

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



**Belfast
City Council**

7th February, 2025

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room, City Hall and remotely, via Microsoft Teams, on Tuesday, 11th February, 2025 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. **Planning Appeals Notified** (Pages 1 - 2)
3. **Planning Decisions Issued** (Pages 3 - 28)
4. **Live Applications for Major Developments** (Pages 29 - 32)
5. **Committee Decisions that have yet to issue** (Pages 33 - 38)
6. **Miscellaneous Reports**
 - (a) WITHDRAWN: Draft Planning Committee Operating Protocol

- (b) Proposed adoption of SPG on Purpose Built and Managed Student Accommodation (PBMSA) including report on Public Consultation of Draft SPG for notation (Pages 39 - 106)
- (c) Response to Consultation on Private Member's Bill relating to Tree Protection (Pages 107 - 118)
- (d) Discussion on Draft Planning Application Validation Checklist (Pages 119 - 164)

7. **Planning Applications previously considered**

- (a) LA04/2019/0081/F - Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed and 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout) - Lands at former Maple Leaf Club, 41-43 Park Avenue (Pages 165 - 204)
- (b) LA04/2020/2325/F - Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information) - Lands at former Maple Leaf Club, 41-43 Park Avenue (Pages 205 - 238)
- (c) LA04/2024/1623/F - Change of use from 4 bed dwelling (C1) to 4 bed House of Multiple Occupancy (Sui Generis) - 49 Woodcot Avenue (Pages 239 - 256)

8. **New Planning Applications**

- (a) LA04/2024/1458/F - Alterations to the site include refurbishing and repurposing of 3no existing vernacular buildings and replacing 1 shed, a small garage and an agricultural structure with a new amenity building. Enhancements to the existing pond network, introduction of signage interpretation and a suite of site-appropriate furniture. Wider site improvement works are proposed including path enhancements and new routes, installation of site furniture and interpretation signage. - Divis and The Black Mountain National Trust Site, Divis Road (Pages 257 - 270)
- (b) LA04/2024/1837/F - Variation of condition No. 20 of planning permission LA04/2022/0129/F to amend trigger point for implementation of APPROVED foul and surface water drainage programme, from prior to commencement to prior to occupation. Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor (Pages 271 - 282)
- (c) LA04/2024/1551/F - Public Realm Environmental Improvement scheme - Cathedral Gardens (Buoy Park), Donegall Street (Pages 283 - 298)

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Agenda Item 2

PLANNING COMMITTEE – 11 FEBRUARY 2025

APPEALS NOTIFIED

COUNCIL: BELFAST

No new appeals received

APPEAL DECISIONS NOTIFIED

No new decisions received

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Decisions issued January 2025 - No.155

<u>Application number</u>	<u>Delegated / Committee</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2022/1206/F	C	Glenwood Primary School 4-22 Upper Riga Street Belfast BT13 3GW.	Demolition of existing 1960s three-storey block and caretakers house and erection of split level two-storey extension and refurbishment of original school building to provide 21no. classrooms, including 4no. support classrooms, a nurture suite and a school canteen. New boundary walls with railings, landscaping, car parking, new access from the Shankill Road and retention of existing access from Upper Riga Street. Works to include 4no temporary classroom units for the duration of construction work.	Permission Granted

LA04/2022/1458/LBC	C	Glenwood Primary School 4-22 Upper Riga Street Belfast BT13 3GW	Demolition of existing 1960s three-storey block and caretakers house and erection of split level two-storey extension and refurbishment of original school building to provide 21no. classrooms, including 4no. support classrooms, a nurture suite and a school canteen. New boundary walls with railings, landscaping, car parking, new access from the Shankill Road and retention of existing access from Upper Riga Street. Works to include 4no temporary classroom units for the duration of construction work. (revised description and plans)	Permission Granted
LA04/2021/0145/PAD	C	Lands at the North Foreshore/Giant Park Belfast BT3 9LZ	Revised Proposal June 2024 - Proposed Adventure Park & Visitor Centre and associated works including access arrangements and car park	PAD Concluded
LA04/2022/0236/F	D	213-223 Newtownards Road Belfast BT4 1HB	Retention of part change of use from retail furniture sales to a gym (amended description and plans).	Permission Granted
LA04/2023/2632/F	D	Unit 11, Pilots View, Heron Road, Belfast, BT3 9LE.	Change of Use from offices to Private Dental Clinic.	Permission Refused
LA04/2023/2908/F	D	2 Odyssey Pavilion Queens Quay, Belfast, BT3 9QQ	Installation of new refrigeration plant, demolition of existing wall and erection of new acoustic fencing screen.	Permission Granted

LA04/2023/3691/F	C	Little Patrick Street and Little York Street, Belfast, BT15 1BH	Public realm scheme: Reconfiguration of Little Patrick Street to single lane carriageway, including localised shared space, traffic calming and restricted access to enable servicing / emergency access. Traffic calming measures provided to Little York Street. Other works to include installation of planters with integrated seating, tree planting, rain gardens, bespoke lighting pillars, catenary lighting and surface improvements.	Permission Granted
LA04/2023/3712/F	D	1 West Bank Way, Belfast, BT3 9LB	Re-development of petrol filling station and adjacent lands including the change of use of existing office space to retail use, elevational changes, replacement and additional forecourt, new canopy and pumps, site re-surfacing, adjusted parking and access arrangements and new internal fencing, lighting and all associated landscape works	Permission Granted
LA04/2023/3727/F	D	15B Manse Road Belfast BT6 9SB	Amending / creation of new vehicular access into dwelling with new gate/ posts. (Amended Plans)	Permission Granted
LA04/2023/3909/F		16 Northbrook Gardens, Belfast, BT9 7EA	Proposed renovation and refurbishment of existing dwelling to include 2 story extension to side and rear	Permission Granted

LA04/2023/3910/PAD	D	43 Park Avenue, Belfast, BT4 1PU	Demolition of former Masonic Hall and erection of residential development comprised of up to 33 Category 1 over 55's apartments together with access, parking and open space and all ancillary associated development	PAD Concluded
LA04/2023/4215/F	C	141-147 Upper Dunmurry Lane, Dunmurry, Belfast, BT17 0EY	Proposed 3no. residential apartment blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping.	Permission Granted
LA04/2023/4196/F	D	Apartment 5 22 Artana Street Malone Lower Belfast BT7 2FF	Change of Use from Residential Apartment to Short Term Let (Retrospective)	Permission Refused
LA04/2023/4255/F	D	116 Castlereagh Street Ballymacarret Belfast Down BT5 4RQ	Retention of commercial unit at ground floor with change of use of first and second floors from office accommodation to 2No 1-bed self-contained apartments with external changes.	Permission Granted
LA04/2023/4405/F	C	Westland House, 40 Old Westland Road, Belfast, BT14 6TE	Redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories.	Permission Granted
LA04/2023/4482/F	D	Apartment 7 City Gate, 2 Sussex Place, Belfast, BT2 8LN	Retrospective change of use from apartment to short term let	Permission Refused

