happens and the building steps up. However, planning officers advise that the frontage of the building onto Dublin Road would remain the tallest part of the building and the overall height and massing onto Marcus Ward Street would be lower in comparison.</p>
5.26	<p>When assessing the scale, height and massing of the building onto Marcus Ward Street, regard is also had to the previous withdrawn application (LA04/2017/0562/F), which the Committee had resolved to approve. A comparison of the current application (also showing the proposed Grade A office building on the adjacent plot) with the previous application is shown in the image below. This shows large sections of the proposed building to be lower on Marcus Ward Street than the previous scheme. The previous Committee decision is a material consideration.</p> <div data-bbox="335 1164 1495 1805" data-label="Image"> </div> <p>View towards focal corner of site from Bruce Street. - - - - - Massing approved at Committee</p>
5.27	<p>It is considered that the form and massing of the proposed building is visually interesting with the vertical and horizontal shifts helping to break up its massing. The Council's Landscape and development team offers no objection to the scheme, which it considers to unlikely have a significantly impact on the townscape.</p>

5.28	<p>Whilst dBMAP 2015 specifies heights of buildings on Dublin Road to be between 5 and 7 storeys, the height and scale of the proposed building are considered appropriate for the reasons stated. The scheme also ensures that more effective use is made of the site, desirable given the finite availability of land.</p> <p><i>Architectural treatment:</i></p>
5.29	<p>The proposed building would be predominantly clad in grey brick, which whilst not traditional in colour to Belfast, would provide a deliberate and effective contrast to the red brick and hues of the proposed Grade A office building, successfully breaking up the overall massing of the block. There are also several examples of white and lighter clad buildings elsewhere in Dublin Road and it is considered an appropriate material. In this regard, the Urban Design Officer welcomes the approach that has been taken in relation to the materials palette.</p> <p><i>Active frontage:</i></p>
5.30	<p>The proposed building would be activated on both its west and south frontages with a large open plan amenity area at ground floor. Back of house services have been minimised along Marcus Ward Street. A condition is recommended to require a lighting scheme and/or public art on the outside of the building next to the service areas to provide increased animation and visual relief.</p> <p><i>Public realm:</i></p>
5.31	<p>The proposal originally included public realm enhancements on Dublin Road, consistent with the requirements of the Council's <i>Developer Contribution Framework</i>. However, these proposals have been removed because of concerns raised by DfI Roads about licensing and future maintenance.</p> <p><i>Masterplanning:</i></p>
5.32	<p>As mentioned, the Council is currently considering two applications on the former cinema site – the application subject to this report and the second application by Kainos on the adjacent plot. Both applications have been developed in close association with one another and the buildings have been designed to create a cohesive block. As mentioned, the predominant materials for each building are deliberately contrasting but complementary to avoid the scale and massing of both buildings combined being overwhelming in the street scene. Both buildings would be finished in brick and cladding with the proposed PBMSA building being in a lighter grey finish and the Grade A office scheme in a red tone. It is considered that the scale, height, massing and design of the two buildings would complement one another.</p>
5.33	<p>In terms of masterplanning, one of the key concerns is if only one of the two proposed buildings is constructed – this would leave only half of the block completed with the sole constructed building presenting a significant blank gable onto Dublin Road. This would have a damaging impact on the street scene and was a key discussion point raised by officers during the PAD process.</p>
5.34	<p>In order to give the Council assurances that such circumstances would not arise, the applicants for both applications advise that the contract between the respective applicant's contains a reciprocal commitment/penalty with regards the obligations to each party in terms of the build out of the respective party's development site. The contract contains an obligation to the effect that, in circumstances where works on either development site have not been finished to an extent where their core and shell</p>

	have not been completed and the envelope of the building is not fully weather tight on or before a date, which is 24 months from the commencement of the development works authorised by the planning consent, and such a delay is a result of acts or delays on the part of either party (or its retained contractors), then the offending party shall pay the other by way of compensation until the core and shell of the relevant site have been completed and the building envelope is fully weather tight.												
5.35	Officers are satisfied that this gives appropriate assurances that both buildings will be constructed. <i>Impact on the adjacent Linen Conservation Area:</i>												
5.36	The site is located to the south of the Linen Conservation Area. However, for the reasons stated, the scale, height and design of the proposed building are considered appropriate to the site’s context. It is considered that the proposal, which would assist in developing a significant gap site, would enhance the character and appearance of the adjacent Conservation Area.												
5.37	In summary, the proposal is considered acceptable having regard to Policies DES1, DES2, DES3 and BH2, and relevant provisions of the SPPS. <u>Impact on the heritage assets</u>												
5.38	A number of Listed Buildings are located further to the north close to the junction of Bedford Street with Linenhall Street and Ormeau Avenue. The closest Listed Building is Nos. 35 to 37 Bedford Street (Wetherspoons), Grade B2, to the north.												
5.39	However, given the appropriateness of the scale, form and design of the building and that it would complement its surrounding context, it is considered that the setting of this and other Listed Buildings would not be harmed.												
5.40	DfC HED offers no objection to the proposal in terms of potential impact on historic buildings and archaeology. It is considered that the proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS. <u>Impact on amenity</u> <i>Space standards:</i>												
5.41	Criterion c. of Policy HOU12 requires PBMSA proposals to provide a quality residential environment for students in accordance with the space standards for HMOs set out in Appendix C of the Plan Strategy. The proposed bedrooms would exceed the relevant space standards as set out in the table below. Criterion c. is therefore satisfied.												
5.42	<table><tr><th>Room type</th><th>Appendix C standard</th><th>Proposed</th></tr><tr><td>Standard bedroom</td><td>6.5 sqm</td><td>13.5 sqm</td></tr><tr><td>Studio</td><td>13 sqm</td><td>17.9 sqm</td></tr><tr><td>Accessible studio</td><td>13 sqm</td><td>25 sqm</td></tr></table>	Room type	Appendix C standard	Proposed	Standard bedroom	6.5 sqm	13.5 sqm	Studio	13 sqm	17.9 sqm	Accessible studio	13 sqm	25 sqm
Room type	Appendix C standard	Proposed											
Standard bedroom	6.5 sqm	13.5 sqm											
Studio	13 sqm	17.9 sqm											
Accessible studio	13 sqm	25 sqm											
	<i>Open space and amenity space:</i>												
5.43	The proposal would provide two roof terrace areas on the upper floors (241 sqm) as well as a central courtyard area (129sqm). The courtyard would be shaded but at 15% of the overall site, the roof terraces alone would exceed the 10% open space												

requirement of Policy OS3 as discussed later in the report. The external amenity areas would equate to an average of only 0.8 metres per bedroom. *Creating Places*, published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm, however, this applies to apartment or flat developments, or 1 and 2 bedroom houses on small urban infill sites. Policy OS3 is considered to carry greater weight as part of the up-to-date statutory development plan and is satisfied. In addition, the scheme would provide internal amenity areas such as lounges, which would support the residential living environment. The overall external and internal amenity space would average 2.1 sqm per bedroom. Given the site's context and proximity to local parks, this level of amenity space is considered acceptable.

Daylight and sunlight to bedrooms:

5.44 As mentioned, the scheme includes an internal courtyard. This would be shaded and would not provide an effective amenity space. It has primarily been designed to provide natural light to the internal bedrooms within the building.

5.45 The Urban Design Officer is concerned that the majority of the internal bedrooms facing the inner courtyard would not meet Building Research Establishment (BRE) guidelines. The Urban Design Officer's assessment concludes that 46.4% of all rooms fail to meet the minimum standard of 1.5 hours of sunlight. Some minor modifications were subsequently made to the Marcus Ward south elevation with the removal of four bedroom units and slight reduction of the overall height. The Urban Design Officer advises that this has had a marginal benefit with the number of bedrooms meeting the requirements increasing from 46.4% to 47.3%. Using the same methodology, the proportion of bedrooms meeting the daylight requirements has increased from 63.9% to 65%. The Urban Design Officer therefore advocates more significant reduction of the height and massing of the scheme onto Marcus Ward Street, which would also alleviate their concerns about the height onto the secondary street.

5.46 In response, the applicant points out that the BRE guidance is advisory and '*...not an instrument of planning policy.*' The guidance also acknowledges in its introduction that '*Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design (see Section 5). In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.*'


5.47 The applicant also states that the reduction in height and massing onto Marcus Ward Street as advocated by the Urban Design Officer '*...would only see changes to a small number of rooms rather than a significant uplift in performance. The shortfalls at mid and lower floors are more a function of massing proximity than height, which is in response to holistic building for this site.*'

5.48 The application is accompanied by a Daylight and Sunlight Report. The proportion and number of rooms meeting the BRE targets for daylight, sunlight and lux levels are summarised in the table below.

Type of Room	BRE Daylight target	BRE Sunlight target
Bedroom	67% (309/459 bedrooms)	53% (244/459)
Shard LKD	48% (29/61 LKDs)	61% (37/61 LKDs)

5.49	In terms of daylight targets, the report observes that <i>‘The remaining habitable rooms seeing lower levels of light are mostly located on lower floors or within the courtyard, where daylight availability is inherently reduced. This is common of a site within a historic city centre and the levels achieved are comparable with other emerging student accommodation schemes in Belfast.’</i>
5.50	In terms of sunlight, the report advises that <i>‘Shortfalls occur on the lower floors facing onto existing buildings to the south, east and west, or within the courtyard. It is important to note that sunlight performance is largely dependent on the surrounding context. It is also common for courtyard configurations in an urban area to have a lower expectation of light.’</i>
5.51	The report concludes by stating: <i>‘Overall, the Proposed Development is considered to make the most of the daylight and sunlight available. Where shortfalls occur, it is predominantly because of the constrained location, either due to the courtyard configuration or the obstruction resulting from existing surrounding buildings. It is inevitable that within a context such as this, some rooms may fall short of the recommended levels. The design team has sought to maximise light within these areas as much as possible, however a degree of flexibility ought to be used in applying the BRE criteria for this Site. The levels of light seen are considered comparable with what would likely be found within other emerging student accommodation schemes in the locality. It is reasonable to conclude that the daylight and sunlight levels proposed are adequate for the context and in line with expectation for an inner city location.’</i>
5.52	<p>Whilst it is evident that a large proportion of the bedrooms would not meet the BRE standards, regard is had to the transitory nature of the student accommodation and that the proposal is not for long term residential occupancy or permanent housing. It is recognised that a balance has to be struck between delivering a form of building that sits comfortably within the block and street-scene, and proposed end use. Having regard to these factors and the overall benefits of the scheme as outlined in this report, on balance, the living conditions of those bedrooms that would receive less than standard sunlight and daylight is considered acceptable.</p> <p><i>Impact on neighbour amenity:</i></p>
5.53	A number of residents of the apartments on Marcus Ward Street have expressed concerns about the impact of the proposal on their amenity by way of overlooking from the roof terraces, noise and loss of sunlight and daylight.
5.54	In terms of the impact of the roof terraces, Environmental Health has not raised any specific concerns in relation to noise impact on local residents. Although officers consider it appropriate to limit the hours that the roof terraces can be used by condition. The applicant has proposed limiting the use of terraces to between 8am and 11pm and this is currently being considered by Environmental Health. Use of the terrace areas would also be subject to the management plan for the overall building, which is proposed to be secured by a Section 76 planning agreement.
5.55	It is considered that there would be no harmful overlooking from the roof terraces as they would be no closer than the bedroom windows in the south façade and the street-to-street relationship is considered acceptable.
5.56	In relation to loss of sunlight and daylight, the application is accompanied by a Daylight, Sunlight and Overshadowing Report. This concludes that in the Existing v Proposed and Cumulative (the Cumulative being both the PBMSA and Grade A office schemes) scenarios, the majority of windows experiencing daylight alterations have impacts that

	are considered to be minor in nature. Where greater alterations in daylight occur, this is due to the windows being architecturally burdened by their own building form (e.g. deeper window reveals). A similar degree of impact was deemed acceptable for the previous 2018 scheme which the Planning Committee resolved to approve.
5.57	The report advises that compliance rates are 75.1% for VSC (daylight) and 100% for APSH (sunlight), with three of the 29 properties assessed (Clayton Hotel & 12 Bankmore Square, Shaftesbury Square and Somerset Studios) experiencing daylight and sunlight alterations outside of BRE recommendations upon implementation of the proposed development.
5.58	The report also considers the cumulative scenario (i.e. taking account of the proposed Grade A office scheme on the adjacent plot). The outcome of this assessment confirms that 12 additional windows within Clayton Hotel & Bankmore Square and one window additional within Somerset Studios will fall short of guidance for VSC (daylight). When assessed against the APSH sunlight methodology, 10 windows within Clayton Hotel and 2 Bankmore Street will marginally fall short of guidance. All windows will continue to meet BRE criteria for winter sunlight.
5.59	In relation to the overshadowing assessment conducted upon Bankmore Square located to the north, the public amenity space will satisfy BRE criteria for overshadowing against all assessment scenarios.
5.60	It is important to note that the BRE Guidelines should be treated flexibly in an urban environment, Section 1.6 of the guidelines state that: <i>'Although, it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design'</i> .
5.61	Having regard to the assessment that has been undertaken, it is considered that the proposal would have some but not significant adverse impact on daylight and sunlight to the residential apartments on Marcus Ward Street. It is noteworthy that it is their north elevations that are affected by the proposed development with the path of the sun travelling to the south. The impact would also not be greater than the previous office application on the site that was approved by the Committee, but later withdrawn. Taking these factors into account, it is considered that the proposal would not have an unacceptable impact in terms of daylight and sunlight. <i>Management plan:</i>
5.62	A draft management plan has been provided with the application and a final student management plan will be secured through a Section 76 planning agreement. This will deal with, amongst other matters, anti-social behaviour, noise and management of the use of the upper floor roof terraces, helping to mitigate potential impacts on neighbours, and satisfying criterion d. of Policy HOU12.
5.63	In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS. <u>Climate change</u>
5.64	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. The proposed building is targeting Passivhaus "Classic"

	<p>standard and BREEAM Excellent rating, which is considered to satisfy both policies. A condition to ensure that these standards or equivalent are met is recommended accordingly.</p>
5.65	<p>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 scheme proposes the use of a “BluRoof Stormwater Management System”, which would mimic the greenfield run-off rate. DfI Rivers offers no objection to the drainage proposals which are considered acceptable and compliant with Policy ENV5.</p> <p><u>Open space</u></p>
5.66	<p>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.</p>
5.67	<p>The proposed building incorporates two terrace areas on the upper floors measuring 87sqm and 154 sqm, totalling 241 sqm, which equates to 15% of the site area. These are shown in the image below. A further central courtyard would provide 129 sqm amenity space (8% of the site area) although this area would be in shadow and not particularly useable. Even still, the scheme would exceed the 10% threshold with the internal courtyard discounted. The scheme also includes internal amenity areas. The requirements of Policy OS3 are met.</p>  <p>The image is an aerial architectural rendering of a proposed multi-story building complex. The building features a mix of heights and facades, with several terraces visible on the upper floors. A central courtyard area is shown, surrounded by the building's footprint. The surrounding context includes existing buildings, streets, and some greenery. The rendering is in a light, illustrative style with soft shadows.</p>

	<p><u>Access and transport</u></p> <p><i>Accessibility and parking:</i></p>
5.68	As previously mentioned, the site is a highly accessible location in the City Centre, within short walking and cycling distance of the city centre and its shops, services and leisure. The site is also accessible to the Queens University, Ulster University and Met campuses. The site has very good public transport links and is very close to the new Grand Central Station (Transport Hub). Whilst no dedicated on-site parking is proposed, this is considered acceptable in view of the sustainable location of the site, the applicant's commitment to a green travel plan and provision of secure sheltered parking for 114 bicycles within the building.
5.69	The applicant has provided details of disabled parking in the vicinity of the site. The multi-storey car park next to the site to the east has five dedicated disabled parking spaces with no restriction on the length of stay. The Little Victoria Street car park, approximately 55 metres from the site entrance, contains four disabled parking bays. Pay and display parking is available on Dublin Road itself with Blue Badge concessions available for people with mobility issues. Satisfactory parking provision is therefore in place for disabled car users.
5.70	DfI Roads offers no objection to the proposal, which is considered acceptable in terms of accessibility, parking and highway safety. DfI Roads advises conditions, which are recommended.
5.71	The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.
	<p><u>Health impacts</u></p>
5.72	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.
5.73	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through excellent linkages with the city centre and its shops, services and amenities. Active travel will be further encouraged through the applicant's green travel plan.
5.74	Good levels of open space/amenity space are proposed in the form of outdoor terraces.
5.75	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant living environment for students, and well as enhancing the character and appearance of the area.
5.76	The proposal is considered to satisfy the requirements of Policy HC1.

	<p><u>Environmental protection</u></p>
5.77	<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 contaminated land, air quality, noise and dust impacts.</p> <p><u>Contaminated land</u></p>
5.78	<p>The contaminated land reports provided with the application conclude that no remediation is required. Environmental Health therefore advises that only an informative is required on the decision notice. The proposal accords with Policy ENV1.</p> <p><u>Air quality</u></p>
5.79	<p>The application is accompanied by an Air Quality Assessment, which concludes that the relevant thresholds would not be exceeded. Environmental Health notes that rooftop plant and a generator are proposed as part of the scheme. It therefore advises a condition to require a further Air Quality Assessment should centralised combustion sources be proposed. Subject to this condition, it is considered that the proposal accords with Policy ENV1.</p> <p><u>Noise and vibration</u></p>
5.80	<p>In relation to noise, Environmental Health notes that the main current sources of noise are traffic, buses and pedestrian activity. It advises conditions in relation to the acoustic performance of the windows, alternative means of ventilation and noise limits for plant and equipment. These conditions are recommended. Environmental Health also advises that a student management plan is required – a draft student management plan has been provided with the application and a final version will be required to be submitted, approved and implemented through a Section 76 planning agreement.</p>
5.81	<p>In relation to construction noise and dust, Environmental Health advises that a Construction Environmental Management Plan (CEMP) should be required by condition. This condition is also recommended.</p>
5.82	<p>It is considered that the proposal accords with Policy ENV1.</p> <p><u>Flood risk and drainage</u></p>
5.83	<p>DfI Rivers advises that the site is not with a present day or climate change flood plain. Nor are there any watercourses within the site. It is satisfied with the proposed “BluRoof Stormwater Management System”, which would mimic the greenfield run-off rate. Accordingly, it offers no objection to the proposal. These drainage proposals will be required to be implemented by condition. The proposal satisfies Policy ENV5.</p> <p><u>Waste-water infrastructure</u></p>
5.84	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient network capacity. It states that there are significant risks to the environment and detrimental impact on existing properties. NI Water advises that the applicant consults directly with NI Water on this issue.</p>

5.85	<p>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. Moreover, NI Water has not provided direct evidence of expected harm that would result from the development. For these reasons, it would be unreasonable to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p> <p><u>Natural heritage</u></p>
5.86	Policy NH1 relates to the protection of natural heritage resources.
5.87	NI Water has objected to the application on grounds of insufficient network capacity and has cited concerns about environmental pollution. Particular regard should be had to potential pollution of Belfast Lough – an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC) – should the site and lough be hydrologically linked.
5.88	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. 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.
5.89	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 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.
5.90	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 DAERA and SES. DAERA advises no objection to the proposal subject to a condition to require submission and approval of details of sewage disposal. SES has been consulted following DAERA's response and offers no objection. SES has completed an Appropriate Assessment and advises that the proposal would not have any significant effects on Belfast Lough, either alone or in combination with other developments. It advises that mitigation is provided by means of a condition to require submission and approval of the details of the method of sewage disposal. This condition is recommended.
5.91	DAERA has advised that it has no further concerns about the proposal, advising conditions in relation to piling, decommissioning of boreholes and requirements should future contamination be found. These conditions are recommended as appropriate.
5.92	Subject to a satisfactory further response from SES, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.

	<p><u>Waste management</u></p>
5.93	<p>The application is supported by a Waste Management Plan. This sets out provision for accommodating total waste generated from the building, segregation of waste for recycling and how convenient and safe access for depositing waste and collecting waste will be facilitated. The Council's Waste Management team is currently being re-consulted following further clarification of the proposals from the applicant. The officer recommendation is subject to the consultation response and resolving any outstanding issues as appropriate.</p>
	<p><u>Employability and Skills</u></p>
5.94	<p>The <i>Developer Contribution Framework</i> requires proposals for Major development to contribute towards Employability and Skills where necessary. However, in this case, Buy Social clauses are in place as the scheme will be brought forward by QUB. As such, the Council's Economic Development team advises it is unnecessary to secure an Employability and Skills Plan through a Section 76 planning agreement.</p>
	<p><u>Section 76 planning agreement</u></p>
5.95	<p>Should the application be approved, the following planning obligation should be secured by way of a Section 76 planning agreement. This is considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Student management plan – requirement for the submission, approval and implementation of a final student management plan.
5.91	<p>A draft Section 76 planning agreement is currently being drafted without prejudice and will need to be finalised before planning permission is granted.</p>
	<p><u>Pre-Application Community Consultation</u></p>
5.92	<p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p>
5.93	<p>Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in July 2023 (LA04/2023/3627/PAN) and confirmed by the Council to be acceptable.</p>
5.94	<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 describes the engagement process and feedback received. A public event was held in September 2023 and a dedicated community consultation website established. A total of nine feedback forms were completed. Feedback was provided in relation to design, regeneration, sustainability, need, active travel, public accessibility and relocation of the trade market.</p>
5.95	<p>The PACC report is considered compliant with the legislative requirements.</p>

6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
6.2	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 those raised in the further consultation responses from Shared Environmental Services and Waste Management team, provided that the issues are not substantive.
7.0	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 external brickwork or external cladding panels 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 brick materials and panelling. Reason: In the interests of the character and appearance of the area. 3. Within one year of the occupation, evidence that the building has been constructed to at least Passivhaus "Classic" or BREEAM Excellent standard, or equivalent, shall be submitted in writing to the Council. Reason: To ensure that the development mitigates and adapts to climate change. 4. No development shall commence (other than site preparation, clearance and the digging of foundations) unless a lighting and/or public art scheme to animate the exterior of the servicing areas onto Marcus Ward Street has been submitted to and approved by the Council. The development shall not be occupied unless the approved scheme has been implemented and it shall be retained as such at all times, unless the Council grants its prior written approval to any variation. Reason: In the interests of good placemaking. 5. The development hereby approved shall not be occupied until the external terraces have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times. Reason: To ensure that a quality residential environment is provided for occupants of the approved development.

	<p>6. The external terraces shall not be used outside the hours of [to be advised by Environmental Health]. Reason: In the interests of neighbour amenity.</p> <p>7. The SuDS and other drainage measures, including BluRoof Stormwater Management by ALUMASC system shall be implemented as specified in the application and the building shall not be occupied until verification and evidence of such has been submitted to and approved in writing by the Council. Reason: In order that the development provides sustainable drainage</p> <p>8. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times. Reason: To ensure that appropriate provision is made for storage and disposal of waste.</p> <p>9. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan (Issued 27 October 2023 and authored by ARUP). Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>10. The development hereby approved shall not be occupied or operated unless in accordance with the approved Service Management Plan. Reason: In the interests of highway safety and free flow of traffic.</p> <p>11. The development hereby permitted shall not be occupied unless the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times. Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.</p> <p>12. 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.</p> <p>13. The development hereby approved shall not be commenced until a final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP shall clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises during the construction phases in line with BS 5228:2009 <i>Code of practice for noise and vibration control on construction and open sites</i>. All construction shall be carried out in accordance with the approved CEMP.</p>
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	<p>Reason: In the interests of neighbour amenity.</p> <p>14. All plant and equipment associated with the development hereby permitted shall be designed so as to achieve a rating level (LAr) no greater than the Background Sound Level, LA90, both during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014+A1 2019 Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: In the interests of local amenity.</p> <p>15. Deliveries and collections to and from the development hereby permitted development shall not take place outside the hours of 0700 to 2300.</p> <p>Reason: In the interests of local amenity.</p> <p>16. Prior to installation of window units within the development, details of the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades and floors shall be submitted to and approved in writing by the Council. The details shall be based on a Noise Impact Assessment and representative noise survey and shall demonstrate that the proposed sound reduction specification of windows achieves the following internal noise levels within proposed residential units:</p> <ul style="list-style-type: none"> • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • Not exceed 45 dB LAmx more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements. <p>The windows and glazing shall not be installed unless in accordance with the approved details.</p> <p>Reason: In the interests of the amenity of occupants of the development.</p> <p>17. The development hereby permitted shall not be occupied until alternative means of ventilation has been installed in accordance with details that shall have first been submitted to and approved in writing by the Council. The alternative means of ventilation shall be acoustically attenuated and capable of achieving the internal noise levels for habitable rooms outlined in British Standard BS8233:2014 with the windows shut and the alternative means of ventilation operating or in the open position.</p> <p>Reason: In the interests of the amenity of occupants of the development.</p> <p>18. Prior to the occupation of the building, a verification report that demonstrates compliance with conditions 16 (glazing performance) and 17 (alternative means of ventilation) has been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the amenity of occupants of the development.</p>
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19. No development or piling shall be carried out 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 to and approved in writing by the Council. No piling shall be carried out unless in accordance with the approved details.