LA04/2023/4607/F	C	Parkmore Building, 284A Ormeau Road, Ballynafoy, Belfast, BT7 2GB	Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access.	Permission Granted
LA04/2024/0026/F		Belvoir Park 1 Hospital Road, Belfast, BT8 8JP	Erection of 22 dwellings (16 semi-detached dwellings and 6 apartments), including retention and conversion of Listed mortuary building, and demolition of unlisted outbuildings. Development includes amendments to access, parking, private and communal amenity areas, landscaping and other ancillary works approved under application LA04/2018/1219/F. (amended site location and road layout details).	Permission Granted
LA04/2024/0027/LBC	D	Belvoir Park 1 Hospital Road, Belfast, BT8 8JP	Retention and conversion of mortuary building to provide a pair of semi-detached dwellings, amendments to access, parking layout, communal and private amenity areas, landscaping and other ancillary works	Consent Granted
LA04/2024/0196/F	D	27 Gordon Street Mews, Ground floor Gordon Street, Belfast, BT1 2LG	New shopfront.	Permission Refused
LA04/2024/0197/A	D	27 Gordon Street Mews, Groundfloor Gordon Street, Belfast, BT1 2LG	Internally illuminated signage and projecting sign	Consent Refused
LA04/2024/0137/A	D	Land immediately south of Entrance to Shane Retail Park, Boucher Rd, Belfast, BT12 6UA	Free standing totem pole sign	Application Withdrawn

LA04/2024/0298/F	D	59 Wellington Park, Belfast, BT9 6DP	Raised timber decking and canopy (Retrospective)	Permission Granted
LA04/2024/0475/F	C	Ulidia Resource Centre, Somerset Street, Ballynafoy, Belfast, BT7 2GS	Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas.	Permission Granted
LA04/2024/0446/F	D	Apartment 708, Park Avenue Apartments, 12 Bankmore Street, Belfast, BT7 1AQ	Retrospective change of use from Class C1 (dwellinghouse) to Short Term Let (sui generis)	Permission Refused
LA04/2024/0503/F	D	Fairholme, 29 Annadale Avenue, Belfast, BT7 3JJ	Refurbishment of existing residential assisted living accommodation (to convert 40No. 1 Bedroom bedsits into 30No. 1 Bedroom Apartments), parking provision and associated landscape works.	Permission Granted

LA04/2024/0507/F		2 Adelaide Park, Belfast, BT9 6FX	Internal alterations and refurbishment works to listed dwelling, including removal of chimney breast and internal walls; providing 2 new shower rooms; demolition of existing outbuildings within existing courtyard; new extension within courtyard for new kitchen/dining; new window to courtyard wall. Internal alterations to existing ancillary coach house, including removal of walls and new shower room, and new first floor extension to single storey part of coach house, with new dormer window, roof lights and external metal staircase.	Permission Granted
LA04/2024/0508/LBC	D	2 Adelaide Park, Belfast, BT9 6FX	Internal alterations and refurbishment works to listed dwelling, including removal of chimney breast and internal walls; providing 2 new shower rooms; demolition of existing outbuildings within existing courtyard; new extension within courtyard for new kitchen/dining; new window to courtyard wall. Internal alterations to existing ancillary coach house, including removal of walls and new shower room, and new first floor extension to single storey part of coach house, with new dormer window, roof lights and external metal staircase.	Consent Granted

LA04/2024/0521/RM	D	Lands including and to the rear of No. 43 Finaghy Park Central, Belfast, BT10 0HP	One and a half storey dwelling and garage, amended access and associated siteworks	Permission Granted
LA04/2024/0528/F	D	59a Castlereagh Road, Belfast, BT5 5FB	Change of use at first floor from office space (B1) to short term let studio apartment (sui generis) and solar panels to the rear. (Amended proposal Description)	Permission Granted
LA04/2024/0554/PAD	D	5 Marina Park, Belfast, BT5 6BA	Proposed single storey rear extension and side extension to an existing two storey semi-detached residential property.	PAD Concluded
LA04/2024/0557/F	D	Apartment 705 Park Avenue 12 Bankmore Street Malone lower Belfast BT7 1AQ	Retrospective change of use from dwelling house (class C1) to short term let (sui generis)	Permission Granted
LA04/2024/0677/NMC	D	158 Hollywood Road, Belfast, BT4 1PB	Minor change to the internal elevation of Apartment Block 1 on first, second and third floor. 3no. small windows now omitted. 1 window at each level. The building line brought forward to line-up with ground floor external wall allowing more useable space internally as required by the Housing Association staff.	Application Withdrawn
LA04/2024/0953/F	D	76 Bloomfield Avenue, Belfast, BT5 5AE.	Retrospective change of use from Dwelling (C1) to 5 bed HMO (Sui Generis)	Permission Granted
LA04/2024/0837/F	D	215 Upper Meadow Street Belfast BT15 2FR	Single storey side and rear extension.	Permission Refused

LA04/2024/0917/CLOPUD	D	Planning application site includes the power generation station site located on lands approx. 65m SE of 101 101a 101B and 103 Airport Road West Belfast Harbour Estate Belfast and also the route of the underground gas pipeline (UGP) connection from Kinnegar Army Barracks to the Power Station Site along the following roads: Airport Road West Esplanade Road Moscow/Heron Road. An above ground installation is located in SW corner of Kinnegar Army Barracks adjacent to Kinnegar WwTW	Erection of 480MW Combined Cycle Gas Turbine (CCGT) Power Station comprised of turbine hall/heat recovery steam generator building with 50m exhaust stack, air cooled condenser, 2 storey administration building, 2 storey workshop building, gas insulated substation, gas compressor station, gas pressure reduction station, associated water and fuel tanks and other associated infrastructure and ancillary development including provision of site access and road works to facilitate extension to pedestrian footways and delineation of a right hand turn lane. Construction of new Above Ground Installation (AGI) at Kinnegar Army Barracks and new underground pipeline along Airport Road West, Esplanade Road with option of also following Heron/Moscow Road and which will connect the Power Station Site to the existing gas transmission infrastructure at Kinnegar Barracks as per planning approval LA04/2017/0878/F.	Permitted Development
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LA04/2024/0924/F	D	Rooftop of Lombard House, 10-20 Lombard Street, Belfast, BT1 1RD	Removal and replacement of 2no. freestanding support poles and existing apparatus with 3no. climable tripods, 12no. antennas, 4no. dishes, internal equipment cabin upgrades and all other ancillary apparatus and development thereto.	Application Withdrawn
LA04/2024/0962/F	D	50 Hillhead Avenue, Belfast, BT11 9GD	Single storey rear extension with the addition of front porch and bay window. With a raised patio to the rear.(Amended description)	Permission Granted
LA04/2024/1039/F	D	52 Deramore Park, Belfast, BT9 5JU	2 storey front & single storey rear extensions to dwelling with elevational changes	Permission Granted
LA04/2024/1067/F	D	Capital House, 3 Upper Queen Street, Belfast, BT1 6HT.	extension of existing telecoms tower; relocation of 6no. antennas to extended headframe; installation of 4no. dishes and 2no. cabinets; associated ancillary works	Permission Granted
LA04/2024/1212/F	D	61 Glenveagh Drive, Belfast, BT11 9QA	Single storey rear extension	Permission Granted
LA04/2024/1146/F	D	Aquinas Grammar School, 518 Ravenhill Road, Belfast, BT6 0BY	Single-storey ground floor extension to existing school building	Permission Granted
LA04/2024/1200/F	D	NI Regional War Rooms, 48 Mount Eden Park, Belfast, BT9 6RB	Erection of roof mounted air conditioning plant, associated louvre acoustic barrier and PV panels.	Permission Granted
LA04/2024/1101/LBC	D	NI Regional War Rooms, 48 Mount Eden Park, Belfast, BT9 6RB	Erection of roof mounted air conditioning plant associated louvre acoustic barrier and PV panels.	Consent Granted

LA04/2024/1118/F	D	90 Maryville Street, Belfast, BT7 1AE	Retrospective Change of Use (CoU) for 1no. bedroom from permanent residential use (Class C1) to short-term let accommodation (STLA) (Sui Generis)	Permission Granted
LA04/2024/1179/PAD	D	Nos. 10-22 Ann Street, Belfast	Proposed change of use from restaurant, public house, 2 no. retail units and office use to public house, restaurant, hotel and 1 no. retail unit and the development of 2 no. additional storeys associated with the hotel use and all external facade alterations	PAD Concluded
LA04/2024/1198/F	D	16 Dermott Hill Drive, Belfast, BT12 7GG	Ground Floor Rear Extension to accommodate bedroom & shower room with Level access ramp at side gable.	Permission Granted
LA04/2024/1225/F	D	247 Connsbrook Avenue, Belfast, BT4 1JZ	Change of use from dwelling to House in Multiple Occupation (HMO).	Permission Granted
LA04/2024/1270/NMC	D	10 The Mac Exchange Street West, Belfast, BT1 2NJ	Change of location of green (living) wall proposal- LA04/2024/0051/F due to structural inadequacies.	Application Withdrawn
LA04/2024/1280/DC	D	Lands covering the road surface of Brunswick Street between the James Street South junction and Franklin Street junction	Discharge conditions 4 and 5 LA04/2023/2946/F - events management plan and odour impact assessment.	Condition Partially Discharged
LA04/2024/1310/CLEUD	D	Flat B, 43 Fitzwilliam Street, Belfast, BT9 6AW	House in Multiple Occupation (HMO)	Permitted Development
LA04/2024/1340/F	D	Apartment 55, Citygate, 2 Sussex Place, Belfast, BT2 8LN	Retrospective change of use from apartment to short term let	Permission Granted
LA04/2024/1403/F	D	65 Greenore Street, Belfast, BT6 8NF	Change of use from 2 bedroom dwelling (C1) to 4 bedroom House of Multiple Occupancy (Sui Generis)	Permission Granted

LA04/2024/1343/F	D	Units UG30, 31 and UG31 First floor Victoria Square, Belfast, BT1 4QG	Amalgamation of units UG30 and UG31 at ground floor level and change of use from existing retail unit to restaurant at units UG30, UG31 and UG31 first floor	Permission Granted
LA04/2024/1355/PAD	D	2 - 8 Botanic Avenue, Belfast, BT7 1JG	Erection of hotel including ground floor bar / restaurant and associated works including demolition of existing building	PAD Concluded
LA04/2024/1369/F	D	41 Loopland Gardens, Belfast, BT6 9EB	Alterations to the rear of the property, involving minor modifications to the existing single storey roof structure, an increase in the existing rear wall from 2.4 to 2.9m and the addition of a rear dormer and loft conversion (amended description)	Permission Granted
LA04/2024/1380/F	D	51 University Street, Belfast, BT7 1FY	Proposed change of use from dwelling to guest accommodation (Class C2). Proposed two storey extension to rear gable.	Permission Granted
LA04/2024/1382/LBC	D	51 University Street, Belfast, BT7 1FY	Proposed change of use from dwelling to guest accommodation (Class C2). Two storey rear extension. Internal alterations.	Consent Granted
LA04/2024/1415/F	D	60 Castlereagh Street, Belfast, BT5 4NH	Change of use of ground floor retail unit and upper floors apartment into an HMO	Permission Granted
LA04/2024/1480/F	D	85A Antrim Road, Newtownabbey, BT36 7PS	Proposed amendments to a previously approved scheme for a detached dwelling. (Ref. LA04/2017/2713/F) for detached dwelling. Amendments to included external materials and site layout. (Retrospective application)	Permission Granted

LA04/2024/1510/F	D	1 Marina Park, Belfast, BT5 6BA	Retention of boundary wall (2180mm) and patio (800mm) (Retrospective application)	Permission Granted
LA04/2024/1521/F	D	Ground Floor, 213 Templemore Avenue, Belfast, BT5 4FS	Change of use from commercial unit to short term let accommodation.	Permission Granted
LA04/2024/1472/F	D	4 Chichester Park Central, Belfast, BT15 5DU	Proposed change of use of existing detached dwelling (C1) to health and well-being counselling facility(D1) and to include new access arrangement with opening widened, new gates and alterations to the front boundary fence for sightline requirements. (Amended Proposal Description)	Permission Granted
LA04/2024/1451/F	D	49 Knockbreda Road, Belfast, BT6 0JD.	Footpath alterations and wall removal to create additional carparking. Installation of access ramp to rear and internal reconfigurations.	Permission Granted
LA04/2024/1477/F	D	John Hewitt Licensed Premises 49-51 Donegall Street, Belfast, BT1 2FN	retrospective application to create awning over existing outdoor seating	Permission Granted
LA04/2024/1468/F	D	58 Trossachs Drive, Belfast, BT10 0HU	Alterations to roof of existing dwelling to facilitate proposed semi-detached dwelling. Renewal of application LA04/2019/1199/F.	Permission Granted

LA04/2024/1469/NMC	D	57-59 & 61-63 Dublin Road, Belfast, BT2 7HE	Amendment to Planning Approval LA04/2020/0761/F to meet fire compliance near the NIE Substation by stepping back the adjacent elevation by 1m. The ground floor layout has been rearranged to accommodate a sprinkler system water storage. One first-floor residential unit is converted to resident/staff activities, and a lift is extended to the top residential level for DDA compliance. Minor front and rear elevation changes include ventilation grills for required airflow.	Non Material Change Granted
LA04/2024/1543/F	D	2 Kirkliston Drive, Belfast, BT5 5NX	Single storey rear and side extension with demolition and fenestration changes	Permission Granted
LA04/2024/1544/DCA	D	2 Kirkliston Drive, Belfast, BT5 5NX	Demolition to create extension proposed in LA04/2024/1543/F including window enlargement to rear and access to proposed new gym and bike store.	Consent Granted
LA04/2024/1540/F	D	57 Summerhill Drive, Dunmurry, Belfast, BT17 0RE	Proposed single storey rear extension and dormer to the rear	Permission Granted
LA04/2024/1556/NMC	D	41-49 Tates Avenue, Belfast, BT9 7BY	Non-material Change to planning approval LA04/2021/2544/F. Minor alterations to the door and window positions associated with Apartment 4.	Non Material Change Granted