Reason: To protect the groundwater environment.

20. Should new contamination or risks be encountered during the construction phase 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. 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. After completing any required remediation works, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

Reason: To protect the groundwater environment.

DRAFT INFORMATIVES

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 requires the submission, approval and implementation of a Construction Employability and Skills Plan.

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.

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.

NOT05 Non-planning requirements

The grant of planning permission does not dispense with the need to obtain licenses, 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, consents or permissions under other legislation or protocols.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 th April 2024	
Application ID: LA04/2023/3635/RM	Target Date:
Proposal: Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works.	Location: Lands bound by Glenalpin Street, Wellwood Street and Norwood Street, Belfast
Referral Route: Major development	
Recommendation:	Approval
Applicant Name and Address: Artemis Development Ltd	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2
<p>Executive Summary:</p> <p>Outline planning permission for '<i>Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping</i>' was approved in June 2019 (LA04/2019/0127/O).</p> <p>The current application seeks approval of the Reserved Matters pursuant to the outline planning permission for an 11-storey residential development comprising 205 units, car parking, landscaping and all associated site works. All matters were reserved at the outline stage, namely:-</p> <ul style="list-style-type: none"> • Siting; • Design; • External appearance • Means of access; and • Landscaping <p>The Committee is reminder that this is not an application for planning permission but an application seeking approval of the details pursuant to the outline planning permission. The principle of development is established through the outline planning permission.</p> <p>The key issues for the assessment of the application solely relate to consideration of the reserved matters and include:</p> <ul style="list-style-type: none"> • Scale, layout and design • Amenity and open space provision • Climate change • Access and parking • Impact on amenity • Drainage and flood risk 	

The outline planning permission establishes the principle of an 11-storey residential building (circa 200 units) on the site. The scale and massing of the proposed building are consistent with indicative plans supporting the outline application. A condition required that the shoulder heights of the building, exclusive of rooftop plant, are no higher than the indicative levels shown on the approved indicative elevational drawings and this has been adhered to. The design, detailing and proportions of the proposed building are considered appropriate to the site and its surroundings.

DfI Roads has requested further technical information in relation to dimensions on layout plan
DfI Rivers has no objection.

A total of 6 objections have been received. These are set out and considered in the main report.

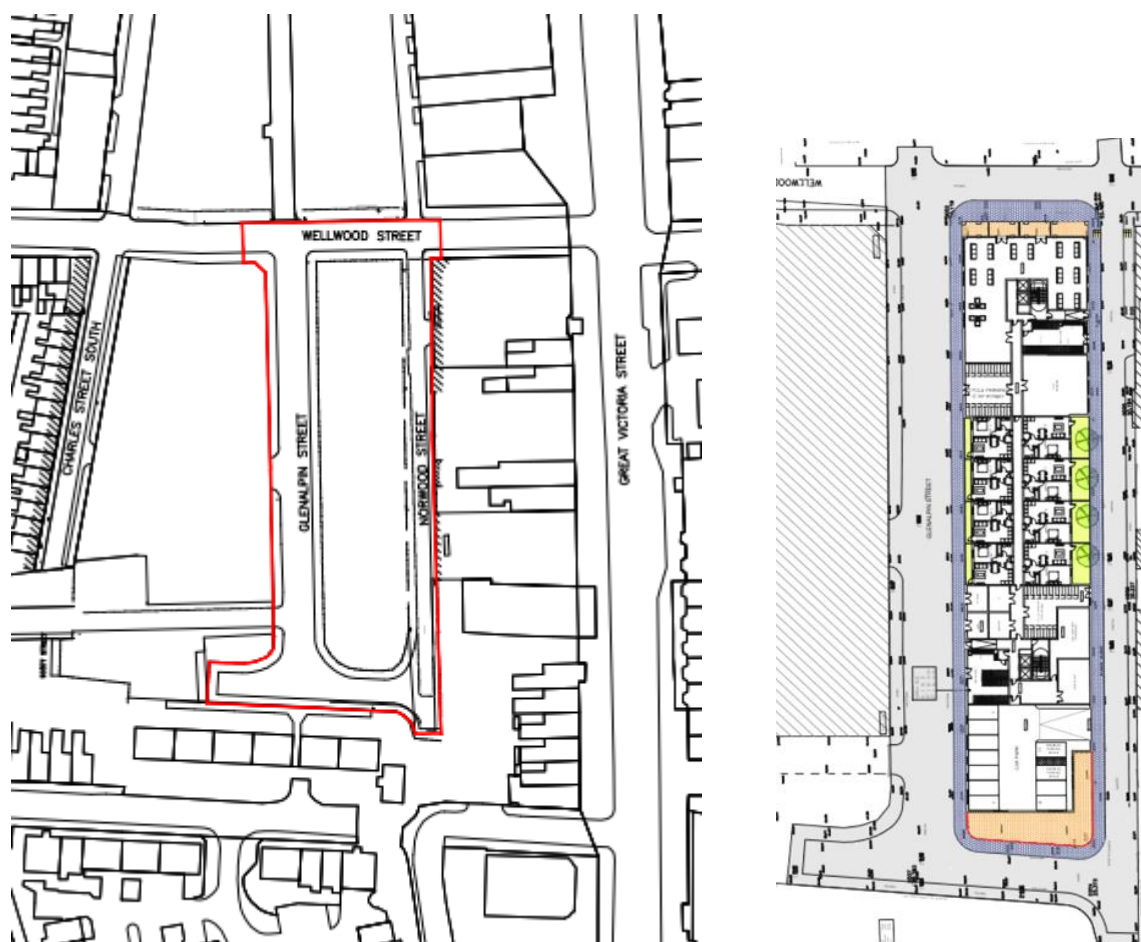
Recommendation

Having regard to the development plan and other material considerations, the reserved matters are considered acceptable. It is therefore recommended that the reserved matters are approved.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to resolution of the outstanding issues raised by DfI Roads, and deal with any other matters that arise, provided that they are not substantive.

Case Officer Report

Site Location Plan and layout



1.0 Description of Proposed Development

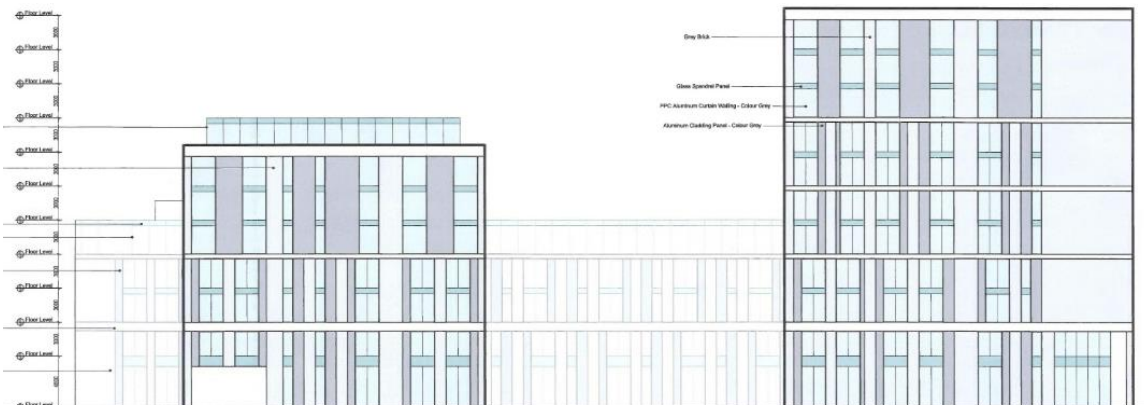
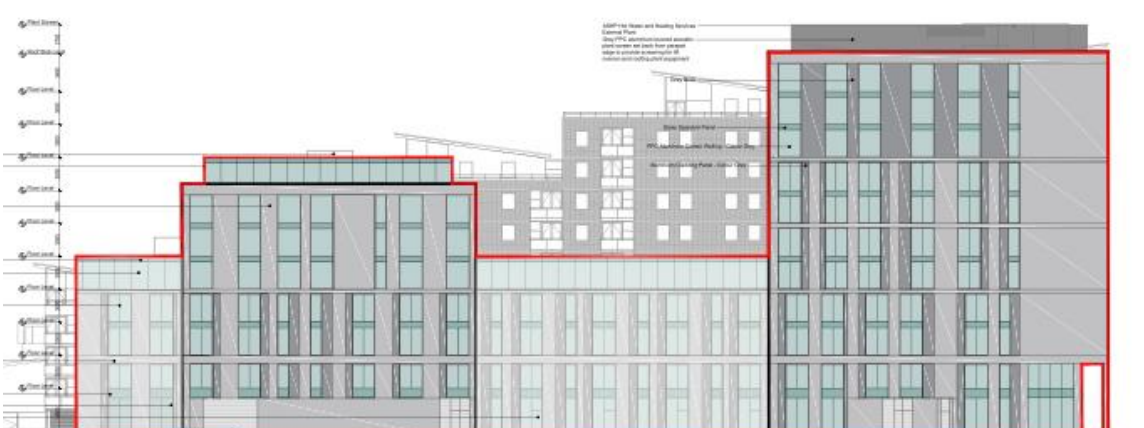
- 1.1 This application seeks approval of Reserved Matters for an 11-storey residential development comprising of 205 units, car parking, landscaping and all associated site works. The application is made pursuant to the outline planning permission for *'Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping'*, approved in June 2019 (LA04/2019/0127/O).
- 1.2 The Committee is reminder that this is not an application for planning permission but an application seeking approval of the details pursuant to the outline planning permission.

1.3	The proposed building is a single and elongated block with a maximum height of approximately 35.5m (11 storeys) facing onto Wellwood Street. This drops to 17m (5 storeys) before rising and dropping again to 25m (8 storeys) and 17m to the rear of the site backing onto the dwellings in St. Georges Gardens.
1.4	The proposed ground floor plan includes an area of internal recreation space to the front (northern end) of the building, including a narrow planted area along Norwood Street to the front of four ground floor apartments.
2.0	Description of Site
2.1	The application site is located within the City Centre and is bounded by existing streets on all four sides and currently serves as a surface level car park.
2.2	The surrounding area mostly consists of housing, including to the south and west with modern apartment blocks on either side. A vacant car park (owned by NIHE) is located immediately north of the site with the new Grand Central Station beyond this to the north west. To the south is low rise traditional housing.
3.0	Planning History of the application site
3.1	LA04/2019/0127/O – Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping. Approved 11 th June 2019.
3.2	LA04/2023/2922/F – Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping. The applicant has submitted an appeal for non-determination. At the December 2023 meeting, the Planning Committee agreed that the Council's position at the appeal will be that planning permission should be refused and the appeal dismissed on grounds that the site is within a Residential Area, where PBMSA is unacceptable in principle, having regard to Policy HOU12 of the Plan Strategy.
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.

4.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • SP3 Improving health and wellbeing • SP5 Positive placemaking • SP6 Environmental resilience • SP7 Connectivity • HOU4 Density • HOU6 Housing mix • HOU7 Adaptable and accessible accommodation • RD1 New Residential Developments • DES1 Principles of Urban Design • DES3 Tall Buildings • BH1 Listed Buildings • TRAN 1 Active Travel • TRAN 2 Creating an Accessible Environment • TRAN 8 Car Parking and Servicing Arrangements • TRAN 9 Parking Standards within areas of parking restraint • ENV1 Environmental Quality • ENV2 Mitigating Environmental Change • ENV3 Adapting to Environmental Change • ENV5 Sustainable Drainage System • OS3 Ancillary Open Space
4.5	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
4.6	<p>In the BUAP, the application site is located on un-zoned “whiteland” within the City Centre. In dBMAP (v2004), the site is also within the City Centre and defined as a Development Opportunity Site (CC060). In dBMAP (v2014), the site is un-zoned “whiteland” within the City Centre and Shaftsbury Square Character Area (CC013).</p>
4.7	<p><u>Regional planning policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Creating Places</p>
4.8	<p><u>Other Relevant Policies</u> Developer Contribution Framework</p>
5.0	<p>Statutory Consultees DFI Roads – further information requested (see main assessment) DFI Rivers – no objection</p>

6.0	Non-Statutory Consultees N/A
7.0	Representations
7.1	The application has been advertised and neighbour notified.
7.2	<p>Six objections have been received to date. The following concerns are raised.</p> <ul style="list-style-type: none"> Need for Social Housing <i>Officer response – the site is un-zoned and the Council must consider the application before it. There was no policy requirement for social/ affordable housing when the outline approval was granted. The application solely relates to consideration of the reserved matters; the provision of affordable housing would have been a matter for the outline planning application and cannot be considered retrospectively.</i> Potential for Anti-Social Behaviour with Student Accommodation <i>Officer response – the proposal is not for student accommodation, but residential development.</i> Loss of privacy/ loss of light <i>Officer response – Impact on amenity was assessed at outline stage in terms of the broad parameters for the scale, height and massing of the building. These are in keeping with the indicative elevations approved. It is inevitable that introducing a building of this scale will lead to some impact on amenity for residents in adjacent housing and apartment blocks. However, it is considered that any impact on amenity would not be considered significant in this high density inner city environment.</i> Impact of balconies in PBMSA on neighbouring amenity <i>Officer Response – the proposal is not for PBMSA and no external balconies are proposed.</i> Impact of Noise on Neighbouring residential units <i>Officer Response – the site is located within the city centre, where background noise levels are relatively high from various sources including the nearby Great Victoria Street. The addition of the glazed barrier around external amenity areas will reduce potential noise breakout from these communal areas. Environmental Health has also noted that The Irwin Carr Consulting letter of the 5th February 2024 recommends the glazed barriers to the fifth and eighth floor external amenity areas and advises that with the barriers in place, noise levels in these areas are predicted to be below the WHO upper limit at which it is suggested there is potential for onset of serious annoyance. These barriers will be required to be constructed by planning condition.</i>
8.0	ASSESSMENT
8.1	<p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> Scale, layout and design Amenity and open space provision Climate change Access and parking Impact on amenity Drainage and flood risk

8.2	<p>It should be noted that the principle of residential development has been established on site through the outline planning permission. This application only considers the acceptability of the proposed reserved matters, namely siting, design, external appearance, means of access and landscaping.</p> <p>Scale, layout and design</p> <p><i>Density:</i></p>
8.3	<p>The site is approximately 0.5 hectares (ha) in size. With 205 units proposed, the density is approximately 410 dwellings per ha. This density is in line with the density band for tall buildings within the City Centre as set out in Policy HOU4 of the Plan Strategy. It should also be noted that a notional 200 units was considered at the outline stage, granted approval prior to adoption of the Plan Strategy in May 2023.</p> <p><i>Housing mix:</i></p>
8.4	<p>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> <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.
8.5	<p>The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.</p>
8.6	<p>The proposed housing mix comprises both one and two bedroom units of varying size. 150 x one bedroom and 55 x 2 bedroom units are proposed, including four studio apartments and 21 wheelchair accessible apartments. No larger units are proposed. The SPG suggests that more 3 and 4-bedroom apartments should be encouraged to meet the requirement for increased size, including family housing, whilst promoting choice and facilitating the creation of sustainable and balance neighbourhoods.</p>
8.7	<p>In assessing the housing mix, regard is had to the specific location and characteristics of the site and immediate environment, which is considered to lend itself to smaller units, as well as the Build To Rent model of the proposed scheme, which can be targeted at young professionals as well as downsizers, retirees and smaller families. There is also a good range in the size of the units from 45 sqm to 85 sqm with the larger units equivalent of 3 bedroom six-person units accordance to the standards in Appendix C of the Plan Strategy. On balance, taking these factors into account and in this particular case, the proposed housing mix is considered acceptable and compliant with Policy HOU6.</p> <p><i>Scale, height and massing:</i></p>
8.8	<p>The proposal has been assessed against the SPPS and Policies RD1, DES2 and DES3. The outline planning permission sets out the scale and massing parameters for the scheme, with indicative elevations provided at outline stage. A condition was imposed that requires that the shoulder heights of the building, exclusive of rooftop plant, are no higher than the indicative levels shown on the approved indicative elevational drawings. The proposal satisfies the requirements of this condition, as shown in the comparative elevational drawings below. Subsequently, scale and massing are acceptable and it is</p>

	<p>the architectural treatment which mainly need to be assessed under this reserved matters application.</p>
8.9	<p>For comparison, the approved and proposed long elevations are shown below.</p> <p>Approved Elevation:</p>  <p>Proposed Elevation: (red line indicates the extent of outline approval)</p> 
8.10	<p>The proposed building would have a maximum height of approximately 34.9m (11 storeys), 37.6m including rooftop plant, facing onto Wellwood Street. This drops to 16.5m (5 storeys), before rising and dropping again to 25.5m (8 storeys) and 16.5m to the rear of the site backing onto the dwellings in St. Georges Gardens.</p>
8.11	<p>As the building height exceeds 35m, it is considered a 'tall building' for the purposes of Policy DES 3. However as set out above, the general scale, height and massing of the current proposal has been established through the outline approval as illustrated in the comparative elevations above.</p> <p><i>Architectural treatment:</i></p>
8.12	<p>In terms of architectural treatment, the fenestration is vertically emphasised, with an appropriate solid to void ratio for a building of its scale and represents a contemporary style in keeping with the city centre location and the more contemporary apartment block to the west.</p>

8.13	The 'stepping in' of the structure along the long elevations on Glenalpin Street and Norwood Street will assist in breaking up the overall massing and adding to the overall materiality of these long façades.
8.14	Regarding materials, the proposed palette, which is predominantly grey brick, is considered contextually appropriate. The combination of rustic grey brick and aluminium grey panels provide an aesthetically pleasing mix of traditional and modern finish and help compliment the contemporary solid to void ratio and strong vertical emphasis. A condition is recommended to require approval of sample external materials. <i>Adaptable and accessible accommodation:</i>
8.15	Policy HOU7 states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life.
8.16	Level access and internal arrangement – the main entrance to the development is sheltered and all accommodation in the development is provided with level and lift access for all upper floor residential units. Pathways, entrances, doorways, and halls are wide enough to accommodate a wheelchair and entrances, kitchen, living, dining, bathroom, and bedroom areas have been arranged to ensure that a turning of a wheelchair can be accommodated, as required.
8.17	All units have permanent living space off the kitchen and a bathroom, which can be adapted to provide an accessible shower room if necessary. Adequate built in storage for a wheelchair, and a second wheelchair, have also been accommodated within each unit.
8.18	The applicant has confirmed that the building will be constructed to meet all other regulatory and statutory requirements in terms of accessibility and will meet all DDA requirements.
8.19	Accessibility – the site is located within the city centre, close to the bus/ train station and Transport Hub (currently under construction) and is well served by all forms of public transport. The site is in close proximity to 12 bus stops within a 400m walking distance, and c.550m from the College Square East Glider Halt. Botanic train station is also within walking distance of the site.
8.20	Car Parking – the proposal includes a car park at ground floor level, accommodating 11 parking spaces (inclusive of 2 disabled car parking spaces as indicated on site layout plan/ ground floor plan). This area is accessed via a gently sloping surface, ensuring ease of access.
8.21	Wheelchair Accessible Units – the proposed mix of units has been amended during the application process to provide 10% wheelchair accessible units. The floorspace associated with these units exceeds the requirements of Appendix C of the Plan Strategy.
8.22	In conclusion, it is considered that the design and external appearance of the proposal is acceptable having regard to Policies RD1, DES1, DES2, DES3, HOU6 and HOU7 of the Plan Strategy. Amenity and Open Space Provision
8.23	The proposal has been assessed against Policies OS3 and RD1 (d) of the Plan Strategy, and regional guidance, <i>Creating Places</i> . Amenity space provision is focused at ground floor level, and fifth and eighth floors. An external landscaped area is located along the

	<p>Norwood Street frontage at apartments Nos. 5-8 totalling approximately 100 sqm, and a narrower strip of approximately 35sqm along the Glenalpin Street frontage at apartment Nos. 1-4. These spaces are landscaped and would be considered more visual amenity spaces as opposed to functional/ useable space. The usable external spaces are located within external 'courtyards', at 5th floor and 8th floor level, with areas of approximately 400 sqm and 550 sqm respectively. In addition, there is a dedicated internal amenity area of approximately 250sqm located at the front of the building. It is also worth noting that the ground floor gym has obvious recreational value and has a floor area of approximately 100sqm.</p>
8.24	<p>Therefore, the level of external amenity space provision per unit is approximately 5.3 sqm. When combined with the internal amenity provision, the overall amenity space (including internal and gym) provision is 1,435 sqm, equating to 7 sqm per unit. Although this falls short of the 10sqm minimum requirement set out in 'Creating Places' given the inner urban context of the site, on balance, this level of amenity provision is considered acceptable. Indeed, Creating Places acknowledges that '<i>...the appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept.</i>' It also advises flexibility in the application of the standards set out in the guidance, recognising that there can be competing issues.</p>
8.25	<p>Policy OS3 of the Plan Strategy requires residential proposals of this scale to delivery a minimum of 10% of the site as open space. No dedicated open space is proposed. Policy OS3 goes onto say that provision less than 10% may be acceptable where:</p> <ul style="list-style-type: none"> • the site is located within a town or city centre; • it is close to and would benefit from ease of access to areas of existing public open space; • or it incorporates the 'Home Zone' concept.
8.26	<p>In this case, the site is within the city centre and benefits from proximity to a variety of open space areas including a playpark at Britannic Terrace (c.393m), Bankmore Square (c.276m) and slightly further, Crescent Gardens (c.550m). Furthermore, no specific requirement for open space was identified at the outline planning permission stage with the proposal consistent with the indicative plans provided with the outline application. Having regard to these considerations, the level of open space is considered acceptable and compliant with Policy OS3.</p> <p>Access and parking</p>
8.27	<p>The proposal includes 11 car parking spaces at ground floor level, two of which are for disabled spaces. This is in keeping with the level of parking approved at outline stage for a notional circa 200 residential units. The proposal is for 205 units.</p>
8.28	<p>This level of parking is considered acceptable given the highly sustainable and accessible location of the site and the applicant's commitments to green travel measures secured at the outline stage through a Section 76 planning agreement. These include a travel plan and provision of subsidised Travel Cards for each resident for three years.</p>
8.29	<p>DfI Roads has stated that there does not appear to be an adequate number of cycle spaces for this development size indicated (it advises that 51 cycle spaces are required). To avoid a shortfall, DfI Roads suggests that the applicant considers a two-tier cycle rack facility. Amended Plans are awaited to address this issue along with further dimensions required on footways and parking spaces.</p>

8.30	DfI Roads has not raised any significant concerns in terms of site layout, parking provision or highway safety. Further technical information has been sought in relation to dimensions of the site layout plan. Subsequently, delegated authority is sought to resolve the issue of satisfactory cycle parking provision and the more minor technical issues. DfI Roads has confirmed informally that 34 cycle stands should be acceptable, with a two-tier system maximising the internal space. It is acknowledged that it would be difficult to achieve a sufficient amount in that area with the traditional Sheffield Stands.
8.31	DfI Roads has also acknowledged the dimensions in the drawings, raised as an issue in error previously. However, DfI Roads has stated that a white line hatching should be shown in the 1.2m 'Safety Zones' along with the disabled logo via white lining. An amended site layout plan has been submitted to address this minor technical issue, with the disabled spaces now demarcated by white hatched lines. DfI Roads has confirmed informally that this is acceptable. A formal consultation response remains outstanding.
8.32	Subject to DfI Roads response to the amended plans, it is considered that the proposal complies with Policies TRAN1, TRAN2, TRAN6, TRAN8, TRAN9 and TRAN10. Impact on amenity
8.33	The proposal has been assessed against Policies RD1, DES 1 and DES3.
8.34	Policies DES1, DES3 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. Amenity issues were assessed at outline stage, with a daylight/ sunlight analysis submitted, and as previously noted, the scale and external fenestration/ openings are almost identical to that approved at outline stage.
8.35	It is considered that the proposed building would have no greater impact on residential amenity than the indicative scheme and parameters set at the outline stage. The proposal would not have a harmful impact on neighbour amenity, by way of overlooking, loss of outlook, sunlight, daylight or overbearing, and is considered acceptable having regard to Policies DES1, DES3 and RD1.
8.36	A design response to policy requirements in relation to communal open space has seen the addition of two external open space courtyards at fifth and eighth floor levels. In order to ensure that residents within the adjacent apartment developments to east and west and housing to south suffer no loss of amenity, a privacy screen (1.8m high obscure glazing barrier) is proposed along the perimeter of these areas. This will ensure that no overlooking of existing apartments will occur.
8.37	BCC Environmental Health (EH) has stated that the issue of noise arising from the use of external amenity areas, particularly where these are communal, has the potential to impact on future occupants of the development itself more so than neighbouring residents. The addition of the glazed barrier while designed to reduce the noise level in the amenity area for future residents would also work to reduce slightly the potential noise breakout from these communal areas. EH has notes that The Irwin Carr Consulting letter of the 5th February 2024 recommends glazed barriers to the fifth and eighth floor external amenity areas and advises that with the barriers in place noise levels in these areas are predicted to be below the WHO upper limit at which it is suggested there is potential for onset of serious annoyance. A condition is recommended requiring the installation of the recommended barriers in line with the specification recommended by the noise consultant.