LA04/2024/1683/F	D	163 Sandown Road, Belfast, BT5 6GX	Single storey flat roofed rear extension, roof replacement on existing 2 storey extension with fenestration changes. Installation of garden room, with side window on West elevation and associated level and patio changes.	Permission Granted
LA04/2024/1591/F	C	20 Deramore Park, Belfast, BT9 5JU	Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works.	Permission Granted
LA04/2024/1593/DCA	C	20 Deramore Park, Belfast, BT9 5JU	Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works.	Consent Granted
LA04/2024/1566/DC	D	100-116 Stewartstown Road (Lidl) and land to the immediate south and southeast bounded by Kells Avenue, Oranmore Drive, 37-55 Suffolk Crescent (odds), & 28 Suffolk Drive, Belfast	Discharge of condition 2 LA04/2022/0002/F - Provide a materials schedule	Condition Discharged
LA04/2024/1567/F	D	St Clement's Retreat, 722 Antrim Road, Belfast	Change of Housetype to Sites 1 & 2 of LA04/2019/0062/F.	Permission Granted
LA04/2024/1622/F	D	McGrath's Bar, 78, 80 & 82 Cliftonville Road, Belfast, BT14 6JZ	Proposed change of use from pool room to new off sales area and new shop front to off sales.	Permission Granted

LA04/2024/1612/F	D	Site bounded by Bruce Street to north, Great Victoria Street to east, Wellwood Street to south and Sandy Row to east.	Change of use of land to a temporary bus park and associated ancillary works.	Permission Granted
LA04/2024/1611/DC	D	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Discharge of condition 3 LA04/2023/3778/F - Construction Noise Management Plan	Condition Discharged
LA04/2024/1635/F	C	Lands at Nos. 176-184 and No. 202 Woodstock Road and Nos. 2-20 Beersbridge Road, Belfast.	Section 54 application to vary condition 13 of LA04/2022/0209/F regarding vapour protection measures prior to occupation of approved development and refer to the updated Remediation Strategy of September 2024. The removal of the wording of part c of condition 13, which is no longer required.	Permission Granted
LA04/2024/1620/F	D	Boucher Business Studios, 9-11 Glenmachan Place, Belfast, BT12 6QH.	Enclosure of ground floor open stairwell between blocks B+C.	Permission Granted
LA04/2024/1640/DC	D	Stranmillis University College Campus Stranmillis Road, Belfast, BT9 5DY	Discharge of condition 13 LA04/2019/1614/F. Construction Environmental Management Plan (CEMP) document	Condition Not Discharged
LA04/2024/1649/F	D	Block E, The Arc, Abercorn Basin, Titanic Quarter, Queens Road, Belfast	Subdivision of existing café (sui generis) to create a new unit (cafe) for the sale of food and drink including consumption on the premises (sui generis).	Permission Granted
LA04/2024/1659/F	D	28 Oberon Street, Belfast, BT6 8NZ	Change of use from 3 bed dwelling (C1) to 4 bed House of Multiple Occupancy (Sui Generis) and new roof light to rear extension.	Permission Granted
LA04/2024/1668/F	D	Apartment 77, The Bass Buildings 38 Alfred Street, Belfast, BT2 8EA	Partial change of use of apartment to short-term let accommodation.	Permission Granted

LA04/2024/1673/F	D	5 Marina Park, Belfast, BT5 6BA	Single storey extension to the side and rear of an existing semi-detached dwelling.	Permission Granted
LA04/2024/1679/F	D	11 Sunnyside Drive, Belfast, BT7 3DX	Proposed 2 storey rear extension with internal alterations	Permission Granted
LA04/2024/1691/F	D	47 Lagmore Meadows, Dunmurry, Belfast, BT17 0TE	Single storey rear extension and installation of accessible ramp	Permission Granted
LA04/2024/1712/F	D	44 Lagmore Dale Belfast BT17 0TQ	Single storey extension to rear with proposed retaining wall.	Permission Granted
LA04/2024/1715/F	D	Car Park 2, Belfast City Hospital, Estates Services Building, Lisburn Road, BT9 7AB	Extension to the existing car park to provide platform lift.	Permission Granted
LA04/2024/1722/F	D	697-699 Lisburn Road, Malone Lower, Belfast, BT9 7GU	Permanent outdoor dining/seating area to restaurant	Permission Granted
LA04/2024/1732/F	D	8 Chesterfield Park, Belfast, BT6 0HQ	Roof space conversion, change from hipped roof to gable, front rooflight, rear dormer, fenestration changes to side and rear elevations (amended description)	Permission Granted
LA04/2024/1740/F	D	41 Forfar Street, Belfast, BT12 7BD	Change of use from 4 bedroom dwelling (C1) to 5 bedroom House of Multiple Occupancy (sui generis). Partial demolition of rear area.	Permission Granted
LA04/2024/1733/F	D	Royal Victoria Hospital Grosvenor Road, The Royal Hospitals, Belfast, BT12 6BA	Demolition of existing bike storage building. Installation of a single storey steel RO System building. Building to house essential reverse osmosis water purification equipment to feed the Central Decontamination Unit.	Permission Granted

LA04/2024/1818/F	D	22 Kelvin Parade, Belfast, BT14 6NB	Demolition of existing conservatory and erection of single storey extension to rear of detached dwelling.	Permission Granted
LA04/2024/1775/F	D	5 - 27 Finwood Park, Belfast, BT9 6QR	Works include replacing single storey roof coverings, repairing two storey roof coverings, removing chimney stacks, replacing eaves components, renewing rainwater goods, introducing new cementitious rendering, and redecoration. New ground levels will be created to provide level access. Refurbishment of the communal stairwell including upgrading the stair balustrade, decoration of the circulation space and replacement of anti-slip flooring and stair coverings. Replacement shop fronts and doors, including roller shutter doors replaced. Changes to the façade alignment. Temporary removal of existing signage board and reinstallation including additional of external light fittings. The Units will maintain the same use, with no increase in capacity.	Permission Granted
LA04/2024/1787/CLEUD	D	Apartment 39 4 Northview, Newtownabbey, BT36 7JL	The property has been used continuously and in its entirety for a period exceeding 5 years as short-term let accommodation	Permitted Development
LA04/2024/1793/F	D	58 Ashley Avenue, Belfast, BT9 7BU	Proposed flat roof single storey rear extension. Partial demolition to rear.	Permission Granted