8.38	<p>In the absence of any conditions on the outline approval relating to noise attenuation, and given that the design was one of the matters reserved, EH has pointed to the other recent planning residential application, albeit for student accommodation, on the same site (LA04/2023/2922/F). Supporting noise impact assessment for that proposal deemed noise mitigation measures necessary on all facades. Subsequently, given the proposed end use, EH have suggested a number of conditions to secure appropriate façade noise mitigation and these are recommended.</p> <p>Climate change</p>
8.39	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce Green House Gases (GHG) by promoting sustainable patterns of development. The policy goes on to state that development proposals should, where feasible seek to avoid demolition and seek to maximise opportunities to incorporate sustainable design features. No demolition is proposed. The development is on a surface level car park.</p>
8.40	<p>The building has been designed and orientated to maximise solar gain with the units predominantly orientated with an east or west facing outlook. Increased insulation depths within cavity walls, along with robust airtightness requirements and high performance glazing will mitigate extremes in weather as well as draughts and leaks. Good natural daylighting will be provided along with natural purge ventilation to each room. Flat roof areas, where feasible, have been utilised for shared external landscaped amenity space, providing areas for rainwater attenuation.</p>
8.41	<p>The applicant has confirmed that the development is targeting BREEAM New Construction 2018 Multi-Residential Very Good accreditation. BREEAM is a third-party sustainability assessment method developed by the Building Research Establishment (BRE).</p>
8.42	<p>BREEAM certification, which is provided by a third party, gives a comprehensive, credible, and independent assessment of a building's sustainability, covering various aspects such as energy use, water consumption, waste management, and ecological impact. Policy DES2 requires Major development proposals to achieve BREEAM "excellent" or comparable standards. On balance, the applicant's commitment to BREEAM Very good rating is considered acceptable and a condition is recommended to ensure this standard, or equivalent, is met.</p>
8.43	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change to support sustainable and enduring development.</p>
8.44	<p>The applicant has confirmed that the development incorporates durable and robust materials, inclusive of brick, aluminium, and curtain wall glazing. Rooms within the development are predominantly orientated on an east or west facing outlook to minimise heat gains and losses. Increased insulation depths within cavity walls, along with robust airtightness requirements and high-performance glazing will also mitigate extremes in weather as well as draughts and leaks. Natural daylighting will be provided along with natural purge ventilation to each room. Flat roof areas, where feasible, have also been utilised for shared external landscaped amenity space, providing areas where rainwater can be attenuated, and external roofs activated.</p>

8.45	Policy ENV5 states that developments should include, where appropriate, SuDS measures to manage surface water effectively on site. As previously stated, the proposed external landscaped areas on the roof will provide for rainwater attenuation that will hold back the flow of rainwater into the drainage network.
8.46	A further consideration in relation to Policy ENV5 is that the site currently comprises of a surface level car park (entirely hardstanding) and as such, the erection of a building on the site provides the opportunity to capture and manage rainfall directly into the drainage network rather than the current situation. The use of the planting provides an opportunity to reduce the runoff rate and improve on the existing site drainage.
8.47	In addition, DfI Rivers have considered the content of the Drainage Assessment which details the above and are content that the development appropriately manages drainage from the development into the drainage network and that condition 9 of the outline permission has been met. The development would not be at risk of flooding.
8.48	In conclusion, and on balance, it is considered that the proposal is acceptable, having regard to Policies ENV1, ENV2, ENV3 and ENV5.
	Drainage and Flooding
8.49	The proposal has been assessed against the SPPS and Policy ENV4. Outline approval was granted on condition that a Drainage Assessment was submitted at reserved matters stage. A Drainage Assessment has been provided with the reserved matters application.
8.50	Flood Maps (NI) indicates that the development does not lay within the 1 in 100 year climate change fluvial or 1 in 200 year climate change coastal flood plain.
8.51	There are no watercourses within this site. The site may be affected by watercourses of which DFI Rivers has no record of.
8.52	Flood Maps (NI) indicates that portions of the eastern and western boundaries lie within an area of predicted pluvial (localised) flooding. However, these areas are located on the footpath/ roadways around the perimeter of the existing car park, but within the red line of the application site, and should therefore not pose a risk to the proposed building. The Drainage Assessment submitted in support of the application recognises the presence of localised flooding, particularly close to the eastern boundary of the car park and states there may be a requirement for the proposed storm water and attenuation system to take account of this.
8.53	This attenuation will be provided by the installation of enlarged concrete drainage pipes around the periphery of the building with an extra 3 sqm of attenuation included to mitigate the localised flooding along the eastern boundary.
8.54	DfI Rivers has reviewed the Drainage Assessment and whilst 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.
8.55	Given the advice from DfI Rivers, issues relating to flood risk and the drainage proposals are considered acceptable and there would be no unacceptable flood risk. The proposal is compliant with Policy ENV4.

9.0	Recommendation
9.1	Having regard to the development plan and other material considerations, the reserved matters are considered acceptable. It is therefore recommended that the reserved matters are approved.
9.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to resolution of the outstanding issues raised by DfI Roads, and deal with any other matters that arise, provided that they are not substantive.
10.0	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 1. The development hereby approved shall not be occupied until the external and internal amenity areas have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times. Reason: To ensure that a quality residential environment is provided for occupants of the approved development. 2. No external brickwork or facing 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 brick materials. Reason: In the interests of the character and appearance of the area. 3. Prior to installation of window units within the hereby permitted development, a final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades and floors shall be submitted to and approved in writing by the Council. The window specification for habitable rooms shall be accompanied by an updated noise impact assessment demonstrating how the proposed specification will achieve suitable internal noise levels in line with BS8233:2014 Guidance on the Sound Insulation and Noise Reduction for Buildings. The windows shall not be installed unless in accordance with the approved details. Reason: To safeguard the amenity of occupants against adverse noise impact. 4. Prior to installation of any alternative means of ventilation, an updated noise impact assessment confirming the specification of the alternative means of ventilation to serve habitable rooms shall be submitted to and approved in writing by the Council. The alternative means of ventilation shall be acoustically attenuated and capable of achieving the internal noise levels for habitable rooms outlined in British Standard BS8233:2014 with the windows shut and the alternative means of ventilation operating or in the open position. The alternative means of ventilation shall not be installed unless in accordance with the approved details. Reason: To safeguard the amenity of occupants against adverse noise impact.

	<p>5. Prior to occupation of the development hereby permitted, verification that the windows specification as per the approved schedule and alternative means of ventilation as approved have been installed (in addition to that provided by open windows) shall be submitted to the Council by way of a written declaration from the supplier and installation contractor confirming such installation.</p> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p> <p>6. The separating walls and floors between the habitable rooms and the development gym, plant rooms and laundry rooms shall be constructed of at least 200mm concrete in accordance with the recommendation contained within Section 2.3.3 of the from the Irwin Carr Consulting letter, dated 12 September 2023 to ensure that internal noise levels within the habitable rooms are in accordance with BS 8233:2014 Guidance on the Sound Insulation and Noise Reduction for Buildings.</p> <p>Prior to occupation of the development hereby permitted, verification that these requirements have been met shall be submitted to the Council by way of a written declaration from the supplier and installation contractor confirming such construction.</p> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p> <p>7. Prior to occupation of the hereby permitted development, vibration isolation mounts shall be installed to all air source heat pumps and retained at all times.</p> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p> <p>8. That the rating level (dBLAr,T) from the operation of all combined plant and equipment does not exceed the representative daytime and night-time background noise respectively 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> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p> <p>10. The development hereby permitted shall not be occupied until details of an obscured glazed barrier, with no gaps between panels, and constructed to a height of 1.8m and a minimum surface mass of 15mg/m² on the fifth and eight floor external amenity areas have been submitted to and approved in writing by the Council. The details of the obscured glazed barrier shall accord with the recommendations in the Irwin Carr Consulting letter dated the 5th February 2024, published on the planning portal dated the 9th February 2024 and in accordance with the Like Architects drawing no.2 rev D, titled: 'Proposed elevation A-A and B-B', dated Jan 2024. The development shall not be occupied unless the approved obscured glazed barrier is in place and it shall remain in situ in accordance with the requirements of this condition at all times.</p> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p> <p>11. Within one year of the occupation, evidence that the building has been constructed to at least BREEAM Very Good standard, or equivalent, shall be submitted in writing to the Council.</p> <p>Reason: To ensure that the development mitigates and adapts to climate change.</p>
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	NOTE – transport related conditions to be added following final consultation response from DfI Roads
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Development Management Report Committee Application

Summary	
Committee Date: 16 April 2024	
Application ID: LA04/2022/1083/F	
Proposal: Residential development comprising 115 units (apartments & duplexes including 27 social housing units) with associated private and communal amenity space, landscaping, parking provision, access, relocation of existing sub station and site works.	Location: Lands at London Road/Lismore Street Belfast BT6 8HH
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement (Delegated Authority to Director of Planning and Building Control to finalise conditions and agreement requested)	
Applicant Name and Address: DLL Properties Ltd 41 Donegall Street Belfast BT1 2FG	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: <p>The application site is brownfield land with an area measuring 1.2ha within a residential area in the east of the city. The proposal seeks full planning permission for the erection of 115 residential units, mixed between single level and duplex apartments, 27 of which will be reserved for social housing. The scheme will be built over 5 separate blocks (referred to as blocks A1, A2, B1, B2 and C, respectively).</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection 	

- Flood risk and drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation

The site is within the development limit. The site is within a Housing Action Area in the extant Belfast Urban Area Plan 2001; a Major area of employment/industry in the 2004 draft Belfast Metropolitan Area Plan 2015; and as unzoned whiteland in the 2014 draft Belfast Metropolitan Area Plan 2015. The site abuts the boundary of an Area of Townscape Character (ATC) on its northwest side.

The proposal includes 25% approx. of units for social housing, of which there is a significant unmet need in the city. NIHE is supportive of the social housing element.

There are no unacceptable adverse impacts on amenity of any adjacent residential properties. DfI Roads, DfI Rivers, NI Water, NIEA, HED, and SES offer no objections to the proposal.

The proposal will help regenerate this part of east Belfast and utilise a site that has been vacant for approximately 20 years. On balance, the overall design of the proposal is sympathetic with the residential character of the area. DfI Roads is content with the level of car parking provision, an element of which is to be provided at surface level, along Lismore Street on the edge of the site to the front of Block B2. However, the majority will be provided within an undercroft that is accessed via London Road.

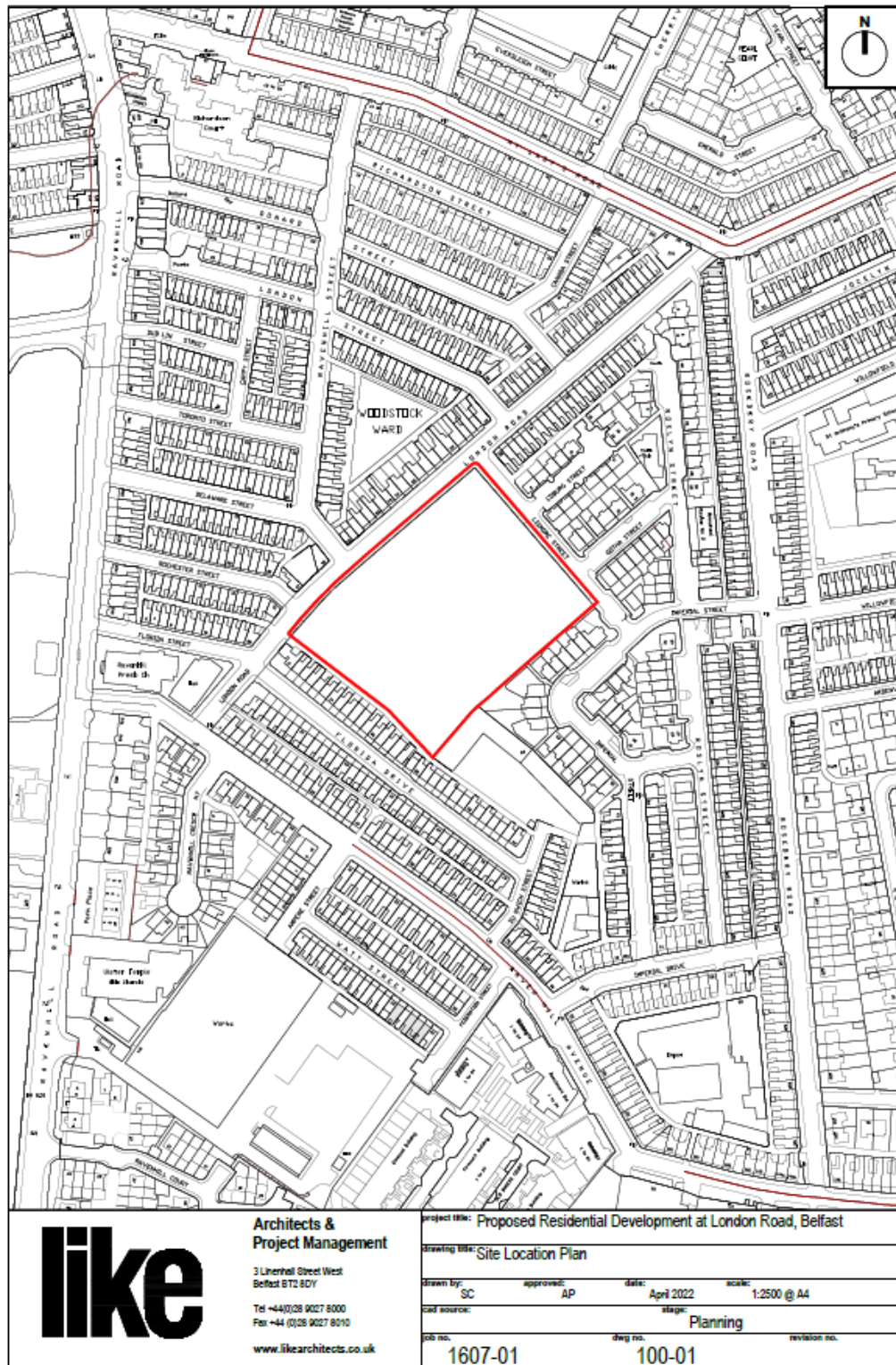
Two third parties have submitted written support for the scheme. No third-party objections have been received.

Having regard to the Development Plan and material considerations, it is recommended that planning permission should be granted subject to conditions and a Section 76 planning agreement.

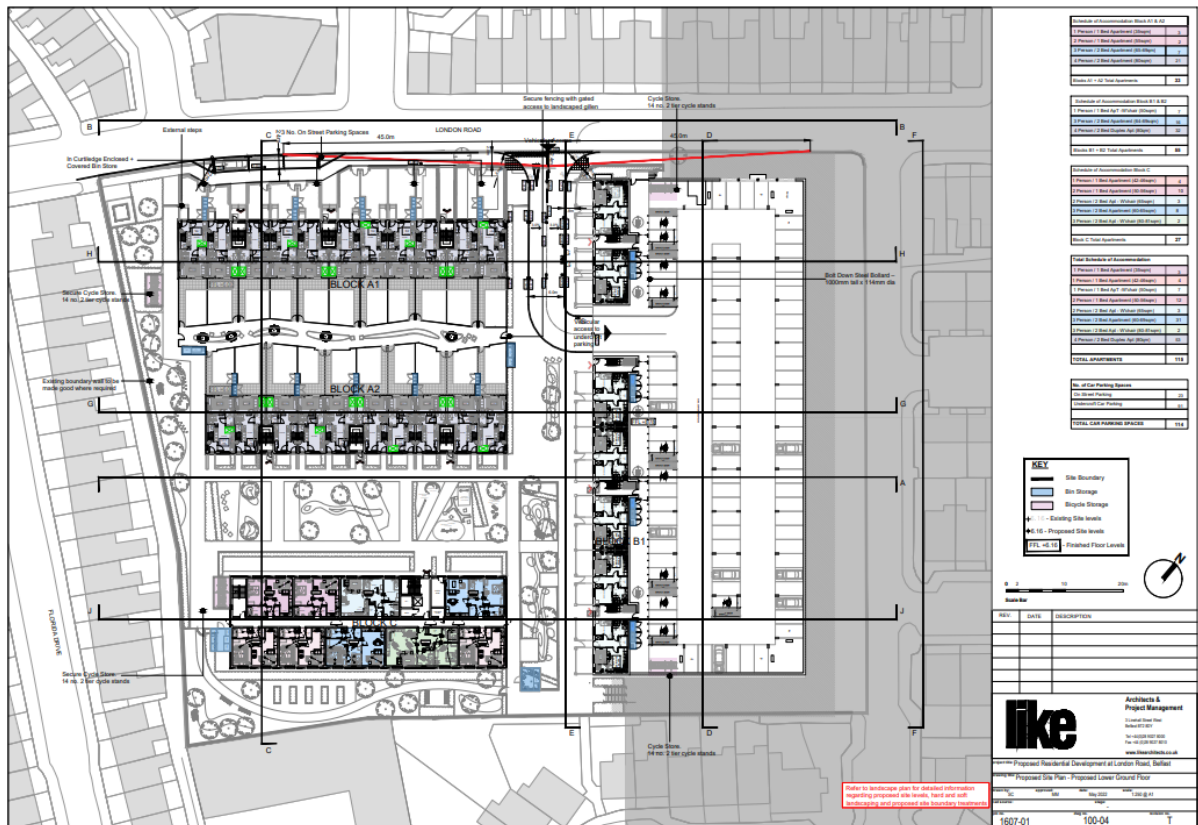
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from DfI Roads, and deal with any other matters that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

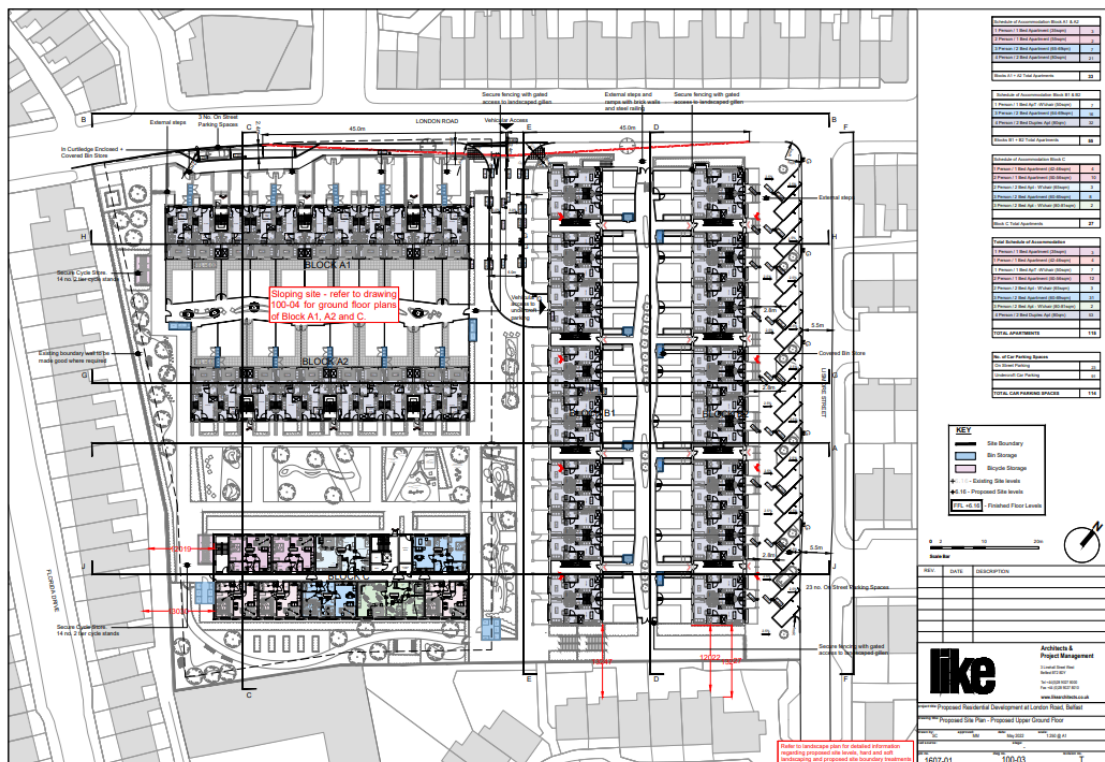
Site Location Plan:



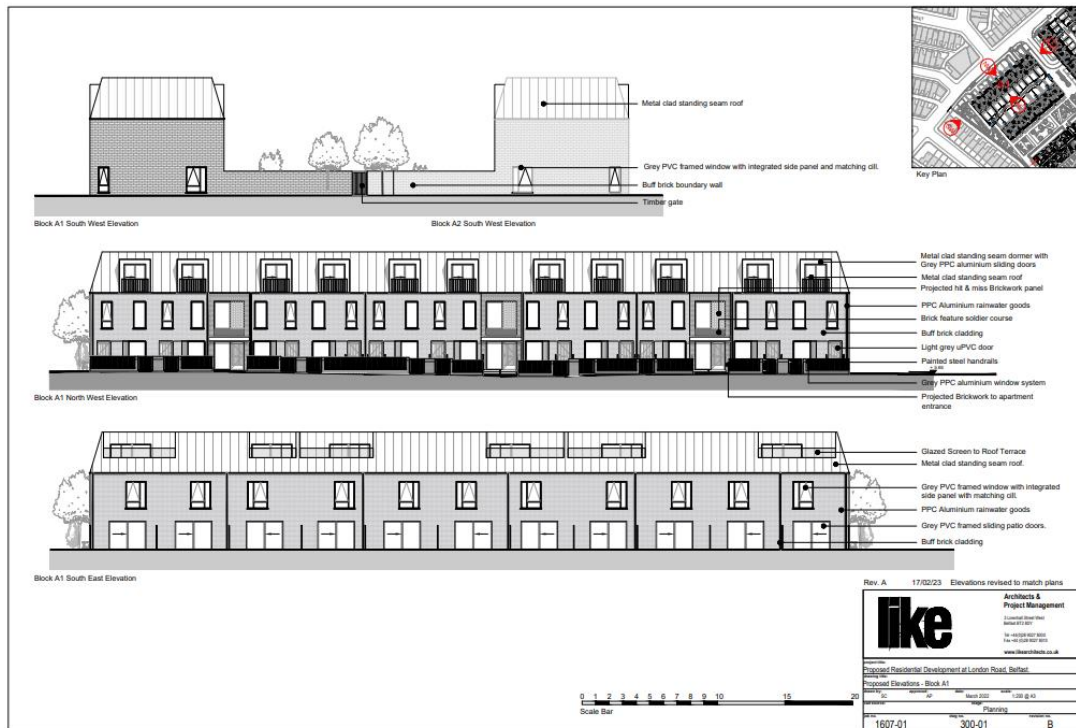
Proposed Site Layout and Lower Ground Floor Plan:



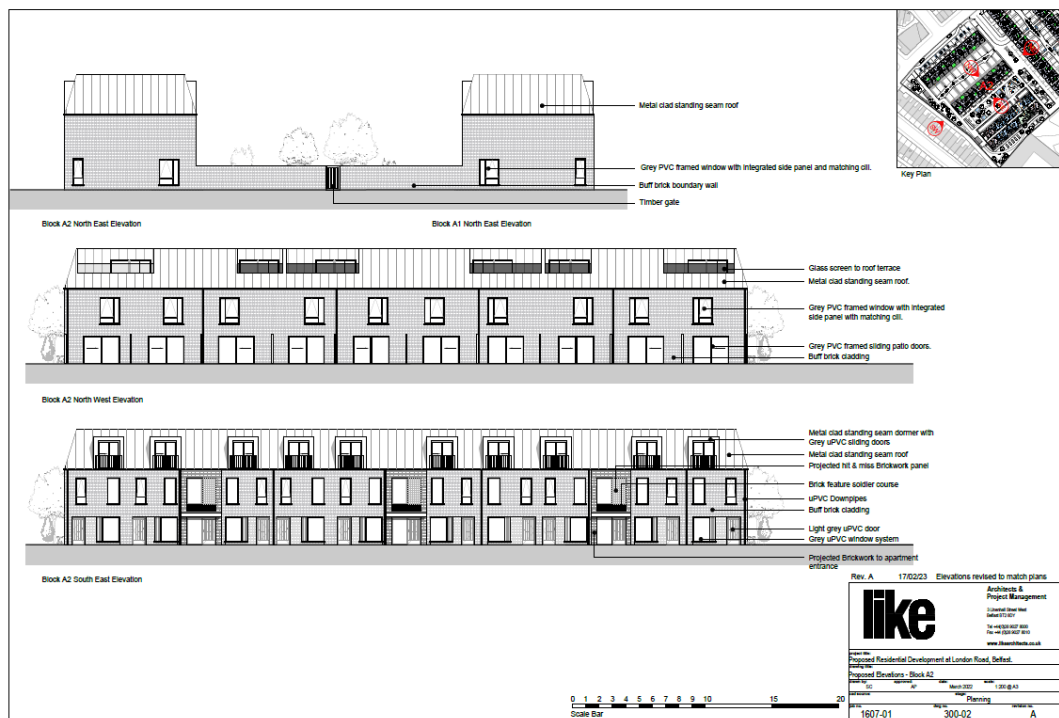
Proposed Site Layout and Upper Ground Floor Plan:



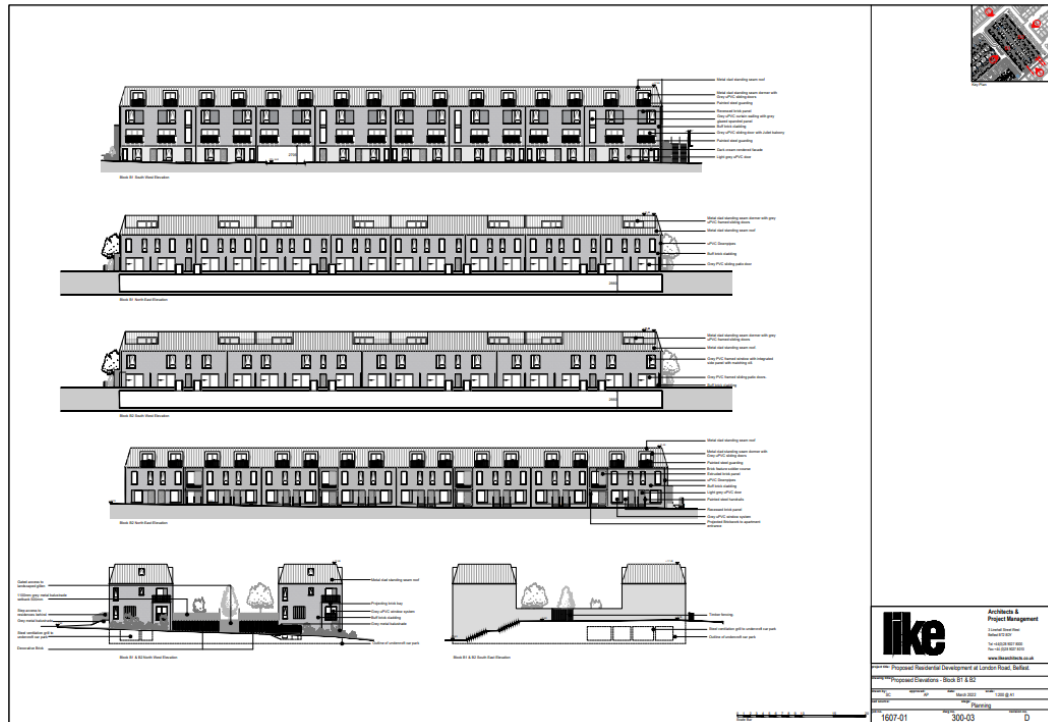
Proposed Elevations Block A1



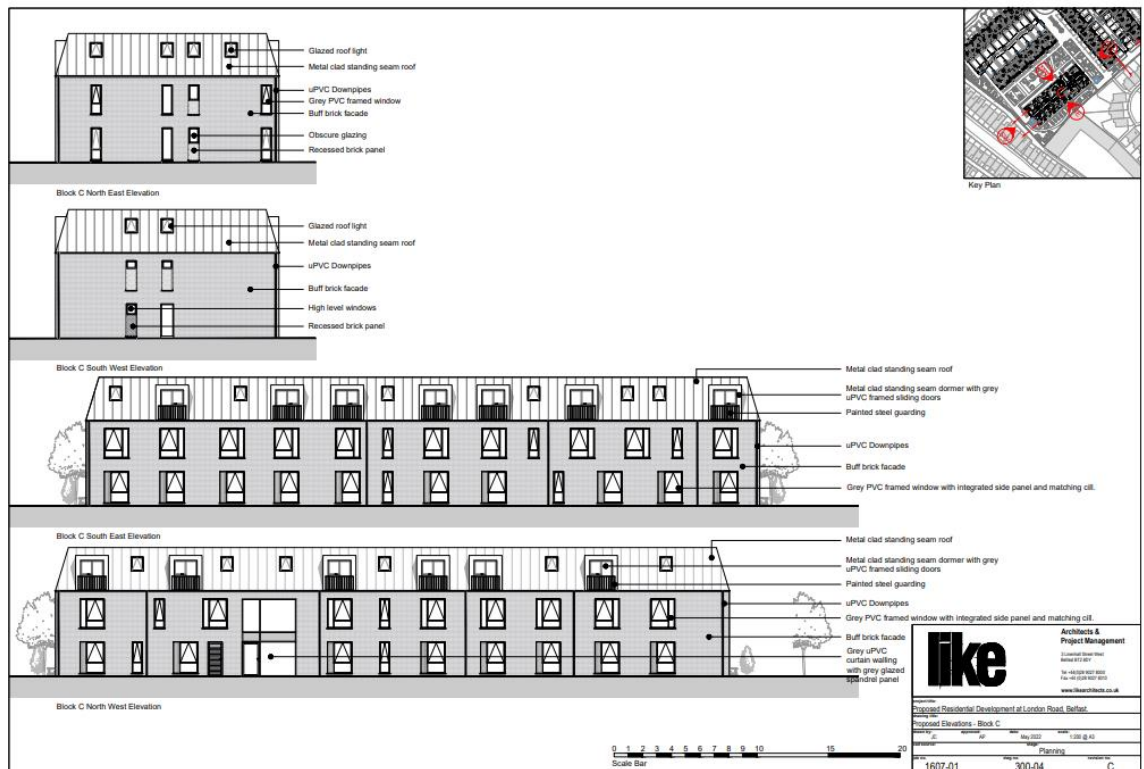
Proposed Elevations Block A2



Proposed Elevations Block B1 and B2:



Proposed Elevations Block C1:



Proposed Landscaping Plan:



Proposed Planting Plan:



1.0	Characteristics of the Site and Area
1.1	The application site is a square-shaped parcel of brownfield land with an area measuring 1.2ha. This is bounded by roads to its northeast (Lismore Street) and northwest (London Road). The rear of dwellings on Florida Drive and Imperial Street bound the site on its other two sides. A workshop / engineering works abuts the site to the southeast. The site is overgrown with weeds and wild/self-seeded trees. A redbrick wall and palisade fence secures the site on its London Road / Lismore Street sides. Levels across the site are relatively flat.
1.2	The surrounding area is predominantly residential, characterised by narrow terraced streets lined redbrick, two-storey dwellings and on-street parking and small front and rear gardens.
	Description of Proposed Development
1.3	The application seeks full planning permission for the erection of 115 residential units, mixed between single level and duplex apartments, 27 of which will be reserved for social housing. The scheme will be built over 5 separate blocks (referred to as blocks A1, A2, B1, B2 and C, respectively) with associated private and communal amenity space, landscaping, parking provision, access, relocation of existing substation and site works. The application was subject of a pre-application discussion (PAD) prior to submission (see planning history for details at 2.0).
2.0	PLANNING HISTORY
2.1	<p>Relevant planning history is summarised below.</p> <ul style="list-style-type: none"> • LA04/2021/0058/PAD - Lands at London Road/Lismore Street. Residential developments comprising circa. 116 units (1,2 & 3 Bedroom apartments) with associated private and communal amenity space and parking provision. Concluded. • LA04/2021/2166/PAN - Residential development comprising circa. 116 units (1, 2 & 3 bed apartments) with associated private and communal amenity space and parking provision. Concluded. • Z/2009/1139/F - Land adjoining London Road/Lismore Street, Ballymacarret, BT06 8HH. Residential development of 176 apartments, associated car parking and landscaping. Approved (expired). • Z/2007/2030/F - Land adjoining London Road/Lismore Street, Ballymacarret, Belfast, BT6 8HH. Residential development of 226 apartments, associated car parking and landscaping. Approved (expired). • Z/2006/0430/RM - Land adjoining London Road/Lismore Street, Ballymacarret. Residential development of 48 Townhouses and 25 apartments, associated car parking and landscaping. Approved (expired). • Z/2005/0640/O - Land adjoining London Road/Lismore Street, Ballymacarret, Belfast, BT06 8EY. Residential development of 48 No. townhouses and 26 No. apartments, associated car parking and landscaping. Approved (expired).
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</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 SD2 – Settlement Areas</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 EC3 – Major employment and strategic employment locations</p> <p>Policy EC4 – Loss of zoned employment land</p> <p>Policy DES1 – Principles of urban design</p> <p>Policy DES2 – Masterplanning approach for major development</p> <p>Policy RD1 – New residential development</p> <p>Policy BH5 – Archaeology</p> <p>Policy HC1 – Promoting healthy communities</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 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>Policy GB1 – Green and blue infrastructure network</p> <p>Policy OS3 - Ancillary open space</p> <p>Policy NH1 – Protection of natural heritage resources</p>
3.2	<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>Masterplanning approach for Major developments</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Development Viability</p> <p>Creating Place</p>
3.3	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
3.4	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations</p> <p>Developer Contribution Framework (2020)</p>

	Belfast Agenda (Community Plan)
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objection subject to conditions.</p> <p>DfI Rivers – No objection.</p> <p>NIEA – No objection subject to conditions.</p> <p>NI Water – No objection subject to conditions.</p> <p>Historic Environment Division – Historic Monuments - No objection subject to conditions.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Environmental Health – No objection subject to conditions.</p> <p>NIHE – supports the proposal, accepting the principle of off-site social housing.</p> <p>Shared Environmental Services (SES) – no objection.</p> <p>BCC Parks, Landscape and Development – no objection.</p> <p>BC LDP Urban Design - Content.</p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>BCC LDP Environment – refer to main assessment.</p> <p>BCC LDP Housing – HOU5 broadly acceptable save for clustering/pepper-potting provision. HOU7 resolved.</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	The application has been advertised in the newspaper and neighbours notified.
4.5	Two third party representations in support of the proposal have been received. Reasons for support include: Site has been in a state of decay for too long; antisocial behaviour on the site.
5.0	PLANNING ASSESSMENT
	Main Issues
5.1	The main issues relevant to consideration of the application are set out below.

	<ul style="list-style-type: none"> • Principle of development • 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 • Open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation <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 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	Belfast Urban Area Plan 2001 – the site is a Housing Action Area.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit. Site is zoned as a Major Area of Existing Employment (BT 011/24 - London Road).
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit. Site is un-zoned “white land”.
5.10	<p>The employment zoning of the site in the 2004 version of draft BMAP (v2004) was deleted from the 2014 draft version as per recommendations made by Planning Appeals Commission’s independent report on the basis that an objection to the proposed zoning was made on the grounds that planning permission for housing was approved on the site. it is therefore considered that no weight should be afforded to this zoning and on this basis the proposal does not contravene relevant employment and economic policies within the LDP.</p> <p><u>Principle of housing in this location</u></p>
5.11	<p>Given the site is previously developed, unzoned brownfield land it is considered a ‘windfall’ site in respect of proposed housing. 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, which the application site meets due to previous uses, albeit vacant for a number of years. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ol style="list-style-type: none"> The site is suitable for housing – the site is located within a residential area comprising mostly terraced housing opposite and adjacent to the site and some local commercial/non-residential uses in the wider area. The location is therefore considered suitable in principle for housing given the context. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is within walking distance/close proximity to two arterial routes, Ravenhill Road and Castlereagh Road and within reasonable walking distance to the city centre. It is accessible to shops, services, amenities and public transport. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place. The site has been subject of previous planning permissions for residential development, albeit now expired.
5.12	<p>It is considered that the site is a suitable location in principle for housing and that the proposal is compliant with Policies HOU1 and HOU2.</p> <p><u>Housing density</u></p>
5.13	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.14	<p>The site is located within inner city Belfast where the average density should be 75-150 dwellings per hectare (ha). The site area is 1.2ha. The proposal equates to a density of 96 dwellings per ha, within the recommended density and therefore demonstrating that it would make effective use of land.</p> <p><u>Affordable housing</u></p>

5.15

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. The proposal includes 27 units reserved for social housing. This equates to 25% approx. of the total proposed 115 units. This exceeds the 20% requirement and is likely due to the housing association seeking an entire block for easier from a management and need in the area.

5.16

NIHE is supportive of the scheme. They state that at March 2023 there were 378 households on the waiting list for the area, of which 278 were in housing stress.

5.17

Tenure

The tenure of the development will be mixed with 25% social and 75% private. Block C will be reserved for the social housing element. This exceeds the minimum requirement of 20% as outlined in Policy HOU5.

5.18

However, the proposal fails to meet part of this policy due to the concentration of all affordable housing units into one block (Block C), segregating them from the other units. The associated guidance to this policy states that affordable housing should either be clustered or “pepper-potted” throughout the development. However, the end user, Arbor Housing Association, has outlined its preference for consolidating all social housing units into a single building or group of buildings to allow them to effectively manage the properties rather than having them pepper potted throughout the overall scheme.

5.19

‘Tenure Blind’

The SPG ‘Affordable Housing and Housing Mix’ refers to the term ‘tenure blind’. This is where there is no visual distinction between segregated blocks. There is no distinguishable difference between the design of Block C and the other blocks. It will also share access, parking, and open space provision. Each apartment has the same housing mix to ensure the demographic will be the same throughout the scheme. This aspect of the policy is therefore acceptable.

5.20

It is considered that the failure to “cluster or pepper pot” social provision is outweighed in this instance by the need and housing stress within the area, regeneration benefits, and compliance with housing policy on the whole. It must also acknowledged that this application was submitted in 2022, prior to the adoption of the LDP and Policy HOU5, and the introduction of this policy requirement. Taken cumulatively, these factors are sufficient justification to allow for a relaxation of this policy.

5.21

Housing mix

Table 1

Block C: Accommodation Type	Size per Unit	Number of Units
1 Person / 1 Bed Apartment	42-46sqm	4
2 Person / 1 Bed Apartment	50-56sqm	10
2 Person / 2 Bed Apartment - wheelchair	65sqm	3
3 Person / 2 Bed Apartment	60-65sqm	8
3 Person / 2 Bed Apartment - wheelchair	80-81sqm	2
		27 Total

5.22

Table 2

	<table><tr><th>Total: All Accommodation Types</th><th>Size per Unit</th><th>Number of Units</th></tr><tr><td>1 Person / 1 Bed Apartment</td><td>35sqm</td><td>3</td></tr><tr><td>1 Person / 1 Bed Apartment</td><td>42-46sqm</td><td>4</td></tr><tr><td>1 Person / 1 Bed Apt -W'chair</td><td>50sqm</td><td>7</td></tr><tr><td>2 Person / 1 Bed Apartment</td><td>50-56sqm</td><td>12</td></tr><tr><td>2 Person / 2 Bed Apt - W'chair</td><td>65sqm</td><td>3</td></tr><tr><td>3 Person / 2 Bed Apartment</td><td>60-69sqm</td><td>31</td></tr><tr><td>3 Person / 2 Bed Apt - W'chair</td><td>80-81sqm</td><td>2</td></tr><tr><td>4 Person / 2 Bed Duplex Apt</td><td>80qm</td><td>53</td></tr><tr><td></td><td></td><td>Total 115</td></tr></table>	Total: All Accommodation Types	Size per Unit	Number of Units	1 Person / 1 Bed Apartment	35sqm	3	1 Person / 1 Bed Apartment	42-46sqm	4	1 Person / 1 Bed Apt -W'chair	50sqm	7	2 Person / 1 Bed Apartment	50-56sqm	12	2 Person / 2 Bed Apt - W'chair	65sqm	3	3 Person / 2 Bed Apartment	60-69sqm	31	3 Person / 2 Bed Apt - W'chair	80-81sqm	2	4 Person / 2 Bed Duplex Apt	80qm	53			Total 115
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		Total 115																													
5.23	<p>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> <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; andd. The creation of balanced and sustainable communities.																														
5.24	<p>It goes on to state that the requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.</p>																														
5.25	<p>The proposed housing mix is shown in Tables 1 and 2 above. The proposal consists of mix of units types, ranging from 1 person / 1 bed, to 4 person / 2 bed apartments. This is considered to represent a reasonable housing mix. NIHE is supportive of the housing mix. Having regard to these factors, the proposed housing mix is considered acceptable.</p> <p>Space Standards</p>																														
5.26	<p>The proposed internal sizes (see table 2, above) of each residential unit is in accordance with the minimum space standard as set out in Appendix C of the Plan Strategy.</p> <p><u>Adaptable and accessible accommodation</u></p>																														
5.27	<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 applicant has provided evidence that these criteria are satisfied.</p>																														
5.28	<p>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 12 wheelchair units which is in excess of the required 10%. It is considered that the proposal complies with the additional nine criteria g. to o. The proposed floor plans clearly show the 10% wheelchair acceptable units demonstrating that the criteria above has been met.</p> <p><u>Design and placemaking</u></p>																														
5.29	<p>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</p>																														

	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.
5.30	<p>The prevailing character of the area largely comprises linear rows of typical two-storey terraced housing with or without small front gardens and associated setback from the public road with small gardens/yard areas to the rear. Materials generally comprise brick with pitched roofs finished in slate type tiles. The perimeter blocks would replicate the typical layout and form of the area, albeit in a contemporary manner and would not appear incongruous when viewed within the street scene. Public views of the internal blocks A2 and C would be restricted by the adjacent perimeter blocks. The layout and arrangement of these internal blocks would be at odds with the typical arrangement of dwellings directly addressing public roads in the area, however this approach is considered acceptable given the limited public views and associated impacts on the area. Each block will vary in height with a maximum height that will not exceed 12m at its highest point, with a range between 2.5 and 3.5 storeys maximum. The street frontages along London Road and Lismore Street will be both level and setback from the established building line. It is considered that the differentiation in heights, setbacks and vertical/horizontal articulation of materials assist in minimising the overall scale and massing of the scheme, which is considered in keeping with the area. The Council's Urban Design section are content with the overall design of the scheme and its relationship with the wider area which is a significant consideration.</p> <p><u>Impact on heritage assets</u></p>
5.31	<p>The proposal is sufficiently far from Listed Buildings such as to not impact on their setting. There would be no archaeological implications. The proposal is considered compliant with Policies BH1 and BH5.</p> <p><u>Climate change</u></p>
5.32	<p>Policies ENV2, ENV3 and ENV5 states that planning permission will be granted for development that incorporates measures to mitigate / adapt to environmental change and reduce greenhouse gases by promoting sustainable patterns of development.</p> <p>The proposal includes various sustainable design features which seek to mitigate environmental change. These measures include oversized drainage pipes, tree planting, planters, greenspace areas, and 1200sqm of permeable paving features. A condition is recommended to require that the proposal is constructed in accordance with these details. The proposal is considered compliant with the relevant parts of these policies. A condition is recommended requiring the hard surface areas to be porous.</p> <p><u>Flood Risk</u></p>
5.33	<p>DfI Rivers has assessed the proposal against the latest climate change data, a Drainage Assessment and the proposed use of SuDS and confirmed it is content. The proposal is therefore compliant with Policy ENV 4.</p> <p><u>Residential quality and impact on amenity</u></p>
5.34	<p>Policies DES1, 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.</p>

5.35	To minimise overlooking and promote privacy, the design guide <i>Creating Places</i> (CP) advocates a separation distance of 20m between new residential development and existing residential properties. However, CP advocates a greater separation distance of up to 30m between apartments where there are living rooms / balconies at upper floors that face directly towards windows of existing dwellings, as this can cause a significant loss of amenity to adjoining dwellings. However, CP states that greater flexibility will generally be appropriate in assessing schemes in inner urban locations, such as this. In neighbouring streets front to front elevation separation distances vary from approximately 20m in Florida Drive, to 18m-23m approximately in Imperial Drive, approximately 15m in minor streets NE of Lismore Drive, and approximately 16m along London Road. Rear separation distances are generally around 10m but increase to approximately 14m in some locations.
5.36	In this case, Block A1 faces directly towards the front of existing dwellings at 87-93 London Road at a distance of approx. 22m. whilst an existing 3-story apartment block at 95 London Road is 20m approx. from Block A1. The side gables of blocks A1 and A2 are 13.5m and 15m respectively at their closest points to the rear of dwellings at Florida Drive. The gables of blocks B1 and B2 to the rear of existing dwellings at Imperial Drive are 13.25m and 12.22m respectively at their closest points whilst the front of Block B2 is 20m approx. from the side gables of dwellings opposite across Lismore Street. The northwest gables of blocks B1 and B2 are 16.5m approx. from the front of dwellings on London Road. The rear of Block C backs onto a commercial premises at Sunwich Street with the exception of its southeast corner which backs onto the rear of dwellings at Imperial Drive at distance of 21m and at an angle of 45 degrees approx.
5.37	Internally, the separation distances between each block is as follows: <ul style="list-style-type: none"> - 17.44m back-to-back between Blocks B1 and B2; - 20m approx. back-to-back between Blocks A1 and A2; - 21m approx. between the front of Block A2 and the front of Block C; - 15m approx. between the gable ends of Blocks A1 and A2 and the front of Block B1.
5.38	Given the context of the immediate vicinity, which is characterised by back-to-back terraced housing, the separation distances between the proposed and existing residential is deemed to be acceptable. All other blocks are orientated to ensure minimal direct overlooking, overshadowing and dominance to any existing neighbouring residential property. This is deemed to be acceptable to minimise any potential adverse impacts for prospective residents. <i>Open Space Provision</i>
5.39	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. 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.
5.40	<i>Creating Places</i> advocates external private amenity space averaging between 10 and 30 sqm per residential unit for apartment developments, adding that private communal open

	space will be acceptable in the form of landscaped areas, courtyards or roof gardens. The proposal includes both private and communal spaces, with the private open space being limited to the ground floor apartments, excluding Block C.
5.41	<p>The total site area is 1.2ha, which means there is a requirement for 10.2% of ancillary shared open space as per Policy OS3 of the LDP. The total public open space provision for the development falls short of this figure at 973sqm of the total site area. However, Policy OS3 allows for a degree of flexibility for provision on-site less than 10% of the total site area where the proposal is close to and would benefit from ease of access to area of existing public open space. Ormeau Park's Ravenhill Road entrance is a 4 minute walking distance from the site.</p> <p>As the development comprises more than 100 units, play areas have also been incorporated into the public realm.</p>
5.42	<p>In respect of private amenity space, Blocks A & B provide the following provision in the form of private gardens and terraces:</p> <ul style="list-style-type: none"> • Block A – average 33.7sqm per unit; and • Block B – average 20.7sqm per unit. <p>Block C, which contains 27 units, provides amenity space in the form of a communal garden which can be accessed only by those residents. The garden is 353sqm in area and this is in place of private terraces which equates to 13.07sqm per unit. Given the characteristics of the proposal and site, this is considered acceptable. This is well above the 10sqm average per unit set out by Policy OS3 of the LDP and Creating Places</p> <p><i>Bin Storage</i></p>
5.43	<p>Bins stores will broken up per property across the scheme and the majority provided to the rear of blocks and accessed via the gillen. The layout illustrates that two large standalone bin stores are provided to the rear of Block A2 in a similar arrangement to Blocks B1 and B2. The remaining two standalone bin stores (which serve Block C) are located away from the communal open space. The first is placed along the SW edge of Block C. It is noted that the second bin store has been placed to the SE corner of Block C, within the communal space proposed between Block C and B, albeit within a distant corner. The location and quantum of storage provided is acceptable and would not adversely impact on the amenity of prospective and residents.</p> <p><u>Access and transport</u></p>
5.44	<p>The site has good accessibility being within walking distance of the city centre and two arterial routes (Castlereagh Road and Ravenhill Road). The area is well served by existing pedestrian facilities with footways provided on both sides of the carriageways as well as controlled pedestrian crossings located at strategic locations on the surrounding road network including Castlereagh Road and Ravenhill Road. An internal cycle storage area is provided within the undercroft car park and externally to the rear of Blocks B and C to encourage cycling. DfI Roads is content with the number and provision of cycle stands. The proposal is considered compliant to Policy TRAN1.</p>
5.45	<p>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, with the provision of 10 disabled parking spaces within the undercroft car park. There are no car parking spaces close to Block C but there are unhindered pathways throughout the development that will ensure ease of access between the car park and each block.</p>