LA04/2024/1796/F	D	56 Norwood Drive, Belfast, BT4 2EB.	Replacing an existing conservatory with a rear single storey extension and patio area to the rear.	Permission Granted
LA04/2024/1838/F	D	3 Malone Hill Park, Belfast, BT9 6RD	Two storey rear extension and patio with associated fenestration changes.	Permission Granted
LA04/2024/1847/F		5 Chichester Road, Belfast, BT15 5EJ	Partial demolition of existing shed to rear of property. Erection of new garden shed, gates to the side of the house and single storey extension to rear & side of house.	Permission Granted
LA04/2024/1804/A	D	Unit 1, 411 Lisburn Road, Malone Lower, Belfast, BT9 7EW	1 Digital sign	Consent Refused
LA04/2024/1806/F	D	9 Harberton Park, Malone Upper, Belfast, BT9 6TW	Retrospective Application to retain existing corner window as opposed to previously approved two windows at the upper floor rear elevation under LA04/2022/1331/F	Permission Granted
LA04/2024/1841/WPT		56 Marlborough Park South, Belfast, BT9 6HT	Works to tree in a conservation area	Works to Trees in CA Agreed
LA04/2024/1861/DCA	D	55 Adelaide Park, Belfast, BT9 6FZ	Demolition of ground floor rear walls to existing rear return and yard area. Window and door alterations of rear garage wall.	Consent Granted
LA04/2024/1872/F		31 Lancedean Road, Belfast, BT6 9QP	Retrospective temporary change of use from residential dwelling (C1) to short term holiday let (sui generis).	Permission Granted
LA04/2024/1877/NMC	D	Block A 100 Kings Road, Belfast, BT5 7BW	Non-material change of planning approval Z/2010/1720/F. Minor Alterations to the internal layout and elevations of Block A including the relocation, introduction of doors and windows and changes to materials. (Retrospective)	Non Material Change Granted

LA04/2024/1887/F	D	22 Cabin Hill Gardens Belfast BT5 7AP	Addition of a single-storey rear extension with side and rear fenestration changes.	Permission Granted
LA04/2024/1886/F	D	35 Finaghy Park Central, Belfast, BT10 0HP	Single storey side/rear extension, two storey rear extension and dormer conversion to rear	Permission Granted
LA04/2024/1881/F	D	19 Ballymurphy Drive, Belfast, BT12 7JJ	Single storey extension to rear of dwelling	Permission Granted
LA04/2024/1897/F	D	32 Owenvarragh Park, Belfast, BT11 9BD	Two-Storey Side and Rear Extension, Front Bay Window with Canopy Roof, and Detached Garden Room	Permission Granted
LA04/2024/1924/F	D	1 Rugby Road, Belfast, BT7 1PS	Change of use from creche/day nursery to office accommodation.	Permission Granted
LA04/2024/1905/CLOPUD	D	Site no. 136 of Lands East of Ballygomartin Reservoir, Ballygomartin Road, Belfast (Site No.136).	Lawful commencement of LA04/2016/0817/F by construction of part of concrete foundations, pouring concrete and construction of substructure blockwork.	Permitted Development
LA04/2024/1926/NMC	D	150 Kingsway, Dunmurry, Belfast, BT17 9AA	- Window sills in grey concrete & extended 75mm at each reveal (previously beige colour) - Bay copings in grey concrete (previously beige colour) - Band in brickwork between ground & first floors in grey concrete (previously beige colour) - Window heads in brickwork to be red brick header course (previously beige colour) - Window central mullion in grey aluminium (previously beige colour)	Non Material Change Granted

LA04/2024/1929/F	D	114 Lagmore Dale, Dunmurry, Belfast, BT17 0TQ	Single storey rear extension including disabled ramp access to rear extension.	Permission Granted
LA04/2024/1946/A	D	356-376 Martyrs Memorial Free Presbyterian Church, Belfast, BT6 8GL	Retrospective consent for free standing sign consisting of a digital screen and two panel boards.	Consent Granted
LA04/2024/1956/F	D	5 Nendrum Gardens, Belfast, BT5 5LZ	Removal of existing shed and lean to structure to accomodate a single storey extension to rear.	Application Invalid
LA04/2024/1947/F	D	22 Hawthorn View, Hannahstown, Belfast, BT17 0RN	Retrospective application for Level Decking to rear garden of existing dwelling, and also the proposed erection of Privacy screen fencing.	Permission Granted
LA04/2024/1948/LBC	D	108 Botanic Avenue, Belfast, BT7 1JT	Strengthen existing ceiling in ground floor room and repair existing lath and plaster ceiling. Re-fix/replace heaving floor boards on the second floor and re-lay/replace existing carpet floor covering.	Consent Granted
LA04/2024/1950/F	D	8 Mount Eden Park, Belfast, BT9 6RA	2-storey rear extension with single storey side extension	Permission Granted
LA04/2024/1961/F	D	The Felons Club 537 Falls Road, Belfast, BT11 9AB	Proposed new windows to first floor (side elevations)	Permission Granted
LA04/2024/1976/F	D	33 Castlereagh Street, Belfast, BT5 4NE	Change of use from 4 bed dwelling (C1) to 5 bed HMO (House of in Multiple Occupation) Occupancy (sui generis)	Permission Granted
LA04/2024/1979/A	D	Fountain House, Donegall Place, Belfast, BT1 5AB	2 Shop sign, 2 Projecting sign	Consent Granted
LA04/2024/1973/DC	D	45-51 Mater Hospital Crumlin Road, Mater Hospital, Belfast, BT14 6AB	Discharge condition 2 of LA04/2024/1126/LBC- Door retention methodology.	Condition Discharged

LA04/2024/2094/F	D	St Joseph's Primary School 42 Cullingtree Road, Belfast, BT12 4LD	Removal & replacement of existing double mobile & toilet accommodation with new double mobile & toilet accommodation.	Permission Granted
LA04/2024/2054/PAD	D	Lands at Connswater Shopping Centre, Bloomfield Avenue, Belfast, BT5 5LP	Proposed redevelopment of Connswater Shopping Centre, including part demolition of existing shopping centre and erection of mixed use scheme including residential, commercial units and open space.	PAD Concluded
LA04/2024/1986/DC	D	29 Springfield Heights, Belfast, BT13 3QZ	Discharge of Condition 2 LA04/2022/0853/F - Verification report	Condition Discharged
LA04/2024/1987/CLEUD	D	2 Jerusalem Street, Belfast, BT7 1QN	House in multiple occupation (Existing use)	Permitted Development
LA04/2024/1995/F	D	16 Pim Street, Belfast, BT15 2BN	Proposed loft conversion dormers to front and rear, ground floor rear extension, and associated works.	Permission Granted
LA04/2024/2033/F	D	18 LISLEA DRIVE MALONE LOWER BELFAST BT9 7JG	Relocation of prefabricated portacabin on site and fitting out as office accommodation with associated site works including reconfiguration of car parking	Permission Granted
LA04/2024/2010/F	D	Flax Shopping Centre Ardoyne Avenue, Belfast, BT14 7DA	Section 54 application to modify wording of condition 17 (Foul and surface water drainage) of Planning Approval LA04/2021/2126/F	Permission Granted
LA04/2024/2016/F	C	Ulster Hall 30 Bedford Street, Belfast, BT2 7FF	Erection of a life-sized statue of Rory Gallagher on the existing patio area to the side of Ulster Hall	Permission Granted
LA04/2024/2017/DC	D	287a Beersbridge Road, Belfast, BT5 4RS	Window schedule and replacement details- Discharge condition 2 of LA04/2023/4501/F.	Condition Discharged