5.46	<p>Policy TRAN 4 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. This includes the following green travel measures:</p> <ul style="list-style-type: none"> • One travel card offered per dwelling for a period of 3 years; • 50% subsidy of car club membership per dwelling for a period of 3 years; • Bicycle Scheme Voucher – Upon written request, the developer shall provide a voucher to the of £150 for each residential unit (first resident only/ one voucher per unit) redeemable from a recognised bicycle retailer to allow for the purchase of one bicycle for each residential unit. <p>The travel plan measures are considered acceptable having regard to Policy TRAN4.</p>
5.47	<p>Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. There are 122 car parking spaces provide within the curtilage of the redline boundary of the application site, including 10 disabled car parking spaces. The proposal is considered to accord with Policy TRAN8.</p>
5.48	<p>DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.</p>
<p><u>Health impacts</u></p>	
5.49	<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>
5.50	<p>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 Ormeau Park and the Connswater Greenway. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. An acceptable level of amenity space is incorporated into the scheme, between private and communal gardens as discussed above. The proposal would provide quality house for people in housing stress and housing need. The proposal is considered to satisfy the requirements of Policy HC1.</p>
<p><u>Environmental protection</u></p>	
5.51	<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 Council's Environmental Health (EH) has been consulted and having assessed risks from contaminated land, air quality and noise, has advised that it is content on the proviso if planning permission is approved then this should be subject to conditions to ensure any risks associated with contamination, air quality and noise are adequately mitigated.</p> <p><u>Proposed Landscaping</u></p>

5.52	<p>There is no existing soft planting or trees on the site that merit retention, and as such all soft landscaping will be new. This consists of grass, and trees and shrubs. Species will be mixed to ensure resilience against disease. The planting will be subject of a long-term management and maintenance plan to ensure it establishment and longevity. Hard landscaping will consist of hard surfaced areas, boundary walls and steel railings and metal fences. The existing brick boundary wall to the southeast and southwest will be retained and rebuilt in places.</p> <p><u>Waste-water infrastructure</u></p>
5.53	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water as the statutory authority was consulted and advised that it has no concerns from a wastewater and supply capacity, subject to conditions. On this basis, NIEA Water Management Unit also have no objections. This aspect is therefore acceptable.</p> <p><u>Natural heritage</u></p>
5.54	<p>Policy NH1 relates to the protection of natural heritage resources. NIEA Natural Heritage has been consulted and advised that as the site is not within any designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.</p>
5.55	<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>
5.56	<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 NIEA.</p>
5.57	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. This conclusion is subject to mitigation in the form of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. DAERA also offer no objection, recommending the equivalent condition. This condition is recommended.</p>
5.58	<p>Subject to this condition, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.</p>

	<p><u>Employability and Skills</u></p>
5.59	<p>The Developer Contribution Framework requires proposals for Major development to make a contribution towards Employability and Skills where necessary. The applicant has not submitted an Employability and Skills Profile in this instance. However, if this is considered necessary, it can be secured by way of a Section 76 planning agreement. Delegated authority to the Director of Planning and Building Control to resolve this issue.</p>
	<p><u>Section 76 planning agreement</u></p>
5.60	<p>If the application is approved, a Section 76 planning agreement to secure planning obligations. These are considered necessary to make the proposed development acceptable and include the following.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of the 27 social housing units; • Green travel measures – travel plan and green travel measures; • Management and Maintenance arrangements for external and internal communal areas; and • Employability and Skills – should it be required by the Council's Economic Development Unit
	<p><u>Pre-application Community Consultation</u></p>
5.61	<p>The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.</p>
5.62	<p>The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p>
5.63	<p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Issued a press notice to highlight information about the proposals and provide notification of an online public information event; • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; and • Hosted an online public exhibition event with members of the project team to assist in any questions and to allow for further feedback.
5.64	<p>The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed, and considered.</p>
5.65	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
5.66	<p>It should be pointed out that the public event was online as per a relaxation of pre-application community consultation requirements during Coronavirus emergency period as provided for in The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment No.2) Regulations (Northern Ireland) 2021.</p>

6.0	Recommendation
6.1	The proposal would provide housing units included a significant element of social housing in excess of 20% requirements, for which there is a significant unmet need in the city, and would assist the further regeneration of an area that is socially and economically deprived. The design of the proposed housing is considered on balance acceptable. Sufficient parking would be provided and the proposal would not be detrimental to highway safety. Following amendments, the proposal would not give rise to harmful impacts on existing neighbouring properties. It is recommended that planning permission is granted.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from DfI Roads, and deal with any other matters that arise, provided that they are not substantive.
7.0	DRAFT CONDITIONS: (Delegated authority to the Director of Planning and Building Control to finalise conditions requested)
7.1	The development hereby permitted must be begun within five years from the date of this permission. <i>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</i>
7.2	All external facing and roofing materials shall be carried out as specified on the approved plans. <i>Reason: In the interests of the character and appearance of the area</i> Prior to installation of window units throughout each block of the hereby permitted development, 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 sound reduction for the window specification (in terms of dBRtra) for habitable rooms shall be in line with the recommendations in the AONA report titled: 'Residential development comprising 121 units with associated private and communal amenity space, landscaping, parking provision and associated site works on Lands at London Road / Lismore Street Belfast BUT 8HH, Noise Impact Assessment Report', report reference: ENV-6044, dated Mach 2023. <i>Reason: In the interests of residential amenity.</i>
7.3	Prior to installation of any alternative means of ventilation to be incorporated within the hereby permitted development, the applicant shall submit to the planning service, for review and approval in writing, confirmation of the specification of the alternative means of ventilation to serve habitable rooms. The alternative means of ventilation shall be acoustically attenuated and capable of achieving the internal noise levels for habitable rooms outlined in British Standard BS8233:2014 with the windows shut and the alternative means of ventilation operating or in the open position. <i>Reason: In the interests of residential amenity.</i>

7.4	<p>Prior to occupation of each hereby permitted apartment block, the window schedule and alternative means of ventilation shall be installed, as approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided. The approved windows and alternative means of ventilation shall be retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p>
7.5	<p>Prior to occupation of the hereby permitted development, the developer shall verify that the windows specification as per the approved 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.</p> <p>Reason: In the interests of residential amenity.</p>
7.6	<p>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), this Service would request that an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority 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.</p>
7.7	<p>The suitability of the proposed combustion plant, flue location and flue termination height shall be confirmed using the emission screening tools detailed within the Defra Local Air Quality Management Technical Guidance document LAQM.TG (22). Where the emission screening tools are not applicable to the proposed development, suitability must be demonstrated using atmospheric dispersion modelling software.</p> <p>The emission screening tools and atmospheric dispersion modelling must demonstrate that there will be no exceedances of the UK Air Quality Strategy objectives at relevant receptor locations.</p> <p>Reason: To ensure that ambient air pollution related to the site is appropriately dealt with, in the interests of human health.</p>
7.8	<p>No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless an Updated Remediation Strategy has been submitted to and approved in writing by the Council. The Updated Remediation Strategy shall consider the RSK reports: 'DLL Properties Ltd Environmental Site Assessment and Generic Quantitative Risk Assessment Lands Adjacent to London Road, Belfast 603272 – R1 (01). Dated: the 18th of May 2022' and; the RSK report entitled- 'DLL Properties Ltd. Remedial Strategy Lands adjacent to London Road, Belfast 603272 – R2 (00). Dated: the 18th of May 2022'.</p>

7.9	<p>The Updated 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 remedial works are to be verified.</p> <p>The development shall not be carried out unless in accordance with the approved Updated Remediation Strategy.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
7.10	<p>Prior to occupation of the development, 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 Updated 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.</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p>
7.11	<p>If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.</p> <p>In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a 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 and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
7.12	<p>No development should 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 by NIEA WMU.</p> <p>Reason: To ensure a practical solution to sewage disposal is possible at the site that will protect features of indirectly connected European Sites in Belfast Lough from adverse effects.</p>
7.13	<p>No development shall be commenced until the developer has entered into an agreement with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.</p>

7.14	<p>Reason: To ensure a practical solution to sewage disposal from this site is possible.</p> <p>No development shall proceed beyond sub-floor construction until the foul sewerage network engineering solution as shown on solution design drawing to mitigate the downstream foul capacity issue as agreed with NI Water is provided by the developer to the satisfaction of NI Water. The development shall not be occupied until the developer has complied with all of the requirements set out in the agreement entered into with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.</p>
7.15	<p>Reason: To ensure a practical solution to sewage disposal from this site is possible.</p> <p>That no development shall proceed beyond sub-floor construction until a suitable dedicated surface water solution has been agreed upon. The applicant may requisition NI Water in accordance with Article 154 of the Water and Sewerage Services (Northern Ireland) Order 2006, for this purpose.</p>
7.16	<p>Reason: To ensure a practical solution to the disposal of surface water from this site.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition.
7.18	<p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition L15a.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.</p>
7.19	<p>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 L15a. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>

7.20	<p>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.</p> <p><i>Reason: In the interests of the character and appearance of the area.</i></p>
7.21	<p>The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p><i>Reason: In the interests of amenity.</i></p>
7.22	<p>Works shall be managed and maintained thereafter in accordance with the landscape management and maintenance plan.</p> <p><i>Reason: To ensure establishment and longevity of the soft landscaping plan.</i></p>
7.23	<p>The development hereby permitted shall not be occupied until details of the hard surfaces within the site, including driveways, parking and turning areas, footways and patios, have been submitted to and approved in writing by the Council. All new hard surfacing areas shall be permeable or drained to a permeable area. The development shall not be occupied unless the approved works have been carried out and retained as such thereafter.</p> <p><i>Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage.</i></p> <p><i>Awaiting final consultation response from Roads – conditions to be added when they respond.</i></p>

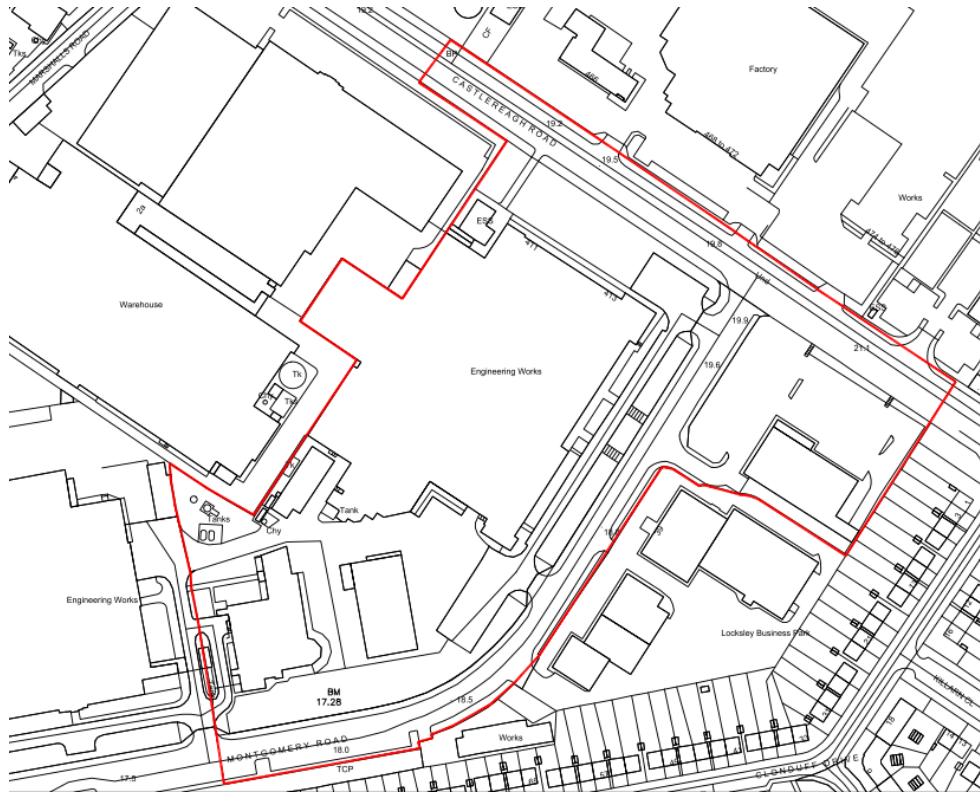
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Development Management Officer Report

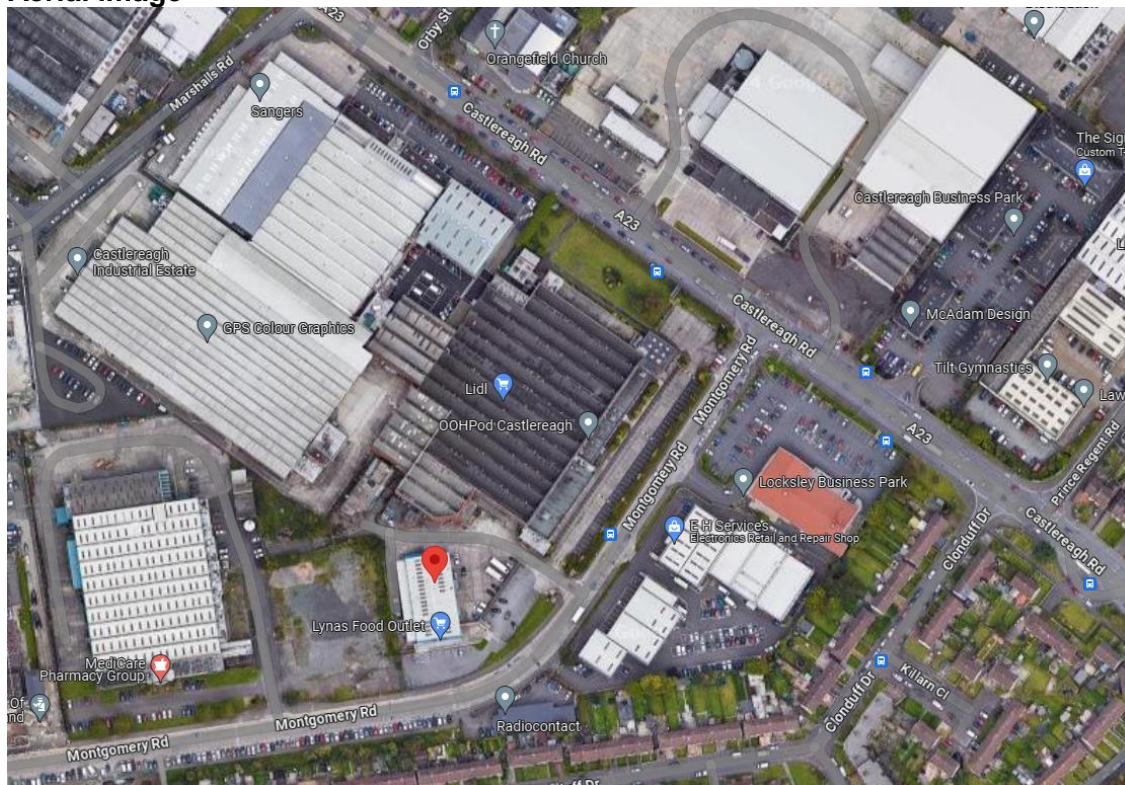
Summary	
Application ID: LA04/2023/4397/F	Committee Meeting Date: 16 th April 2024
Proposal: Variation of Condition 3 of LA04/2020/1211/F relating to the submission of a Verification Report for Phase 4 of the approved development	Location: No 46 Montgomery Road (former Hughes Christensen site, now Lidl), vacant site between nos 44 and 46, Montgomery Road, and no 41 Montgomery Road (former Lidl), Belfast
Referral Route: Major development (the proposal seeks to vary a condition on a previous permission for Major development and would, if approved, create a new standalone approval)	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Lidl Northern Ireland Nutts Corner Dundrod Road Crumlin BT29 4SR	Agent Name and Address: MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ
<p>Executive Summary:</p> <p>This application seeks to vary condition 3 of planning permission LA04/2020/1211/F, which grants planning permission for a Mixed use regeneration scheme involving: demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to, and subdivision of, existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained).</p> <p>Condition 3 relates to the submission and agreement in writing of a verification report relating to the removal of above and below ground fuel tanks prior to any phase of the permitted development becoming operational. The fuel tanks referred to are located within Phase 4 of the development, south of the new Lidl supermarket built which is within Phase 2. The applicant has stated the removal of the tanks is not relevant to the operation of the supermarket within Phase 2.</p> <p>This application seeks to vary the condition to require that the verification report be submitted and approved prior to any development contained within Phase 4 of the approved phasing plan of the development becoming operational.</p> <p>Consultees have offered no objections subject to conditions. No representations have been received.</p> <p>It should be noted that the granting of a Section 54 application to vary conditions creates a new standalone planning permission. Therefore, should permission be granted, the other original conditions should be repeated as appropriate.</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 and an informative referring to the original section 76 obligations which shall continue to have effect without modifications. 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



Aerial image



2.0	Characteristics of the Site and Area
2.1	The site comprises two sites either side of Montgomery Road and adjacent to the Castlereagh Road. The northern side of the site comprises the newly built single storey Lidl supermarket with associated car parking and areas of landscaping. This portion of the site also includes free-standing buildings towards the western boundary and areas of hard standing/parking.
2.2	The southern part of the site consists of a previous Lidl free standing supermarket which is single Storey in height and finished in render with a mono pitch roof finished in tiles. hard standing parking areas located to the east and north of the building with a landscaped buffer area around the site periphery. Two Storey dwellings are located adjacent to the site to the south, with two storey business units adjacent to the site to the west.
3.0	Description of Proposed Development
3.1	In March 2022, full planning permission was granted under application LA04/2020/1211/F for a mixed use regeneration scheme involving: demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to, and subdivision of, existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained).
3.2	In November 2023, the current application was submitted seeking to vary condition 3 of planning approval LA04/2020/1211/F.
3.3	<p>Condition 3 as approved states:</p> <p><i>"Prior to any phase of the development hereby permitted becoming operational, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RSK Ireland report entitled 'LIDL NI and Heron Bros / Heron Property, Environmental Site Assessment and Generic Quantitative Risk Assessment, Mixed Use Regeneration Scheme, Montgomery Road, Belfast' dated October 2020 and referenced 602253- R2(02), have been implemented.</i></p> <p><i>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that:</i></p> <ul style="list-style-type: none"> <i>a) All above ground and underground fuel storage tanks and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27).</i> <i>b) The ground underlying the tanks has been proven to be suitable to remain in-situ through validation sampling. The remediation works shall be retained thereafter and not removed or altered without the prior consent of the Council in writing.</i> <p><i>Reason: Protection of human health.</i></p>
3.4	It is proposed to vary the wording of the condition to require that the verification report be submitted and approved prior to any development contained within Phase 4 of the approved phasing plan of the development becoming operational. The fuel tanks referred to are located within Phase 4 of the development, south of the new Lidl supermarket built

	which is within Phase 2. The applicant has stated therefore the removal of the tanks is not relevant to the operation of the supermarket within Phase 2.
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 The most relevant planning history is summarised below. LA04/2023/3493/DC – Discharge of Condition 8 – Condition not discharged 18 th July 2023 LA04/2022/1016/DC – Discharge of Condition 7 – Condition not discharged 17 th October 2022 LA04/2022/1015/DC – Discharge of Condition 5 – Condition discharged 20 th July 2022. LA04/2020/1211/F - Mixed use regeneration scheme involving: demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to, and subdivision of, existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained) – Permission granted 4 th March 2022.
5.0	Consultations and Representations
5.1	Statutory Consultees DAERA Regulation Unit – No objection
5.2	Non Statutory Consultees BCC Environmental Health – No objection
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. The main policies for consideration in this case are Policies
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. The site is within the development limits of Belfast in the BUAP, and both versions of draft BMAP 2015. Part of the application site is zoned in the 2004 version of draft BMAP 2015 as an area of Existing Employment/Industry under designation MCH 13. The application site fronts onto an arterial route. Part of the application site is zoned in the 2014 version of draft BMAP 2015 as an area of Existing Employment under designation MCH 10.
7.0	Key issues
7.1	The principle of development has already been established through the planning approval LA04/2020/1211/F to which this proposal relates. The key issue to be considered in the assessment of the current application is the submission and agreement of the verification report for Phase 4 only of the approved phasing plan (18A/ drawing no 01-07 rev A).
8.0	Verification report
8.1	Condition 3 of the approved development requires decommissioning and remediation of fuel tanks at the existing site prior to any phase of the permitted development becoming operational.
8.2	The approved plan, 18A, shows 4 phases of development including demolition. The fuel tanks referred to are located within Phase 4 of the development, south of the new Lidl supermarket built which is within Phase 2. The applicant has stated the removal of the tanks is not relevant to the operation of the supermarket within Phase 2. This application seeks to vary the condition to require that the verification report be submitted and approved prior to any development contained within Phase 4 of the approved phasing plan of the development becoming operational.

8.3	Phase 1 relates to demolition and consultees have confirmed phase 3 does not require any remediation. Having regard to the advice from BCC Environmental Health and DAERA Regulation Unit as well as the Plan Strategy, it is considered that the proposed variation of condition 3 relating to the agreement of a verification report for phase 4, and not phase 2, is acceptable. The variation of condition 3 will create a new standalone planning permission and it will be necessary to repeat the conditions on the original permission as appropriate, with the exception of those already discharged subject to the variations granted by this decision.
8.4	<p>The proposed wording of condition 3 is as follows:</p> <p><i>Prior to any development within Phase 4 as shown on drawing number 01-07 rev A becoming operational, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RSK Ireland report entitled 'LIDL NI and Heron Bros / Heron Property, Environmental Site Assessment and Generic Quantitative Risk Assessment, Mixed Use Regeneration Scheme, Montgomery Road, Belfast' dated October 2020 and referenced 602253- R2(02), have been implemented.</i></p> <p><i>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that:</i></p> <ul style="list-style-type: none"> <i>c) All above ground and underground fuel storage tanks and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27).</i> <i>d) The ground underlying the tanks has been proven to be suitable to remain in-situ through validation sampling. The remediation works shall be retained thereafter and not removed or altered without the prior consent of the Council in writing.</i> <p><i>Reason: Protection of human health.</i></p>
9.0	Section 76
9.1	A Section 76 was attached to the original permission. The Development has commenced, and ownership has not changed. The variation in this application does not materially change the original permission and the condition to be amended does not go to the heart of the permission, in line with case law set out in <i>Peel Land and Property Investments Ltd v Hyndburn Borough Council</i> , a further Section 76 is not required. The original Section 76 remains in effect and is required to be complied with; an informative will be added to any approval to this effect.
10.0	Recommendation:
10.1	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. 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:
11.1	It should be noted that the other original conditions will be repeated as appropriate as approval of this Section 54 variation of condition application will create a new standalone

planning permission. One condition of the original approval LA04/2020/1211/F has been discharged and final wording will make reference to this.