LA04/2024/2045/DC	D	140 Donegall Street, Belfast, BT1 2FJ	Window schedule details and specification to discharge conditions 9 and 10 of LA04/2021/0516/F. Noise impact assessment.	Condition Discharged
LA04/2024/2050/F	D	15 Lismoyne Park, Belfast, BT15 5HE	Demolition of existing single storey sunroom to rear, addition of a new single storey extension across the rear of the property including raised patio.	Permission Granted
LA04/2024/2047/LBC	D	Royal Victoria Hospital Grosvenor Road, The Royal Hospitals, Belfast, BT12 6BA	Internal alterations to the floor, walls and existing entrance doors. Repairs to windows and downpipes.	Consent Granted
LA04/2024/2062/F	D	5 Sharman Drive, Belfast, BT9 5HL	Raised level platform and lifting platform at front of dwelling	Permission Granted
LA04/2024/2078/NMC	D	1 Lakeside Drive, Belfast, BT10 0NU	Change of garage roof structure from pitched to flat	Non Material Change Granted
LA04/2024/2105/F	D	24 Forest Park, Belfast, BT17 0ET	Remove existing aluminium framed conservatory and erect single storey rear extension.	Permission Granted
LA04/2025/0006/CLEUD	D	32 Jerusalem Street, Belfast, BT7 1QN	House in Multiple Occupancy (HMO) (Existing Use)	Permitted Development
LA04/2024/2106/CLEUD	D	34 Eblana Street, Belfast, BT7 1LD	House in Multiple Occupancy (Existing Use)	Permitted Development
LA04/2024/2118/F	D	14 Old Coach Avenue, Belfast, BT9 5PY	Alterations to dwelling to include removal and replacement of existing roof to increase ridge height, 2 dormers to rear, roof windows to front and rear elevations, 2 first floor windows to North East side elevation, conversion of garage to play room with the creation of projecting bay window to front elevation, new balustrade to front elevation balcony and raised patio to rear.	Permission Granted

LA04/2024/2126/F	D	45 Adelaide Park, Belfast, BT9 6FZ	Rear garden works to include installation of pergola, covered BBQ area and outdoor sauna room.	Permission Granted
LA04/2024/2133/A	D	Lidl 2 Windsor Way, Boucher Road, Belfast, BT12 6HR	Retention of 2 no. Lidl logo signs (internally illuminated), 3 no. poster display panels (externally illuminated), 1 no. freestanding sign (internally illuminated), and 1 no. dual aspect flag pole sign (internally illuminated). (7 no. total signs)	Consent Granted
LA04/2024/2140/CLEUD	D	7 Magdala Street, Belfast, BT7 1PU	Existing HMO (House in Multiple Occupation).	Permitted Development
LA04/2024/2143/CLEUD	D	23 Agincourt Street, Belfast, BT7 1RB	Existing HMO (House in multiple occupation).	Permitted Development
LA04/2024/2155/TPO	D	4 Malone Park Gardens, Belfast, BT9 6WH	Reduce height 1 sycamore	Works to Trees in CA Agreed
LA04/2025/0003/PRELIM	D	Clifton Street Graveyard, Henry Place, Belfast BT15 2BB.	Safety Works	PAD Concluded
LA04/2025/0005/DCA	D	4 Chichester Park Central, Belfast, BT15 5DU	Alterations to front boundary to include removal of a section of existing timber fence and hedge and replaced behind new sight lines and new gates.	Consent Granted
LA04/2024/0007/WPT	D	The Royal Belfast Academical Institution, College Square East, Belfast, BT1 6DL	Works to TPO protected trees, Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2025/0008/WPT	D	68 Marlborough Park Central, Belfast, BT9 6HN	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2025/0022/WPT	D	127 Circular Road, Belfast, BT4 2LZ	Works to TPO protected trees	Works to TPO Granted
LA04/2025/0042/WPT	D	66 North Road, Belfast, BT5 5NJ	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2025/0091/WPT	D	13 Derryvolgie Avenue, Belfast, BT9 6FL	Works to trees in a Conservation Area	Works to Trees in CA Agreed

LA04/2025/0107/PRELIM		11 Falls Road, Belfast	Proposed specialist residential accommodation for Charity	PAD Concluded
				<u>Total Decsions</u>

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Live Major Applications not previously considered by Committee @ 05.02.25

Number	Application No.	Category	Location	Proposal	Date Valid	Target Date	Status
1	LA04/2022/0809/F	Major	Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews Belfast.	Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 94 No. dwellings and associated and ancillary works.	21-Apr-22	17-Nov-22	UNDER CONSIDERATION
2	LA04/2023/2633/F	Major	St Teresa's GAC, 2 Glen Road Heights, Belfast BT11 8ER	Proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 4G training pitch with integrated ball walls. Proposed annex building with club store and matchday shop. Site works including increased parking, fencing, catch nets, floodlighting, dugouts, paths, and other associated amenities.	14-Mar-23	10-Oct-23	UNDER CONSIDERATION
3	LA04/2023/3799/F	Major	Vacant lands (partial site of the former Wolfhill Flax Spinning Mill) located to the south, of Wolfhill Manor, north of Wolfhill Grove and west of Mill Avenue, Ligoniel Road, Belfast, BT14 8NR	New single storey 10-class based primary school, separate nursery school accommodation and school meals accommodation to facilitate the relocation of St. Vincent De Paul Primary School and Nursery from existing site on Ligoniel Road, Belfast. Proposal includes new pedestrian and vehicular accesses onto Mill Avenue, car parking, covered cycle storage area and hard play areas. Hard and soft landscaping including wildlife walkway, fencing, retaining walls, underground drainage system to include the reinstatement of underground storm sewer and headwall into adjacent DFI River wayleave. Includes temporary contractors compound and all associated site works.	09-Oct-23	06-May-24	UNDER CONSIDERATION
4	LA04/2023/4181/F	Major	Lands comprising the existing Sydenham Wastewater Pumping Station west of Park Avenue, Connswater River and King George V Playing Fields, to the south of the Sydenham By-Pass, east of The Oval football stadium, north and east of Parkgate Gardens and north of Parkgate Crescent, Parkgate Parade and Mersey Street, Belfast	Demolition of existing Wastewater Pumping Station (WwPS) with reinstatement of site as a landscaped area. Construction of a replacement WwPS including associated control building and hardstanding, the raising of site levels, in-channel works, provision of new rising main, other ancillary buildings, the creation of an access road on lands within the King George V Playing Fields to serve the facility, landscaping and other ancillary works. Provision of a temporary working area on lands within the King George V Playing Fields, the creation of a temporary access road from Mersey Street to facilitate construction traffic on lands to the rear of 1-35 Parkgate Gardens, the creation of a temporary footway adjacent to 88 Park Avenue and other ancillary development and landscaping restoration works.	14-Nov-23	11-Jun-24	UNDER CONSIDERATION
5	LA04/2024/0015/F	Major	Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4	Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works (amended description and plans).	22-Dec-23	19-Jul-24	UNDER CONSIDERATION
6	LA04/2024/0285/F	Major	Ardoyne Youth Club, Old Beltex Mill, Flax Street, Belfast, BT14 7EJ	Demolition of existing building and erection of a new purpose-built youth facility including retention of existing chimney. (Renewal of planning permission reference LA04/2018/1998/F)	20-Feb-24	17-Sep-24	UNDER CONSIDERATION