1. Prior to any development within Phase 4 as shown on drawing number 01-07 rev A becoming operational, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RSK Ireland report entitled 'LIDL NI and Heron Bros / Heron Property, Environmental Site Assessment and Generic Quantitative Risk Assessment, Mixed Use Regeneration Scheme, Montgomery Road, Belfast' dated October 2020 and referenced 602253- R2(02), have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that:

- e) All above ground and underground fuel storage tanks and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27).
- f) The ground underlying the tanks has been proven to be suitable to remain in-situ through validation sampling. The remediation works shall be retained thereafter and not removed or altered without the prior consent of the Council in writing.

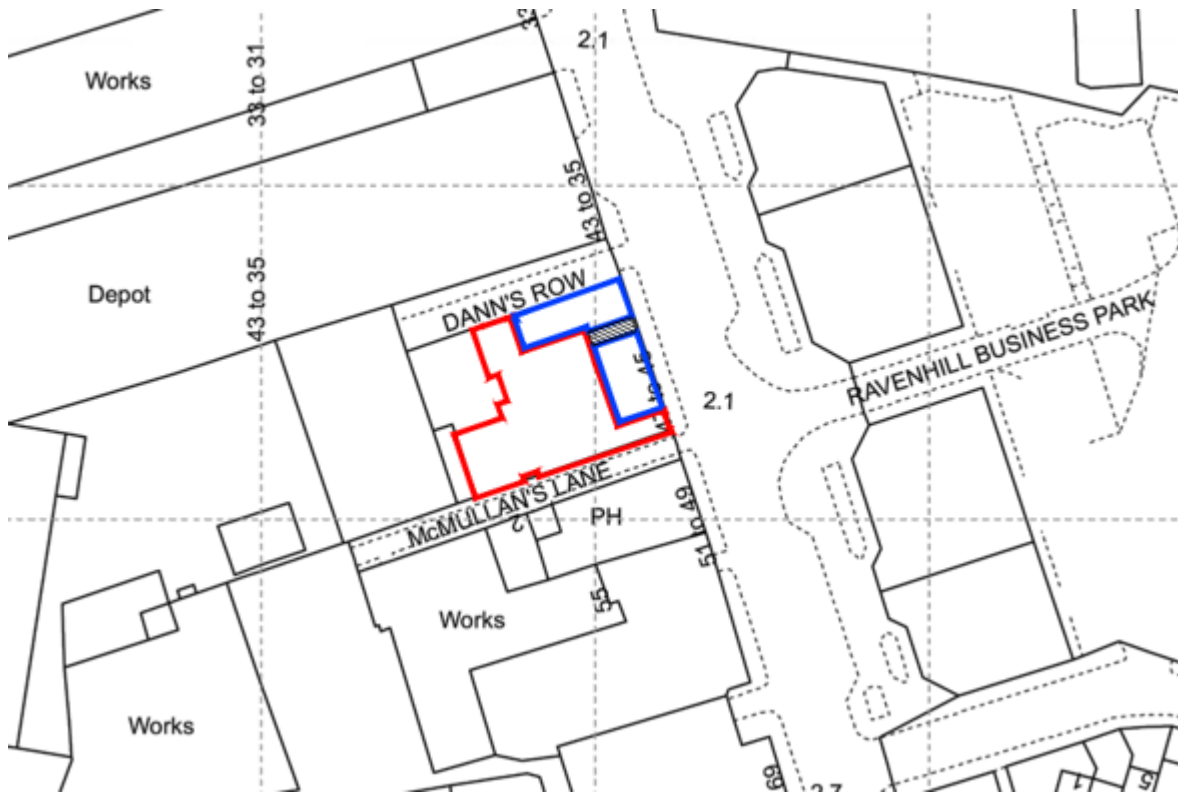
Reason: Protection of human health.

ANNEX	
Date Valid	14/11/23
Date First Advertised	15/12/23
Date Last Advertised	(as above)
Date of Last Neighbour Notification	15/01/24
Date of EIA Determination	N/A

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2022/0930/F	Committee Date: Tuesday 16 th April 2024
Proposal: Retrospective: Change of Use from Class A1 & D2 to a Gymnasium on Ground Floor.	Location: 47 Ravenhill Road Belfast BT6 8DQ
Recommendation:	Approve
Referral Route:	Paragraph 3.8.5 (f) of the Scheme of Delegation - There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.
Applicant Name and Address: Mark Carnaghan Motion Fitness, 47 Ravenhill Road, Belfast, BT6 8DQ	Agent Name and Address: Gerry Rodgers, GMR Architects Ltd, 411a Ormeau Road, Belfast, BT7 3GP
<p>Executive Summary: The application seeks full planning permission for the retrospective change of use from a Class A1 retail use and D2 dance hall to a gym which falls under Sui Generis use class. This site is adjacent the Ravenhill Road in East Belfast.</p> <p>The site is undesignated Whiteland within the BUAP 2001 and both versions of the dBMAP. The site sits within BT 009 Belfast Area of Parking Restraint (Fringe Area) and is directly adjacent to Arterial Route 01/13 Ravenhill Road.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> - Principle of Development, including location within COMAH Site - Design, Character & Appearance - Impact on Amenity - Area of Parking Restraint (Fringe Area) - Planning History <p>3 consultations were required, DFI Roads, BCC Environmental Health Services and Health and Safety Executive for Northern Ireland. DFI Roads and BCC EH are content subject to planning conditions and informatives being included. HSENI advise against granting planning permission at this site. To date 102 representations of support have been received from third parties.</p> <p>Recommendation Having regard to the development plan and other material considerations, including planning history and the high level of public support the proposal is on balance is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Site Location Plan:



Existing & Proposed Site Plans



Existing & Proposed Elevations



1.0 Characteristics of the Site and Area

The application site is referred to as No.47 Ravenhill Road, the ground floor unit of the larger 2 storey building at 45-47 Ravenhill Road. The site is undesignated Whiteland within the BUAP 2001 and both versions of the dBMAP. The site sits within BT 009 Belfast Area of Parking Restraint (Fringe Area) and is directly adjacent to Arterial Route 01/13 Ravenhill Road. The character of the immediate area along this stretch of the Ravenhill Road is industrial and commercial in nature. There are residential uses further down the Ravenhill Road approximately 80m from the site.

2.0 Description of Proposal

Retrospective: Change of Use from Class A1 & D2 to a Gymnasium on Ground Floor.

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

	<p>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>
4.2	<p>The site is undesignated Whiteland within the BUAP 2001 and both versions of the dBMAP. The site sits within BT 009 Belfast Area of Parking Restraint (Fringe Area) and is directly adjacent to Arterial Route 01/13 Ravenhill Road.</p> <ul style="list-style-type: none"> • The Belfast Local Development Plan – Plan Strategy 2035 (LDP) • The Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	<p>Relevant Site History</p> <ul style="list-style-type: none"> • Z/1973/0251 – 45/47 Ravenhill Road Erection of offices and showrooms.
6.0	<p>Statutory Consultations</p> <ul style="list-style-type: none"> • DFI Roads: No objection – subject to conditions • Health & Safety Executive for Northern Ireland: Advise against development.
7.0	<p>Non-Statutory Consultations</p> <ul style="list-style-type: none"> • BCC Environmental Health Service: No objection – Subject to conditions & informatives
8.0	<p>Representations</p>
8.1	<p>The application has been advertised in the local press and relevant neighbours have been notified. The Council have received 102 representations of support on behalf of this proposal from the local community and members.</p>
9.0	<p>Other Material Considerations</p> <ul style="list-style-type: none"> • The application site is directly adjacent to Tennants Textiles COMAH site.
10.0	<p>Principle of Development</p>
10.1	<p>This proposal seeks to rectify a retrospective change of use from a Class A1 & D2 use to a Gymnasium (Sui Generis) on the ground floor of 47 Ravenhill Road.</p>
10.2	<p>The application site lies within an area of white land along an arterial route; the presumption is in favour of development subject to other material considerations.</p>
10.3	<p>The application site also falls within a COMAH site because of its proximity to the Tennants Textiles Colours Plant on the lower Ravenhill Road. Tennants textiles store, use or handle specified dangerous substances above defined quantity thresholds. HSENI advice is based on a consideration of the type of development, the status and number of occupants and its proposed location relative to the Tennants Textiles Colour site. In general, HSENI will advise the Planning Service against proposals for new developments that would introduce large or vulnerable populations to the immediate vicinity of the site. This approach, and the methodologies used are consistent across the United Kingdom.</p>

10.3	HSENI have been consulted in relation to this proposal and responded expressing that they advise against granting planning permission at this site. HSENI state that based on the information provided in this planning application, the proposed development is within the inner zone of a nearby COMAH site. The PADHI (Planning Advice for Developments near Hazardous Installations) classifies the proposed development as DT2.4 – INDOOR USE BY PUBLIC, a development for use by the general public where total floor space (of all floors) is from 250 m2 up to 5000 m2. The assigned sensitivity level is two. HSENI previously responded with a consultation response dated 26th October 2023, the sensitivity level for the development was incorrectly stated as level one, when it should have been level two. The previous advice against permission was the same.
10.4	HSENI finally states in their consultation response that they assume the applicant will meet all the Health and Safety at Work (NI) Order 1978 requirements and relevant statutory provisions if planning permission is granted.
11.0	Design, Character, Appearance
11.1	The application site is the ground floor of No.47 Ravenhill Road. The building has not been physically altered for this proposal. The external façade has been painted dark grey and updated fascia signage has been erected over existing signage which is not subject to this planning application. The building is a 2-storey commercial style building with a flat roof reflecting that of the character of neighbour buildings in the immediate area. This proposal is compliant with Policy DES1 of LDP as there are no adverse design elements related to this building. The character of the area would be unchanged in this respect as the proposal is for a change of use to a gym.
12.0	Impact on Amenity
12.1	Belfast City Council Environmental Health Service have been consulted throughout the assessment of this proposal. Upon initial consultation, EH service requested that a Noise Impact Assessment be carried out as there may be a negative impact on the amenity of nearby properties as a result of noise disturbance emanating from the gym. A request was also made in relation to the submission of a Contaminated Land Risk Assessment. Records held by EH service indicate that the site of the proposed development is located on and in close proximity to past land use types that have the potential to contaminate land and pose a risk to human health.
12.2	Upon receipt of the Noise Assessment submitted by the applicant, EH service reserved some concerns, but which could be maintained through the implementation of related planning conditions. No Contaminated Land Risk Assessment had been submitted which the EH service requested again in their response.
12.3	The applicant subsequently submitted updated information regarding additional noise mitigation measures and confirmation that ground penetration works would not be required or have taken place which would cause concern or deem it necessary to provide a Contaminated Land Risk Assessment. A final response from the EH service dated 6th December 2023 and published on the planning portal on 7th December 2023 details that consideration had been given to these points and confirmed it would not be necessary to provide a Contaminated Land Risk Assessment based on the latest information provided by the applicant. On this basis, the EH service are generally content with the proposal on the basis relevant conditions and informatives are implemented subject to any permission, if granted.

12.4	<p>DFI Roads Service have also been consulted in relation to this proposal from a parking and road safety perspective which is associated with the amenity of this location. Upon initial consultation DFI Roads service had issues with elements of the application not being completed so to indicate accurate numbers on the application form. DFI Roads also requested that a Parking Survey be submitted so to allow their service to provide substantive comments to the proposal. Upon the submission of DFI Road's requests, further consultation with DFI Roads deemed there was no objections to the proposal. It was noted in the final DFI Roads response which was published on the planning portal 22nd June 2023 that the "Planning Service should note the proposed parking provision falls short of Parking Standards and so overspill parking will probably occur within nearby residential streets".</p>
12.5	<p>The applicant has confirmed that the gym is a controlled class-led system in which is based on the maximum number of 8 members in each session including 2 coaches equating 10 people. Saturday mornings have a slightly higher requirement, up to 15 people attending a session including coaches. The gym currently has 97 members with a maximum capacity of 120 members. These 97 members are spread over 37 sessions per week. Based on this clarification and based on the evidence provided in the parking survey submitted to the Council, it would be difficult to conclude that the parking situation would have such an adverse impact or overspill to cause significant impact upon the amenity of the area.</p>
13.0	<p>Area of Parking Restraint (Fringe Area)</p>
13.1	<p>This element of the proposal is weighed against Policy TRAN 9 – Parking standards within areas of parking restraint. The application site falls within an Area of Parking Restraint (Fringe Area) as zoned in dBMAP which is a relevant material consideration as the Local Policies Plan has not been adopted yet. Policy TRAN 9 sets out guidance for parking standards. In this instance, for non-residential, non-operational spaces equates to 1 space per 100m² floorspace associated with the development proposal. As the site has a floorspace of 375m² this would allow for 3-4 spaces. There are no spaces to be created by the development, the site will utilise existing on-street parking which illustrated by the submitted parking survey shows that 4 spaces are required and over the course of 4 days at differing times that there are available spaces exceeding what is required. In addition the site is located in a sustainable location close to the city centre and along an arterial route with frequent bus services. This element is compliant with Policy TRAN 9 of the Local Development Plan.</p>
14.0	<p>Planning History</p>
14.1	<p>The application site originally had a retail use and assembly and leisure use which operated prior to the change of use to a gym. These were highly likely operations which similar numbers of the public visited to avail of their services. A gym which has a mechanism installed to control visitor numbers booking into classes is much more regulated than the previous uses at this site. Both DFI Roads and BCC EH hold no objections subject to the use of planning conditions to ensure minimal amenity concerns arise.</p>
14.2	<p>Furthermore, there is high level public support for this gym from its members, staff, and the local community with 102 representations of support in favour of sustaining this gym at this location.</p>
14.3	<p>Taking account of relevant planning policy, consultation advice and all other relevant material planning considerations including the representations of support for the service provided to the local community. On balance, the change of use is acceptable subject to</p>

	planning conditions, to include a management and evacuation plan is put in place in the event issues are to arise on the adjacent COMAH site.
16.0	<p>Summary of Recommendation:</p> <p>The Council, on balance recommends that planning permission be granted, contrary to HSENI advice as a Statutory consultee. 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>
17.0	<p>Draft Conditions:</p> <ol style="list-style-type: none"> 1. This planning permission has effect from the date which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. The operation of all combined plant and equipment which is external or vents via the external façades does not exceed the Plant Noise Limit presented in table 5 of the email from KRM dated 26/10/2023 entitled LA04/2022/0930/F, at the nearest noise sensitive premises, when measured at a distance of 1m. Reason: In the interests of residential amenity. 3. The reverberant noise level (resulting from amplified music, exercise equipment, patron noise and instructor noise) within the hereby approved gym premises shall not result in noise levels in excess of NR15 within the nearest noise sensitive receptor. Reason: in the interests of amenity in residential and commercial premises. 4. The hereby approved gym must not operate between 2300Hrs to 0600Hrs on any day. Reason: in the interests of residential amenity. 5. In the event that any combustion plant, where the single or combined NOx emission rate is more than 5mg/sec, is proposed to be installed in connection with the development, the applicant must submit an Air Quality Impact Assessment to the Planning Authority for approval in writing. Reason: Protection of human health. 6. Within one month of the date of this approval an appropriate management plan shall be submitted and agreed with the Council, to include evacuation measures given proximity to the Tennent Textile COMAH site, and in line with HSENI advice. The gym shall thereafter comply with the agreed management plan. Reason: In the interests of public safety.

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Development Management Report Committee Application

Summary	
Application ID: LA04/2023/4162/F	Date of Committee: 16 th April 2024
Proposal: Change of use from retail unit to amusement arcade and adult gaming centre.	Location: 51 Rosemary Street Town Parks Belfast Antrim BT1 1QB
Referral Route: Referral to the Planning Committee under section 3.8.2 (d) of the Scheme of Delegation	
Recommendation:	Approve
Applicant Name and Address: Sam Stranaghan Ava House 14 Prince Regent Road Belfast BT5 6QR	Agent Name and Address: Sam Stranaghan Ava House 14 Prince Regent Road Belfast BT5 6QR
<p>Executive Summary: The proposal is for a Change of Use of ground floor retail unit to amusement arcade and adult gaming centre.</p> <p>The site is located within a terrace building with retail frontage on the ground floor and upper floor which is finished in white render. The surrounding area is of mixed use containing a mix of retail, offices, and a bank adjacent and opposite the site. Building heights vary between two storey and four storey buildings on Rosemary Street, however the adjoining building which fronts on to Royal Avenue is 5 stories in height.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of the change of use • Impact on the character and appearance of the conservation area • Impact on amenity • Proliferation of Amusement Arcades <p>The site is located within the City Centre within the BUAP and draft BMAP. The site is also located within the Primary Retail Core as well as the City Centre Conservation Area within both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015). There are no family dwellings or schools in the immediate area. There is a live application for 12no residential units adjacent the site 31-39 Royal Avenue, this has been considered in the main section of the report.</p> <p>Environmental Health, Historic Environment Division, DFI Roads and the Conservation Team offer no objections. Building Control, which is responsible for amusement licensing, is concerned that the proposal may impact on retail vitality and viability of Belfast City and result in a cumulative impact due to the number of amusement arcades in the surrounding area. There are currently three other amusement / gambling premises within 200 metres in the immediate area.</p> <p>The site is located within the Primary Retail Core within City Centre where main town centre uses such as this are acceptable in principle. There would be no harmful impacts on the character and appearance of the area, amenity or transportation.</p>	

There is no impact on the character and appearance of the conservation area given there are no external alterations proposed.

Two letters of objection have been received in relation to the application. These raised concerns regarding;

1. Clarity of the description
2. Principle of a non-retail use in this location
3. Impact on the character and appearance of the Conservation Area
4. Amenity of the area in terms of noise, litter, and traffic
5. Health and Well-being
6. Impact on character and setting of nearby Listed Buildings
7. Impact on the image and Profile of Belfast City Centre
8. Not supportive to tourism, leisure and cultural development
9. Causes a cluster of these uses in a small area.

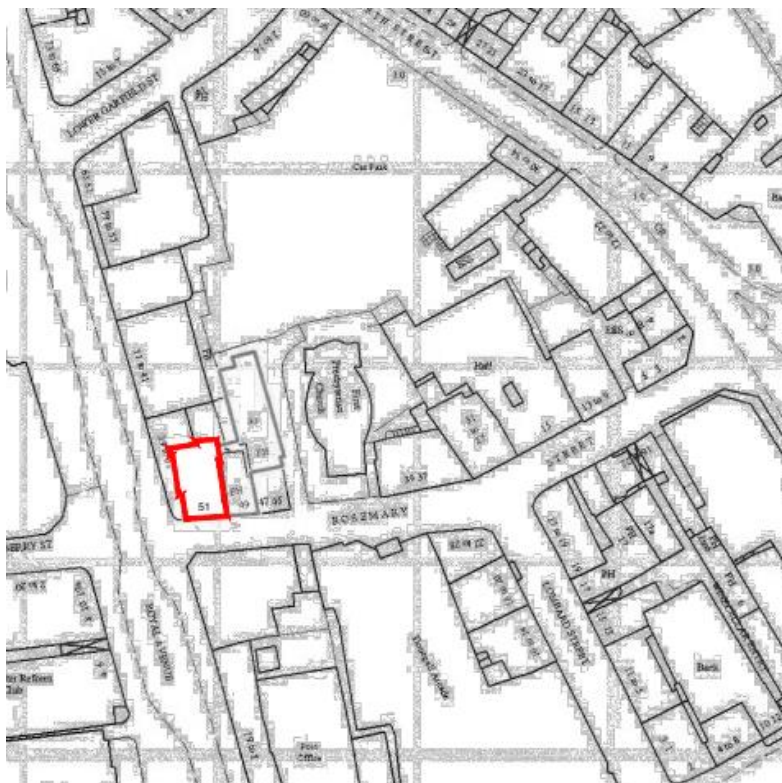
The proposal complies with Plan Strategy Policies SP3 – Improving Health & Wellbeing, RET 1 Establishing a centre hierarchy, RET 5 Primary retail area, Policy ENV 1 – Environmental Quality, BH1 Listed Buildings, BH2 Conservation Areas, TRAN 8 Car Parking and Servicing Arrangements.

Recommendation

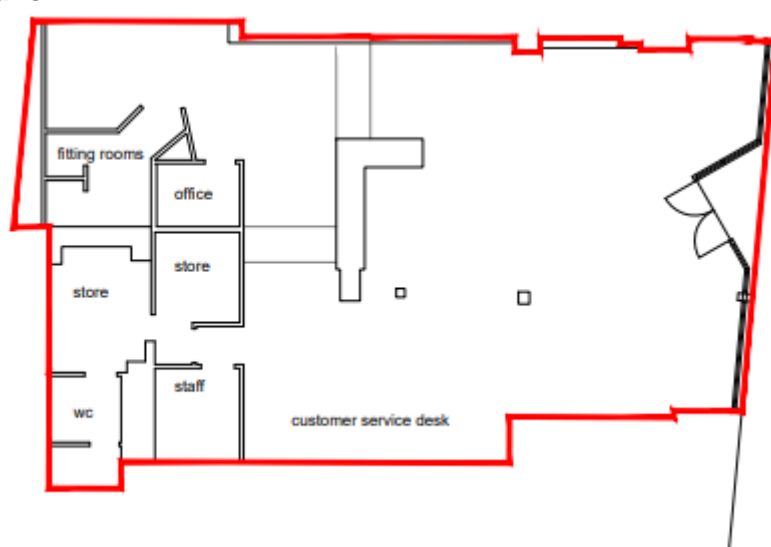
It is recommended that planning permission is granted with delegated authority sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

Case Officer Report

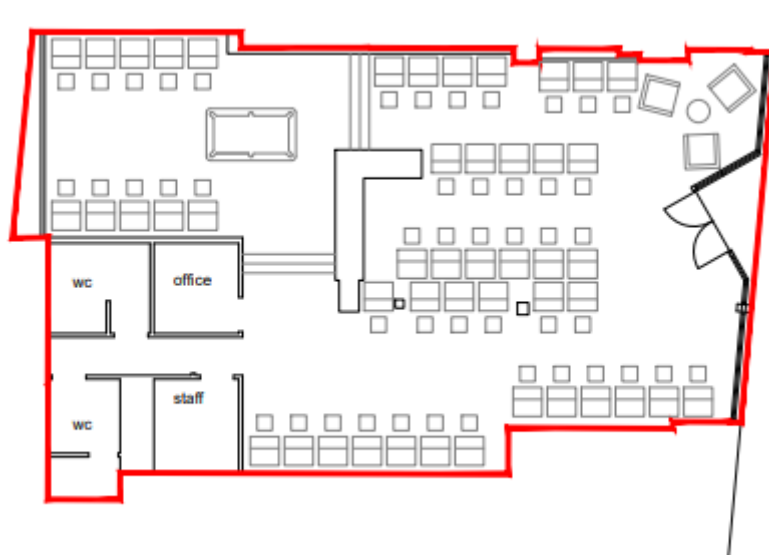
Site Location Plan



Existing Floor Plans



Proposed Floor Plans



Characteristics of the Site and Area

1.0 Description of Proposed Development
Change of use from retail unit to amusement arcade and adult gaming centre.

2.0 Description of Site
The site is located within a 2 storey terrace building. The ground floor has a glass retail frontage whilst the upper floor is finished in white render. The unit is situated within a row of terrace buildings, the adjoining buildings are finished in red brick and are a mixture of 3 and 4 and a half storeys. The surrounding area is of mixed use containing a mix of retail, offices a bar and a bank opposite.

The site is located within the Primary Retail Core within the City Centre as defined by and draft BMAP (v2004 and 2014).

Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Application site</p> <p>Z/2005/1901/F, 51 Rosemary Street, Town Parks, Belfast, BT01 1QB, New shopfront entrance with change of sashwork colour and provision of air conditioning units., Permission Granted, 25.10.2005</p> <p>Z/2005/1933/A, Ann Summers Ltd, 51 Rosemary Street, Town Parks, Belfast, Northern Ireland, BT01 1QB, Shop sign and projecting sign. Consent Granted. 07.11.2005</p> <p>Surrounding Site History</p> <p>LA04/2021/1222/F, 31-39 Royal Avenue, Belfast, BT1 1FD - Change of use from retail to restaurant at ground floor and 12no. apartments at first to fourth floors (including demolition of internal walls, stairwell, rear return and window openings) and refurbishment works.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application: SP3 – Improving Health & Wellbeing RET 1 - Establishing a centre hierarchy. RET 5 - Primary retail area BH1 - Listed Buildings BH2 - Conservation Areas Policy - ENV 1 – Environmental Quality TRAN 8 - Car Parking and Servicing Arrangements</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 Sensitive Uses Supplementary Planning Guidance BCC Amusement Permit Policy (2013)</p>
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	<p>Statutory Consultees Responses</p> <p>DFI Roads- No objection HED- No Objection</p>

6.0	Non Statutory Consultees Responses Environmental Health- No objections Building Control- Objections raised Conservation Officer – No objection
7.0	Representations The application was advertised on the 10 th November 2023 and neighbour notified on 2nd November 2024 and again on 1 st February 2024. Two letters of objection have been received in relation to the application. These raised concerns regarding; <ol style="list-style-type: none"> 1. Clarity of the description 2. Principle of a non-retail use in this location 3. Impact on the character and appearance of the Conservation Area 4. Amenity of the area in terms of noise, litter, and traffic 5. Health and Well-being 6. Impact on character and setting of nearby Listed Buildings 7. Impact on the image and Profile of Belfast City Centre 8. Not supportive to tourism, leisure and cultural development 9. Causes a cluster of these uses in a small area. <p>The description for the proposal reads ‘Change of use from retail unit to amusement arcade and adult gaming centre’. This is considered an appropriate description for the proposed use. The agent has also clarified the meaning of ‘an adult gaming centre’ is intended to define the proposed development as being suitable only for those over the age of 18 within the additional information submitted. The proposal has been since neighbour notified again following this clarification.</p> <p>Issues relating to, the principle of a non-retail use, impact on the character and appearance of the area/conservation area, impact on amenity, health and well-being, impact on listed buildings and potential cluster of the proposed use have all been assessed in the main section of the report.</p> <p>In terms of the impact the proposal has on the image and profile of Belfast City Centre, the proposal must be assessed against relevant planning policy. The image or profile of Belfast City Centre can only be taken into account in terms of relevant policy and the impact the proposal would have on the character and appearance of the area.</p> <p>In relation to the proposal not being supportive to tourism, leisure and cultural development, the proposal is again assessed against relevant policy within the Local Development Plan. The proposal is considered to be acceptable in principle. A single unit for a proposed City Centre use of an amusement Arcade located within the City Centre is not considered to have an impact on the tourism leisure and cultural provision within Belfast.</p>
9.0	Assessment
9.1	The proposal is considered to be in compliance with the Development Plan.
9.2	Assessment The key issues to be considered are: <ul style="list-style-type: none"> • Principle of the change of use • Impact on the character and appearance of the area • Impact on amenity • Proliferation of Amusement Arcades

9.3	<p>Principle of the Change of Use</p> <p>The site is located within the City Centre as defined by both BUAP and draft BMAP and within the Primary retail core within draft BMAP where main town centre uses, including amusement arcades, are acceptable in principle as per Policy RET1 – Establishing a centre hierarchy and the Sensitive Uses SPG.</p>
9.4	<p>The Plan Strategy defines main town centre uses as cultural and community facilities, retail, leisure, entertainment, and business. The proposed use as an amusement arcade and adult gaming centre is considered entertainment and leisure.</p>
9.5	<p>Policy RET1 – Establishing a centre hierarchy states;</p> <p><i>The following network and hierarchy is to be maintained to ensure that proposals for main town centres uses, including retail, are directed to the appropriate level of centre based on size, function and catchment. Such proposals will be considered in the following order of preference:</i></p> <p><i>a. Belfast City Centre primary retail core and frontage (retail applications);</i> <i>b. Belfast City Centre;</i> <i>c. District centres; then</i> <i>d. Local centres.</i></p>
9.6	<p>The site is located within the Belfast City Centre primary retail core but not along a primary retail frontage. The location of the proposed development is therefore located in the first area of preference and considered acceptable in principle.</p>
9.7	<p>The Council's Amusement Permit Policy (2013) is a material consideration. Building Control, which is responsible for issuing licensing permits for amusement arcades, has been consulted on the application.</p>
9.8	<p>Building Control note that there are other amusement arcades operating nearby within walking distance of the application premises. These are:</p> <ul style="list-style-type: none"> • Oasis, 73-75 North Street; • Twilight Zone, 13 North Street; • Funtime, 91 Castle Street; • Oasis, 17-19 Queen Street; and • Oasis, 7-9 Wellington Place.
9.9	<p>Officers advise that the Council's Amusement Permit Policy lists five criteria for assessing site suitability. Of these, the following are particularly relevant to planning:</p>
9.10	<ul style="list-style-type: none"> • Impact on the retail vitality and viability of Belfast City – the Policy seeks to control amusement arcades in the retail core of the City Centre. The Policy also seeks to prevent the breakup of an otherwise continuous shopping frontage. The application site does not form part of a continuous shopping frontage with Ulster bank ATM's in one of the adjacent units to the site. Other units along this section of Rosemary Street are made up of a charity shop, a solicitors Office, cafes, fast food outlet, a bank and Social Club and Church that is set back off Rosemary Street.
9.11	<p>The Council's Permit Policy indicates that, outside of renewal applications, there is a presumption against granting permits for amusement arcades in the Retail Core unless they are related to a major, retail-led, mixed use development or an upper storey development. This policy is adopted in order to promote retailing and footfall levels, thereby maintaining City Centre vibrancy. It must be</p>

	considered the unit has been vacant since April 2023 when considering the potential impact on City Centre vibrancy.
9.12	Whilst The Council's Permit Policy is a material consideration that must be considered, it must also be balanced against relevant Planning policy within the Plan Strategy. As per Policy RET1 Establishing a centre hierarchy The Belfast City Centre Primary Retail Core is the first preference for main town centres uses. Therefore, on balance there is no conflict with this criterion.
9.13	<ul style="list-style-type: none"> • Cumulative build-up of amusement arcades in a particular location – the Policy seeks to prevent more than one amusement arcade per shopping or commercial frontage and one per shopping centre. The policy goes on to state that under this criterion, 2 or more amusement arcades in adjacent ground-floor units will not be allowed (except for those already existing). There are no other amusement arcades on the same commercial block on Rosemary Street.
9.14	In relation to this criterion Building Control Officers state 'there is availability nearby within walking proximity of the application site. These include: Oasis, 73-75 North Street; Twilight Zone, 13 North Street; Funtime, 91 Castle Street; Onassis, 17-19 Queen Street; and Oasis, 7-9 Wellington Place. If a permit application is subsequently applied for, Members of the Licensing Committee may more broadly consider the issue of the proliferation of amusement arcade use and the effect of same on the character and amenity of an area.'
9.15	Two of these units are greater than 5mins walking distance and therefore are not considered to result in proliferation in the nearby area.
9.16	Due to an amusement arcade being defined as a main town centre use 4no amusement arcades within a 5 minute walk or 200m radius is not considered proliferation.
9.17	<ul style="list-style-type: none"> • Proximity to residential use – There is no residential use currently adjacent to the application site, however there is a live application under consideration - reference LA04/2021/1112/F for 'Change of use from retail to restaurant at ground floor and 12no. apartments at first to fourth floors (including demolition of internal walls, stairwell, rear return and window openings) and refurbishment works.' At 31-39 Royal Avenue.
9.18	<p>Environmental Health have been consulted and offer no objection to the proposal in terms of the impact on amenity of any potential residential units should the application be approved. Environmental Health concluded;</p> <p><i>The windows of the habitable rooms of the residential accommodation proposed at 31-39 Royal Avenue do not face onto the current proposal or its front curtilage on Rosemary Street apart from the windows to the proposed first floor terrace. This terrace is protected by a parapet wall and given the existing high ambient noise levels it is not considered that there will be an adverse impact from noise should both proposals be granted permission by the Planning Service.</i></p>
9.19	The sensitive Uses SPG states 'there are locations which would not be preferable, such as wholly residential areas.' It is considered the surrounding area is not wholly residential, rather an area of mixed-use located within the City Centre. Whilst in many cases a proposal for an amusement arcade may not be suitable next to a residential use, in this specific circumstance it is considered on balance acceptable given the city centre location and both sites have different

9.20	<p>frontages. It is also noted the Planning application for the residential apartments has not yet been granted.</p> <p>Building Control Officers consider the area is not one that is predominantly residential in character.</p>
9.21	<p>Impact on the Character and Appearance of the Area/Conservation Area.</p>
	<p>The impact of an amusement centre on the amenity and character of an area will usually depend on the location of the premises in relation to other development, its appearance, the type of amusement to be provided, the impact on neighbouring amenity and the hours of operation. Regarding the location, amusement centres are not normally acceptable near residential properties or in close proximity to schools, churches, hospitals or hotels.</p>
9.22	<p>The proposal is not located in close proximity to residential use, schools, hospitals or hotels. There is a Church located on Rosemary Street, however there is a separation distance of 2no units providing a separation between the two units. This separation distance and with the Church being set back from the Rosemary Street there is not considered to be any significant impact on the Church. Any potential impact on the amenity of the Church can be controlled hours of use that will be obtained through the separate process of applying for an Amusement Permit Policy.</p>
9.23	<p>In a Conservation Area or other area of special architectural or historic interest, amenity value may be higher and here, the major consideration will be the effect of the proposal upon the general character of the area. The proposal does not propose any external alterations that would impact on the character and appearance of the Conservation Area. The Conservation Team have been consulted and offer no objection to the proposal.</p>
9.24	<p>Building Control Service considers that there may be an issue in respect of the proliferation of amusement arcade use at this location, which might impact upon the character and amenity of the area. It is considered that there is not a proliferation of amusement arcades given there are no other Amusement Arcades on Rosemary Street. Building Control have listed 5 other Amusement Arcades, however 2 of these are located greater than a 5 minute walk from the site which are not considered to contribute to proliferation of this area. A total of 4no Amusement Arcades within a 200m radius of the site is not considered to impact on the overall character and appearance of this section of the City Centre.</p>
9.25	<p>Impact on Amenity</p> <p>The Sensitive Use SPG states that noise is a consideration for Amusement Arcades. Environmental Health were therefore consulted and took into consideration the proposed use and the concerns raised in the representations.</p>
9.26	<p>Environmental Health considered the potential impact on the proposal in terms of noise, odour, contaminated land, litter and general nuisance and offer no objection to the proposal.</p>
9.27	<p>Adjacent the site is a live application for 12no. apartments at first to fourth floors of 31-39 Royal Avenue. The windows of the habitable rooms do not face onto the current proposal or its front curtilage on Rosemary Street apart from the windows to the proposed first floor terrace. This terrace is protected by a parapet wall and given the existing high ambient noise levels it is not considered that there will be an adverse impact from noise should both proposals be granted permission.</p>

9.27	<p>Other Issues</p> <p>DFI Roads were consulted and offered no objection to the proposal. Historic Environment Division were consulted on the potential impact on the Setting of Listed Buildings, and offered no objection to the proposal.</p>
9.28	<p>In conclusion, having regard to the Local Development Plan the proposal is therefore considered to comply with Plan Strategy Policies SP3 – Improving Health & Wellbeing as it will not result in any significant harm to human life, health or wellbeing, Policy RET1 - Establishing a centre hierarchy in that the location is suitable for a main town centre use, RET 5 Primary retail area in that the proposal is not located within a primary retail frontage, Principles of Policy ENV 1 – Environmental Quality, in that the proposal will not result in an unacceptable adverse impact on the environment, BH1 Listed Buildings, BH2 Conservation Areas, TRAN 8 Car Parking and Servicing Arrangements.</p>
10.0	<p>Summary of Recommendation:</p> <p>It is recommended that planning permission be granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>
11.0	<p>Draft Conditions</p> <p>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.</p> <p>Draft Informatives</p> <ol style="list-style-type: none"> 1. 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. 2. AMUSEMENT PERMIT In accordance with the Betting, Gaming, Lotteries and Amusement (Northern Ireland) Order 1985, the applicant must apply to Belfast City Council, Building Control for an application form to apply for an amusement permit.

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2024/0055/F	Committee Meeting Date: 16 th April 2024
Proposal: New mixed-use kiosks and associated canopy structure (5-year temporary permission).	Location: Existing open public space along river edge at Queens Quay
Referral Route: Belfast City Council is the applicant.	
Recommendation: Approval subject to conditions.	
Applicant Name and Address: Belfast City Council City Regeneration and Development 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Belfast City Council City Regeneration and Development 9-21 Adelaide Street Belfast BT2 8DJ
<p>Executive Summary:</p> <p>The application site is defined as 'existing open public space along river edge at Queens Quay', a 0.3 hectare site located east of Belfast City Centre. The application seeks full planning permission for two new mixed-use kiosks and associated canopy structure.</p> <p>The site comprises an area of open tarmac between the River Lagan and the Queen's Quay. The site is located within the development limits for Belfast. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay within draft BMAP 2015. It is located within the City Centre Boundary, Laganside North and Docks Character Area and City Fringe Area of Parking Restraint under draft BMAP. The site is zoned as white land within the BUAP 2001.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of Development • Design and Placemaking • Impact on Amenity • Health Impacts • Access and Transport • Climate Change • Environmental Protection • Landscape Impact • Flood Risk and Drainage • Impact on the Historic Environment <p>The application was neighbour notified and advertised in the local press. No third-party representations have been received. Environmental Health was consulted. They do not have any objections to the proposal subject to condition.</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, for a temporary five-year period.</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

The Site Location Plan shows the proposed site (red outline) in the River Lagan area. The plan includes labels for CCLW, River Lagan, NWMT, FB, Queen's Quay, and Strand Street. A scale bar is present at the bottom.

2024/0055/F

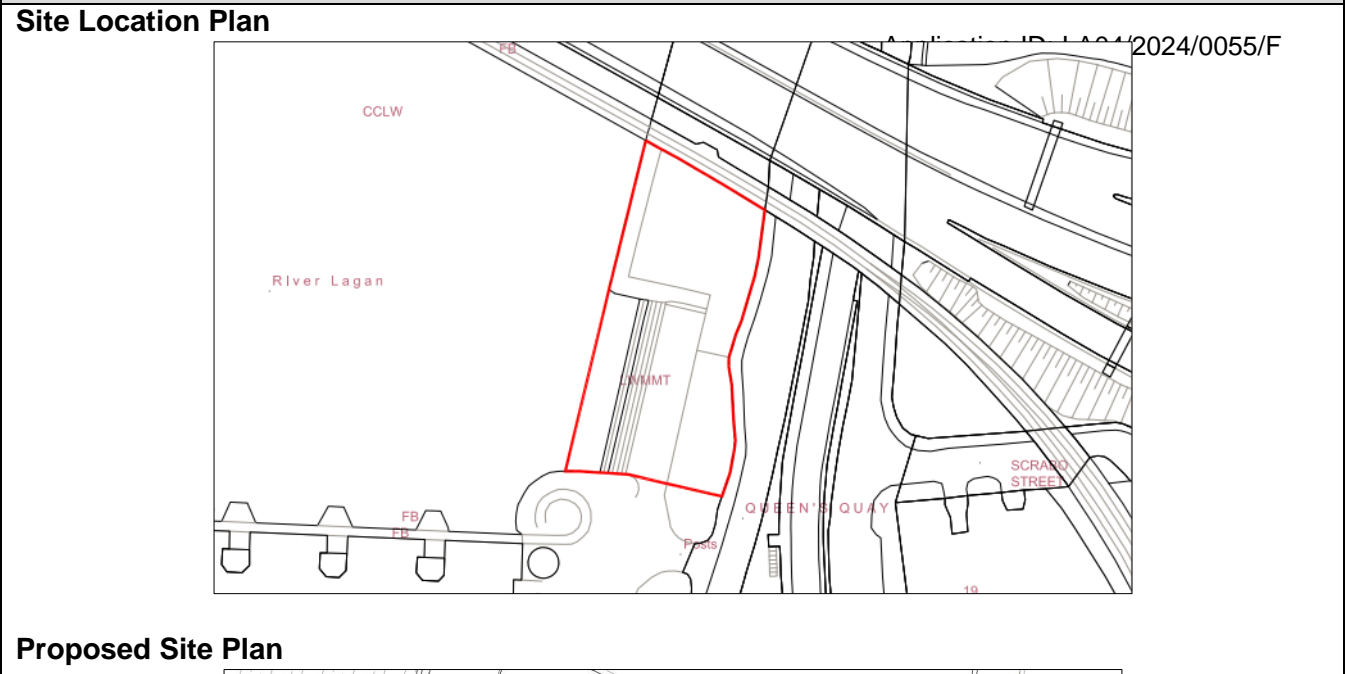
Proposed Site Plan

Site Location Plan

The Site Location Plan shows the proposed site (red outline) in the River Lagan area. The plan includes labels for CCLW, River Lagan, NWMT, FB, Queen's Quay, and Strand Street. A scale bar is present at the bottom.

2024/0055/F

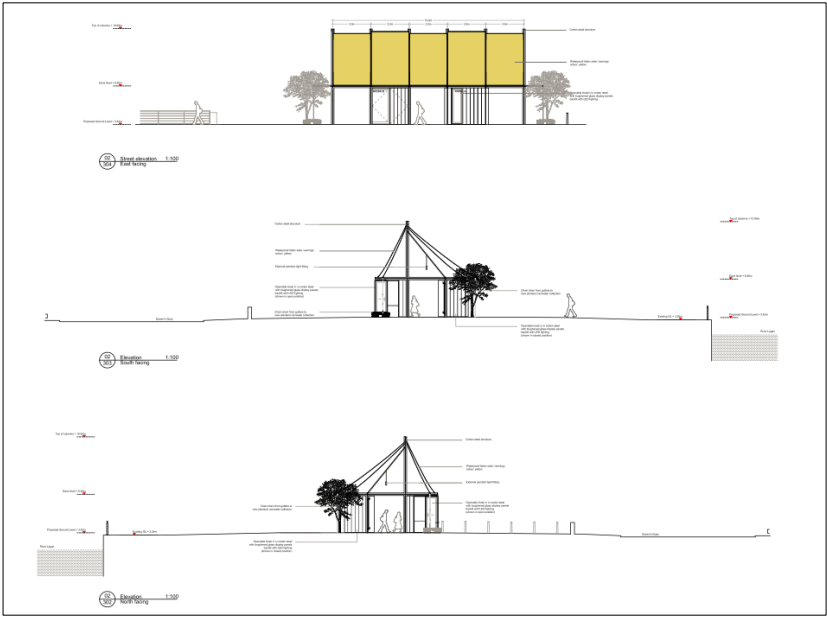
Proposed Site Plan



The site plan illustrates the proposed development at Queen's Quay West. The building footprint is shown in yellow, with a central core and two side wings. The plan includes various annotations such as 'Proposed front with landscaped driveway', 'Proposed rear with landscaped driveway', and 'Proposed side with landscaped driveway'. It also shows 'Proposed parking spaces with landscaped driveway' and 'Proposed parking spaces with landscaped driveway'. The plan is bounded by 'RIVER LAGAN' to the west and 'QUEEN'S QUAY' to the east. The plan includes a north arrow and a scale bar.



Elevations



Section / Elevation



Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	The proposal seeks full planning permission for two new kiosks along the edge of the River Lagan at Queen's Quay. The applicant intends that the structures will improve the pedestrian experience of this part of the river edge and city core streetscape, to help create a more people-centred public space in the city centre.
1.2	The proposed pair of kiosks are sought to be utilised for uses associated with the Maritime Mile such as coffee kiosk, information kiosk etc. The proposal seeks permission to install fully demountable and re-usable structures and associated works which require minimum construction and minimum ground disruption.

2.0	Description of Site and Area
2.1	The site comprises an existing open space between the River Lagan and the Queen's Quay.
2.2	The site is located within the development limits for Belfast. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay within draft BMAP 2015. It is located within the City Centre Boundary, Laganside North and Docks Character Area and City Fringe Area of Parking Restraint under draft BMAP. The site does not have any particular zoning within the BUAP 2001.
2.3	The site is bounded by black bollards to the north and east, the River Lagan runs along the western boundary and to the south is a black fence. The site is generally flat and there is no surrounding trees or vegetation. Approximately 80 metres southeast from the site is Quay Gate apartments and approximately 260 metres north is the SSE Arena. Within the application site, there are two Industrial Heritage Records IHR 10030:030:00 and IHR 10030:031:00 of archaeological importance.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	LA04/2023/2773/F - The erection of 6 No sculptural metal beacons, bicycle stands, wayfinding signage and localised areas of feature paving, pathway extension and resurfacing at the Maritime Mile, Belfast. Status: Approved. Decision Date: 19 October 2023.
4.0	Planning Policy
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035 Policy SP2 – Sustainable development. Policy SP3 – Improving health and wellbeing. Policy SP5 – Positive placemaking. Policy DES1 – Principles of urban design. Policy BH5 – Archaeology. Policy HC1 – Promoting healthy communities. Policy TRAN1 – Active travel – walking and cycling. 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 LC1 – Landscape.
4.2	<u>Supplementary Planning Guidance</u> Placemaking and Urban Design
4.3	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)
4.4	Regional Planning Policy Regional Development Strategy 2035 (RDS)

4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS) Other Material Considerations Belfast Agenda (Community Plan) Creating Places (2000)
5.0	Statutory Consultees Responses
	No statutory consultation required.
6.0	Non-Statutory Consultees Responses
	Belfast City Council Environmental Health – No objection subject to conditions.
7.0	Representations
	The application has been neighbour notified and advertised in the local newspaper. No representations have been received.
8.0	Assessment
	Development Plan Context
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	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
8.4	<i>Operational Policies</i> 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.
8.5	<i>Proposals Maps</i> 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.
8.6	The Belfast Urban Area Plan 2001 (BUAP) shows the site as white un-zoned land.
8.7	In the draft Belfast Metropolitan Area Plan (BMAP) 2004 version the site is located within the development limits for Belfast, the City Centre boundary, the Laganside North and Docks Character Area and the City Fringe Area of Parking Restraint. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay.
8.8	In the draft Belfast Metropolitan Area Plan (BMAP) 2014 version (previously adopted and subsequently quashed): the site is located within the development limits for Belfast, the City Centre boundary, the Laganside North and Docks Character Area and the City Fringe Area of Parking Restraint. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay.
8.9	<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"> • Principle of Development • Design and Placemaking • Impact on Amenity • Health Impacts • Access and Transport • Climate Change • Environmental Protection • Landscape Impact • Flood Risk and Drainage • Impact on the Historic Environment
8.10	<p><u>Principle of Development</u></p> <p>The proposal seeks to construct two kiosks with an associated canopy structure along the existing open public space along the edge of the River Lagan at Queen's Quay. The applicant intends that the structures will improve the pedestrian experience of this part of the river edge and city core streetscape, to help create a more people-centred public space in the city centre.</p>
8.11	<p>The proposed pair of kiosks are sought to be utilised as utilised for uses associated with the Maritime Mile such as coffee kiosk, information kiosk etc. The proposal seeks permission to install fully demountable and re-usable structures and associated works which require minimum construction and minimum ground disruption. There would be no change to existing vehicular access or parking. As the structures are temporary and moveable it is considered a 5 year temporary permission would be appropriate especially given that the site is within a development opportunity site.</p>
8.12	<p><u>Design and Placemaking</u></p> <p>The proposal has been assessed against Policies SP5 and DES1 of the Plan Strategy, and the SPPS. 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 and materials.</p>
8.13	<p>The proposal is for two separate kiosks with an associated canopy laid out within the existing open public space along the edge of the River Lagan at Queen's Quay. The ground under the proposed kiosks will have an exposed stone concrete finish with Corten steel expansion joints. The two kiosks utilise the same materials, design and are the same scale. Each kiosk is 3.05m in height, 11.1m together measure approximately 15.0m in width. The canopy will cover both kiosks and will measure around 15m in total width. The scale and massing of the proposal is</p>