7	LA04/2024/0429/F	Major	Lands bound by North Street, Royal Avenue, Rosemary Street and building south of Lower Garfield Street located approximately 400m west of Laganside bus station 300m northeast of City Hall and 1km northwest of Central Train Station.	Renewal of planning permission LA04/2017/2126/F (Phase 1B Tribeca) for redevelopment including the construction of a new six storey building on the existing surface level car park, part change of use to create a mixed use development comprising retail units, restaurants and cafes, residential units, offices, church and related community floor space, new streets and public realm works. Demolition of 53 Royal Avenue and 27-31 Rosemary Street and restoration of Central Halls (37-39 Rosemary Street), Masonic Hall (15 Rosemary Street), 43/43a Rosemary Street and retention of 30-34 North Street.	08-Mar-24	04-Oct-24	UNDER CONSIDERATION
8	LA04/2024/0211/F	Major	Existing Football Stadium The Oval Parkgate Drive Belfast BT4 1EW.	Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site.	15-Mar-24	11-Oct-24	UNDER CONSIDERATION
9	LA04/2024/0570/F	Major	Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castlevue Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and Summerhill Park (nos. 37 & 39).	Change of use of from hotel, conference centre and offices (sui generis) to a 97-bed care home (Use Class C3(b)) and 1,559sqm diagnostic medical facility (Use Class D1(a)), associated access, car parking, landscaping and open space.	04-Apr-24	31-Oct-24	UNDER CONSIDERATION
10	LA04/2024/0569/O	Major	STORMONT HOTEL 587 UPPER NEWTOWNARDS ROAD BALLYCLOGHAN BELFAST BT4 3LP	Outline planning permission with all matters reserved for independent living and assisted living retirement apartments (Use Class C3), associated internal access roads, communal open space, revised access from Castlevue Road, associated car parking, servicing, amenity space and landscaping.	04-Apr-24	31-Oct-24	UNDER CONSIDERATION
11	LA04/2024/0675/F	Major	The Arches Centre 11-13 Bloomfield Avenue, Belfast, BT5 5AA	Change of Use of first and second floor of The Arches building to provide 39 No. apartments; extension to second floor to provide a further 6 No. apartments and erection of new third floor to provide 19 No. apartments (all social housing dwellings, 64 No. in total), and ancillary/associated works.	13-May-24	09-Dec-24	UNDER CONSIDERATION
12	LA04/2024/0910/F	Major	70 whitewell Road, Newtownabbey, BT36 7ES Site at Hazelwood Integrated College	Redevelopment of Hazelwood Integrated College to include demolition of existing building and development of new school campus, new sports pitch, outdoor play areas, car parking, hard and soft landscaping and retention and refurbishment of the Listed Building (Graymount House) and other associated site works including a temporary mobile village during the construction process.	23-May-24	19-Dec-24	UNDER CONSIDERATION
13	LA04/2024/1385/F	Major	Olympic House, Titanic Quarter, 5 Queens Road, Belfast, BT3 9DH	Amendment to planning permission Z/2013/0931/F to permit occupation for Class B1(a) office and/or Class B1(c) research and development.	09-Aug-24	07-Mar-25	UNDER CONSIDERATION
14	LA04/2024/1458/F	Major	Divis and The Black Mountain National Trust Site, Divis Road, Hannahstown, Belfast, BT17 0NG.	Alterations to the site include refurbishing and repurposing of 3no existing vernacular buildings to provide visitor facilities and replacing 1 shed, a small garage and an agricultural structure with a new amenity building. Enhancements to the existing pond network, introduction of signage interpretation and a suite of site-appropriate furniture. Wider site improvement works are proposed including path enhancements and new routes, installation of site furniture and interpretation signage.	20-Sep-24	18-Apr-25	UNDER CONSIDERATION

15	LA04/2024/1592/F	Major	Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street, Belfast BT1 3GG	Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (7 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works.	20-Sep-24	18-Apr-25	UNDER CONSIDERATION
16	LA04/2024/1761/R M	Major	Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O.	Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details	15-Oct-24	13-May-25	UNDER CONSIDERATION
17	LA04/2024/1837/F	Major	Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor Ballymurphy Belfast Co. Antrim	Variation of condition No. 20 of planning permission LA04/2022/0129/F to amend trigger point for implementation of approved foul and surface water drainage programme, from prior to commencement to prior to occupation.	17-Nov-24	15-Jun-25	UNDER CONSIDERATION
18	LA04/2024/1836/F	Major	Lands between Ballygomartin Road and Upper Whiterock Road and to the west (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.	25-Nov-24	23-Jun-25	UNDER CONSIDERATION
Page 31	LA04/2024/2044/F	Major	Lands at 39 Corporation Street, Belfast, BT1 3BA	Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions	26-Nov-24	24-Jun-25	UNDER CONSIDERATION
20	LA04/2025/0012/F	Major	Lands at the Waterworks Park, located off the Cavehill Road; and lands at Alexandra Park, located between Castleton Gardens and Deacon Street; extending along Castleton Gardens and Camberwell Terrace to the road junction approximately 30 metres to the north west of 347 Antrim Road, Belfast, BT15 2HF	Refurbishment and safety works to the Waterworks upper and lower reservoirs, and Alexandra Park lake reservoir, to be complemented with wider environmental, landscape and connectivity improvements. The proposed reservoir works comprise of a new overflow structure with reinforcement and protection of the return embankment parallel to the bywash channel at Waterworks Upper reservoir; repairs to the upstream face of Waterworks Lower reservoir with the addition of wetland planting to reduce the overall capacity of the reservoir; and removal of an existing parapet wall and embankment reinforcement at the Alexandra Park Lake reservoir. Improvements at Waterworks Park comprise the demolition of the existing Waterworks Bothy and replacement with a new building to include public toilets, Changing Places, multi-purpose community room and kitchenette; extension to existing Cavehill Road gatehouse building; entrance improvements; new events space including multipurpose decking; resurfacing of footways; new pedestrian lighting along key routes; a dog park; replacement platforms and viewing area; new 3-on-3 basketball court; replacement surface to existing small sided 3G pitch; and upgrades to existing Queen Mary's playground. Improvements at Alexandra Park include the resurfacing of footways; new pedestrian lighting along key routes; new reinforced grass event space; new lake viewing area; new public toilets and changing places; entrance improvements; 2no existing bridges replaced; new pedestrian entrance; reimagined peace wall; new multi-sport synthetic surface with cover; and upgrades to existing play parks. Streetscape improvements along Camberwell Terrace and Castleton Gardens include resurfacing of footways with new kerbs; resurfaced carriageways and new tactile paving at pedestrian crossings; and all associated works.	20-Dec-24	18-Jul-25	UNDER CONSIDERATION