8.14	<p>deemed sympathetic to the location and immediate surrounding area. The kiosks utilise a flat roof membrane, the structure will be made up Corten steel with toughened glass display panels. The kiosks will also be made of Corten steel, and the sails / awnings will be a waterproof fabric in the colour yellow. At each corner of the structure, the kiosks will be complemented with planted beds for rainwater collection.</p> <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, these have been assessed below,</p> <ul style="list-style-type: none"> • <i>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>It is considered that the proposal responds positively to the local context. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>Positively reinforcing a sense of place by demonstrating that locally distinctive features have been identified, incorporated and enhanced where appropriate;</i> <p>There are no distinctive features within the site that are required to be incorporated and integrated in the overall design and layout. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>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>It is considered that the design and layout of the kiosks have a clear and understandable urban form. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>Creating adaptable and well-connected public realm that supports welcoming pedestrian environments;</i> <p>The proposal does not interrupt the public walkway which provides linkages between the city centre and Titanic Quarter. The proposal overall creates an attractive scheme to an existing open public space, supporting welcoming pedestrian environments. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <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>The proposal is of high-quality design which promotes the natural surveillance of the surrounding public space.</p> <ul style="list-style-type: none"> • <i>Promoting a diversity of land uses that provide active frontages and ensure vibrancy throughout the day</i> <p>This criteria is not applicable as the site is a public realm scheme.</p> <ul style="list-style-type: none"> • <i>Promoting the efficient use of land by the development of densities appropriate to site context;</i>
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	<p>The proposal is for an open space public scheme therefore does not promote higher densities. The development is considered appropriate to the site context.</p> <ul style="list-style-type: none"> <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>The proposal is accessible by public transport links and the site is within a short distance from a pedestrian and cycling route (Designated Cycling Route) between the city centre and Titanic Quarter which promotes healthy environments and sustainable development.</p> <ul style="list-style-type: none"> <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>The interior of the kiosk is unheated, will not require air conditioning and will have relatively low lighting requirements. As such the development will have low energy demands. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> <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>There is no undue impact on the amenity of existing or future properties. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> <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>There is no on-site vehicle parking provision nor external bin storage areas existing or proposed therefore the development will not have a greater impact at street level than the existing site.</p>
8.15	In conclusion, the design and layout of the proposal is considered appropriate. It is considered that the proposal is acceptable having regard to Policies DES1 and relevant provisions of the SPPS.
8.16	<p><u>Impact on Amenity</u></p> <p>The application has been advertised in local press and relevant neighbours have been notified of the proposed works. There have been no comments received.</p>
8.17	There is deemed to be no negative amenity aspects associated with this proposal. The site is largely unused and the apartments adjacent to the site at Quay Gate offer limited views toward the application site.
8.18	<p>In respect of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations Belfast City Council Environmental Health Services have been consulted regarding this proposal and have been assessed under (8.28-8.32) Environmental Protection. Environmental Health Services offer no objection with the proposal subject to conditions to mitigate any potential adverse amenity issues.</p> <p>The public walkway is sufficiently removed from the proposed siting of the kiosks, therefore there will be no detrimental impact to its use by the public including pedestrians and cyclists.</p>

8.19	There is also no associated negative visual impact deemed to arise from this proposal.
8.20	<u>Health Impacts</u>
8.21	Policy SP3 states that the Council will support development that maximises opportunities to improve health and wellbeing. 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.
8.22	The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within a short distance from a pedestrian and cycling route (Designated Cycling Route) between the city centre and Titanic Quarter. The design of the scheme considered to be good, which would contribute to the wellbeing of residents.
8.23	The proposal is considered to satisfy the requirements of Policies SP3 and HC1.
8.24	<u>Access and Transport</u> The existing public walkway for pedestrians and cyclists is not being interrupted as a result of the proposed development. The application site is within the City Fringe Area of Parking Restraint and no parking currently exists on site and none is proposed. Therefore, DfI Roads were not consulted. The Climate Change Statement submitted details that the kiosk is designed to encourage active travel along the Designated Cycling Route adjacent to the site and reduce car dependency. The proposal is considered acceptable, having regard to Policies TRAN1, TRAN6 and TRAN8.
8.25	<u>Climate Change</u> 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.
8.26	The applicant has provided a Climate Change Statement which sets out the environmental sustainability approach for the kiosks and canopy structure including the incorporation of sustainable design features. These sustainable design features include rainwater attenuation; reuse and reducing construction waste with key approaches of design for demountability, material selection, standardisation of design and components, storage; and a wider sustainability strategy of active travel and energy use. There is no demolition proposed and so this aspect of Policy ENV2 does not apply.
8.27	The proposal is considered compliant with Policies ENV2 and ENV3.
8.28	<u>Environmental Protection</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.
	<i>Contaminated Land</i>



8.29	Belfast City Council Environmental Health has advised that there is to be a gas membrane and/or tanking installed on top of the reinforced cast in situ ground slab to act as ground gas and contamination protection. A condition has been attached to their response in relation to the gas membrane shown in the Proposed Site Plan.
8.30	<i>Air Quality</i> EH has not raised any concerns with regards to air quality and in this regard the proposal is considered compliant with Policy ENV1.
8.31	<i>Noise</i> EH has not raised any concerns with regards to noise and the proposal is considered compliant with Policy ENV1.
8.32	<i>Light Pollution</i> EH has not raised any concerns with regards to light pollution and the proposal is considered compliant with Policy ENV1.
8.33	<u>Landscape Impact</u> Policy LC1 states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. The proposal is considered to comply with 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.
8.34	<u>Flood Risk and Drainage</u> The site is located within the floodplain but the Climate Change statement details that the proposal includes planting along the street, with rainwater collection and attenuation via a series of surface mounted pre-fabricated planters. This is designed to minimise load on local storm drainage, increasing lag time before discharge and reducing the amount of total discharge via evapotranspiration and natural irrigation of the planting scheme. Overall helping to reduce flood risks. The proposal is considered compliant with Policy ENV4 and relevant provisions of the SPPS.
8.35	<u>Impact on the Historic Environment</u> The SPPS and Policy BH5 apply, Policy BH5 pertains to considerations regarding archaeology. The site contains two Industrial Heritage Records IHR 10030:030:00 and IHR 10030:031:00. As the proposal is minor in nature it is considered that these Industrial Heritage Records will not be detrimentally impacted as a result of the proposal.
9.0	Conclusion and Recommendation: Having regard to the Development Plan and relevant material considerations, it is considered that the proposal is acceptable on a temporary basis. It is recommended that planning permission for 5 years 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 issues that arise, provided that they are not substantive.

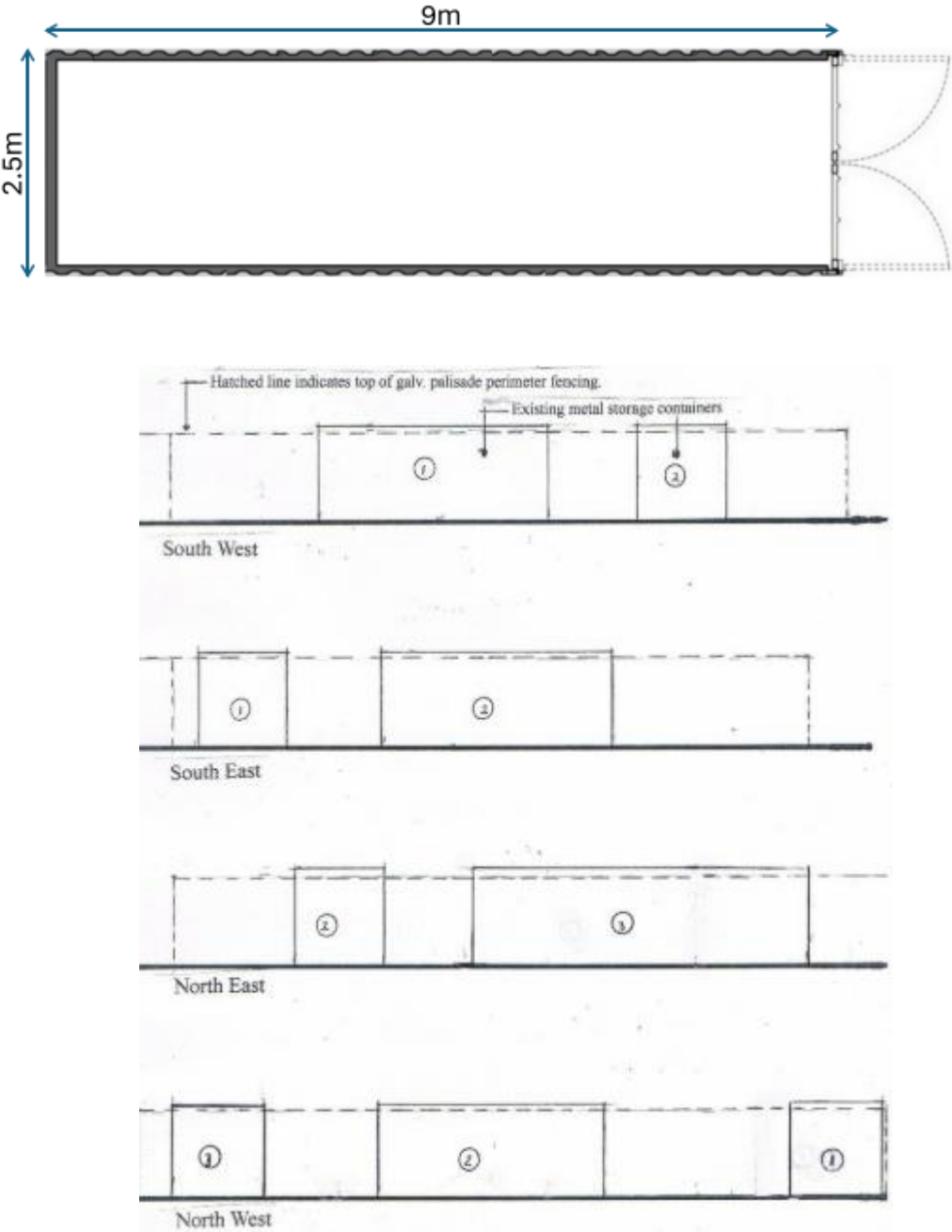
10.0	<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The permission hereby granted shall be for a limited period of 5 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission. Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained permanently. 2. 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. 3. The gas membrane as shown in drawing from MMAS + OGU Architects, titled Proposed Site Plan, referenced DWG NO. MM2010-P-101 and dated 22.12.23, should be installed to the manufacturer's instructions by a competent installer, and any penetrations to the membrane in the footprint of the kiosk should be minimised and appropriately resealed. The hereby approved kiosks must be located as such that any fixings into the reinforced concrete plinth do not penetrate the gas membrane and/or compromise its functionality. Reason: Protection of Human Health <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none"> 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 contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 2. 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 Ref: LA04/2024/0334/F	Committee Meeting Date: Tuesday 16 th April 2024
Proposal: Renewal of planning permission LA04/2021/2804/F - shipping container for bikes and equipment.	Location: Land adjacent to Connswater Community Centre Ballymacarrett Walkway Severn Street Belfast BT4 1SX
Referral Route: Referral to the Planning Committee under section 3.8.5 (d) – BCC has an estate in the land.	
Recommendation:	Approval
Applicant Name and Address: Sustrans 2 Cathedral Square College Green Bristol BS1 5DD	Agent Name and Address: Sustrans 2 Cathedral Square College Green Bristol BS1 5DD
<p>Executive Summary: This application seeks full planning permission for a two-year extension to planning approval LA04/2021/2804/F consisting of a 9m x 2.5m shipping container to serve as a storage facility for bikes. The shipping container is associated with the Active Travel Hub at CS Lewis Square which seeks to increase active travel and push for modal shift to sustainable modes of transport. As a time-limited project, it is in general conformity with the relevant policy and area designations.</p> <p>The key issues are: a) Principle of development; b) Impact on the character and appearance of the area c) Noise, odour and other environmental impacts</p> <p>Under the BUAP 2001 the site is un-zoned white land. Under both versions of BMAP, the site is within a wider designation as an Area of Existing Open Space which extends to 1.8ha.</p> <p>No third-party objections have been received, DFI Roads have responded with no objection to the proposal.</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, for a temporary two-year period.</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>	

Officer Report	
1.0	Drawings
1.1	<div>Site Location</div> <div></div> <div>Block Plan</div> <div></div>

	<p>Floorplans/elevations</p> 
2.0	Characteristics of the Site and Area
2.1	<p>The site is located at lands adjacent to and south-east of Ballymacarrett Community Centre, between Severn Street and Ballymacarrett Walkway, Belfast. The site is currently an area of hardstanding having been used previously to temporarily facilitate the wider works to the Greenway. The site is bounded by a metal palisade fence, approximately 2.4m.</p>
2.2	<p>The site is designated as an area of Existing Open Space as outlined in dBMAP (both versions). The immediate area North of the site is residential, to the South of the site is CS Lewis Square which is a public open space. The wider area is largely residential characterised by semi-detached dwellings, beyond that is commercial and retail with various other mixed-use facilities along the Newtownards Road.</p>

3.0	Description of Proposal
3.1	Planning permission is sought for the retention of a 9m x 2.5m shipping container to serve as a storage facility for bikes, project equipment and materials for a temporary period of two years.
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 LA04/2019/2990/F - Lands adjacent to and southeast of Ballymacarrett Community Centre, between Severn Street and Ballymacarett Walkway, Belfast BT4 1SX - Change of Use of land from derelict hardstand to replacement car park, new access/egress via Severn Street and Boundary treatment – Temporary Permission Granted - 02.07.2020.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections
5.2	Non-Statutory Consultations N/A
5.3	Representations The application has been advertised and neighbours notified. No representations were received.
6.0	PLANNING ASSESSMENT
6.1	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.
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	Assessment The key issues are: a) Principle of development; b) Impact on the character and appearance of the area c) Noise, odour and other environmental impacts
6.7	Principle of Development The principle of a temporary development of this nature on the site has already been established under planning approval LA04/2021/0334/F which was approved at April committee in 2022.
6.8	Policy OS1 – Protection of Open Space applies to all areas of existing open space and states that the council will support the retention and improvement of existing open space throughout the district area. There will be a general presumption in favour of retaining all such lands and used, including protecting any character and amenity value, whether specifically identified in the LDP or not. Whilst the site was designated as Existing Open Space under both versions of the BMAP, it is undesignated white land under the BUAP. In addition, the land has been covered in hard standing for at least 15 years.
6.9	It is considered that the proposal will not result in an overall loss of open space and will maintain and extend an existing recreational function through the operation of the charity Sustrans for necessary short-term storage. The proposal is considered acceptable in principle as a temporary solution. The proposal complies with the development plan, SPSS and OS1.
6.10	Under the initial approval, officers suggested that the scheme was a temporary solution to the site and therefore should be giving permission for a period of 2 years. The Council maintain this opinion and suggest that another 2 years is granted as no permanent solution to the site has yet arisen. Any permanent solution will need to address the open space requirements of the prevailing development plan at that time.
6.11	Impact on the character and appearance of the area Planning permission is sought for the installation of a 9m x 2.5m shipping container to serve as a storage facility for bikes, project equipment and materials. The existing site is an enclosed vacant parcel of land owned by Belfast City Council. The site is bound by a 2.4m

	metal palisade fencing. The site currently has hardstanding as its surfacing which will facilitate the shipping container. The site is accessed by a large gate opening onto Severn Street. Whilst the container is minor in size and will be contained within this enclosed area, its permanent retention would not be acceptable, as shipping containers are of a form and material that would be inappropriate in this designated open space location if retained permanently. If Committee is minded to approve the container, a condition is recommended to ensure removal after 2 years and a more permanent alternative storage solution should be found for the bikes to be stored.
6.12	The immediate area surrounding the site is characterised as largely residential with housing developments present North of the site and to the South. The site is near the CS Lewis Square, which was designated as white land and now provides a much-used public open space and acts as a vital linkage between the adjacent linear parks at Severn Street through to the Newtownards Road and the wider Comber Greenway.
6.13	In respect of visual impact, the proposal seeks to install a shipping container on land comprising a derelict hardstanding area. There exists a boundary fence surrounding the site and a vehicular access point onto Severn Street.
6.14	Noise, odour and other environmental impacts The introduction of the proposed shipping container is not considered to cause an unacceptable impact on the visual amenity of the site or the residential amenity of neighbours. The proposal will not have any utilities connected and will be used for storage purposes for a temporary basis which will not result in unacceptable noise, nuisance, or disturbance to nearby residential properties.
6.15	DFI Roads have been consulted on this application and have offered no objection. The proposal is considered to comply with prevailing policy with respect to amenity.
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> <p>1. The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission.</p> <p>Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained permanently.</p> <p>DRAFT INFORMATIVES:</p> <p>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</p>	

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. 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.

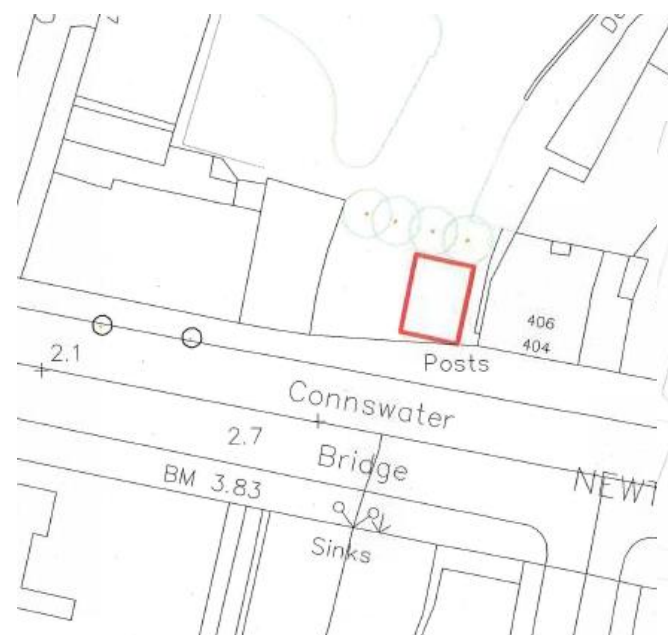
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Development Management Officer Report Committee Application

Summary	
Application ID:	Committee Meeting Date: 16 th April 2024
Proposal: Renewal of planning permission LA04/2021/0791/F for temporary single storey timber structure	Location: 402 Newtownards Road, Belfast, BT4 1HH
Referral Route: Belfast City Council is the landowner	
Recommendation: Approval subject to conditions	
Applicant Name and Address: East Side Property Avalon House 278-280 Newtownards Road Belfast BT4 1HE	Agent Name and Address: Donald McCrory DOUG Works McBride House London
<p>Executive Summary: This application was submitted on 06/03/2023 and seeks permission for the renewal of planning approval LA04/2021/0791/F for the construction of a timber structure at CS Lewis Square prior to its expiry on 21/03/2023.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Design and placemaking • Access and transport • Flood risk and drainage • Open Space • Trees <p>The site is within the Development limit of Belfast and within an un-zoned area of “white land” within the BUAP and within the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) as commercial node/ area of parking restraint.</p> <p>The pavilion has been constructed on the existing square leaving the paving intact and exposed. The development offers shelter to users of C.S Lewis Square and passing through via the Connswater Greenway. The retention of this structure would not detract from the public space and surrounding area including the Connswater Greenway.</p> <p>Rivers Agency were consulted in relation to the proposal and have no objections to its renewal.</p> <p>The application has been neighbour notified and advertised in the local press. No representations have been submitted.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal should be approved.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable on balance. 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.</p>	

1.0 DRAWINGS AND IMAGERY

1.1 Site Location Plan:



1.2 Site layout



<p>2.0</p> <p>2.1</p>	<p>Characteristics of the Site and Area</p> <p>The site is approximately 74 sq.m in size. The application site is a paved area of open space located between the visitor's centre and the neighbouring Boots chemist, in view of the Newtownards Road. The surrounding area is predominantly commercial with the Connswater Greenway to the north of the site.</p>
<p>3.0</p>	<p>Planning Policy and Other Material Considerations</p>
<p>3.1</p>	<p>Development Plan – operational policies</p> <p>Belfast Local Development Plan, Plan Strategy 2035</p>
<p>3.2</p>	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
<p>3.3</p>	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
<p>3.4</p>	<p>Relevant Planning History</p> <ul style="list-style-type: none"> LA04/2018/0593/F - Temporary single storey open timber structure. Permission granted 27.04.2018. Conditioned for a limited period of 18 months, to expire on 15th November 2019 and be removed in its entirety. LA04/2018/1390/NMC - Non material change ref LA04/2018/0593/F. NMC Granted.

	<ul style="list-style-type: none"> LA04/2019/2412/F - Renewal of planning approval LA04/2018/0593/F for single storey timber structure. Permission Granted 31.01.2020 for 18 months and expire on 31/07/2021 LA04/2021/0791/F - Renewal of planning approval LA04/2019/2412/F for single storey timber structure. Permission Granted 22/09/2021 for 18 months, expires on 21/03/2023.
4.0	Consultations and Representations
4.1	<p><u>Statutory Consultees</u></p> <ul style="list-style-type: none"> DFI Rivers – Content subject to conditions <p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>
4.2	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified. No third party representations have been received.</p>
5.0	PLANNING ASSESSMENT
5.1	Development Plan Context
5.2	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.
5.3	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.
5.4	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.
5.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
5.6	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.
5.7	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p>

	<p><u>Belfast Local Development Plan, Plan Strategy 2035</u> Policy DES1 – Principles of urban design Policy TRAN 2 – Creating an accessible environment Policy ENV4 – Flood Risk Policy OS1 – Protection of open space Policy TRE1 – Trees</p> <p><u>Supplementary Planning Guidance</u> Placemaking and Urban Design Planning and Floodrisk</p>
5.8	<p>Key Issues The key issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Design and placemaking • Access and transport • Flood risk and drainage • Open Space • Trees
5.9	<p><u>Principle of development in this location</u> 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 BUAP 2011, the site is zoned as a commercial node/ parking restraint in draft Belfast Metropolitan Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below.</p>
5.10	<p><u>Design and placemaking</u> The proposal has been assessed against the SPPS, and Policy DES1 of the Plan Strategy. Policy DES1 promotes 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.</p> <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 11 criteria, a. to k. The scale and massing of the structure sits comfortably with the overall character of this area. The proposal is in compliance with policy DES1.</p>
5.11	<p><u>Access and transport</u> Policy TRAN2 states that planning permission will be granted for development that is open to the public where it is designed to provide suitable access for all. The proposal will maintain pedestrian/cyclist connectivity to and from the Newtownards Road through C.S Lewis Square from the Connswater Greenway. The proposal is in compliance with Policy TRAN2.</p>
5.12	<p><u>Flood risk and drainage</u> The application site is located within the flood plain. 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 proposal represents a planning</p>

<p>5.13</p> <p>5.14</p>	<p>exception as it is a minor development within an area protected by flood defences. The proposal is an open structure which would not impede the flow of water. DfI Rivers Agency was consulted on the submitted flood risk assessment and offer no objection to the retention of the existing structure. The proposal is in compliance with Policy ENV4.</p> <p><u>Protection of Open Space</u> Policy OS1 states that the council will support the retention and improvement of existing open space. The structure retains the area of open space and serves a practical function providing shelter to users of the open space. The retention of the structure would not result in the loss of the open space. The proposal is in compliance with Policy OS1.</p> <p><u>Trees</u> Policy TRE1 promotes the protection of existing trees from new development and there will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity. A line of four oak trees lies directly behind the structure. The structure has been positioned to avoid the canopy of these trees and it is considered that it will not have a detrimental impact on them. The proposal satisfies Policy TRE1.</p>
<p>6.0</p> <p>6.1</p> <p>6.2</p> <p>6.3</p> <p>6.4</p>	<p>Recommendation</p> <p>Having regard to the policy context and other material considerations including the previous history on site, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p> <p>The three previous approvals on site for the existing wooden structure have demonstrated that the development would not cause harm to the surrounding character and appearance of the area, open space, trees or flood risk if it were to remain a permanent structure.</p> <p>It is recommended that planning permission is granted.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions.</p>
<p>7.0</p>	<p>DRAFT CONDITIONS</p> <p>Retrospective planning permission This planning permission has effect from the date which the development hereby approved was carried out.</p> <p>Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.</p> <p>Existing trees to be retained 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.</p> <p>Reason: In the interests of visual amenity.</p>

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

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