21	LA04/2024/2134/F	Major	Site of the former Dunmurry Cricket Club, Ashley Park, Dunmurry, Belfast BT17 0QQ, located north of 1-10 Ashley Park and south of 1-20 Areema Grove and Areema Drive, Dunmurry.	Mixed use scheme for new community recreational facilities, including basketball court, parkland and residential development comprising 40no social/affordable housing units with landscaping and associated works.	21-Dec-24	19-Jul-25	UNDER CONSIDERATION
22	LA04/2024/2145/F	Major	Lands at North Foreshore / Giant's Park Dargan Road, Belfast, BT3 9LZ	Creation of a new Adventure Park comprising a community / visitor hub building including café, creche, flexible exhibition / community space, ancillary office space and maintenance yard. Development includes community gardens, bmx track, crazy golf, dog park, walking/running/cycle paths, outdoor amphitheatre, bio diversity zones,and recreational facilities. Associated landscaping and infrastructure (drainage, lighting, car / coach parking, WC block etc).	15-Jan-25	13-Aug-25	UNDER CONSIDERATION
23	LA04/2024/2077/F	Major	Adelaide Business Centre 2-6 Apollo Road, Belfast, BT12 6HP	Proposed change of use from office space to Bowling Alley, Restaurant, Indoor Golf, Children's Soft Play, VR Zone & Amusements, Smoking Area, Car Parking and Associated Site Works.	29-Jan-25	27-Aug-25	UNDER CONSIDERATION

Planning Applications Discussed at Committee Between 01 Apr 2019 and 05 Feb 2025

Decision Description		Totals
		29
Consent Granted		
Consent Refused		
Permission Granted		
Permission Refused		
Total		29

Application No.	Location	Proposal	Category	Date Valid	Delegated Committee	Committee Date	Weeks between Valid date and Comm date	Weeks Since Committee	Weeks between Comm Date and Issued Date 2	Decision	Issue date	Todays Date	Reason decision not issued
LA04/2021/0547/F	Lands at 124-126 Lisburn Road Belfast BT9 6AH	Demolition of the existing buildings and redevelopment of site for 2 no. commercial units on ground floor; 11 no. 1 & 2 bed apartments; landscaped communal courtyard; and all associated site works.	LOC	30-Mar-21	C	15/02/2022	46	155	No Issue Date	Permission Granted		05/02/2025	Awaiting Section 76 Agreement
LA04/2022/2059/F	Lands south of 56 Highcairn Drive Belfast BT13 3RU Site located at junction between Highcairn Drive and Dunboyne Park Belfast.	Proposed Social Housing Development Comprising of 12 no. 3p/2b semi-detached dwelling houses with incurtilage parking and associated site works. (amended description and site location plan)	LOC	04-Nov-22	C	29/06/2023	33	83	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2022/1924/F	160-164 Kingsway Dunmurry BT17 9RZ.	Mixed-use proposal comprising 13 apartments (with 13 car parking spaces) and coffee shop.	LOC	19-Oct-22	C	29/06/2023	36	83	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2023/2324/F	MOUNTAIN VIEW CENTRE NORGLLEN GARDENS BALLYMURPHY BELFAST ANTRIM BT11 8EL	Proposed redevelopment comprising demolition of an extant building and development of two apartment blocks (12 units category 1 over 55s tenure) and change of use/alterations of existing retail unit to apartments (8 units private tenure), communal amenity, parking, site access alterations, landscaping and ancillary site works	LOC	13-Dec-22	C	17/10/2023	44	68	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement

LA04/2020/1858/F	Hillview Retail Park Crumlin Road Belfast.	Proposed residential development of 18 no. social housing units, comprising two terraces. Development includes associated car parking, gardens, landscaping, site access and all other site works. (amended plans uploaded to the Planning Portal on the 5th April 2023 that revise the proposed access and road layout, including the introduction of a traffic island).	LOC	08-Jan-21	C	14/11/2023	148	64	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2023/2390/F	Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast	Section 54 application to vary a number of conditions (of planning approval LA04/2020/0804/F) to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road.	MAJ	22-Feb-23	C	12/12/2023	41	60	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2021/2016/F	21-29 Corporation Street & 18-24 Tomb Street Belfast.	Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received).	MAJ	26-Aug-21	C	16/01/2024	124	55	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2022/1219/F	177-183 Victoria Street 66-72 May Street and 4-8 Gloucester Street Belfast	Demolition of existing building and erection of 11 storey building (May Street/Victoria Street) and 4 storey building (Gloucester Street) comprising 77 apartments with communal areas, ground floor retail services (A2) unit, cycle and car parking, and vehicular access via Gloucester Street	MAJ	21-Jun-22	C	16/01/2024	82	55	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement

LA04/2022/0097/F	22-30 Hopefield Avenue Belfast BT15 5AP	Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 - Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings)	LOC	04-Apr-22	C	13/02/2024	97	51	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2022/1384/F	Lands at 12 Inverary Avenue Sydenham Belfast BT4 1RN	Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks.	LOC	05-Aug-22	C	19/03/2024	84	46	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2017/1991/F	Land adjacent to Concourse Buildings Queens Road Belfast BT3 9DT.	Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.	MAJ	20-Sep-17	C	19/03/2024	338	46	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2020/2105/F	1-5 Gaffikin Street Belfast BT12 5FH	Residential development comprising 55no. apartments comprising 12 no social, and 43 no private apartments and associated site works.	MAJ	21-Oct-20	C	19/03/2024	177	46	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2022/0612/F	Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast.	Residential scheme of 53 no. dwellings comprising 34 no. semi-detached and 4 no. detached) and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed), amenity space, bin and bicycle storage, landscaping, access, car parking and all associated site works.(revised description & amended plans).	MAJ	15-Apr-22	C	18/06/2024	113	33	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0483/F	34-44 Bedford Street and 6 Clarence Street, Belfast	Proposed change of use from Office (B1) and restaurant (Sui Generis) to Hotel comprising of 88 no. bedrooms, two storey rooftop extension, restaurant and bar offerings, gym facilities, including new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works.	MAJ	19-Mar-24	C	15/10/2024	30	16	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement

LA04/2024/0480/DCA	34-44 Bedford Street and 6 Clarence Street, Belfast	Part demolition of existing buildings (stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.	LOC	29-Mar-24	C	15/10/2024	28	16	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0393/F	ECIT Building Queen's Road, Queen's Island, Belfast, BT3 9DT	Proposed 5 storey extension to the East of the ECIT Building (Institute of Electronics, Communications and Information Technology), and 3 storey extension to the West, to provide additional research and development space with associated landscaping and site works	MAJ	21-Mar-24	C	12/11/2024	33	12	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0369/F	Lands at Former Monarch Laundry site, and Broadway Hall Site, No's 451 - 457 Donegall Road, Belfast, BT12 6HD.	Proposed Specialist Nursing and Residential Care Facility comprising approximately 158 no. beds, day/dining rooms, treatment rooms, staff rooms, office/store rooms, including car parking provision, cycle parking, refuse storage, landscaping, and associated site and access works.	MAJ	08-Feb-24	C	12/11/2024	39	12	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0122/F	Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG	Proposed mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.	MAJ	19-Jan-24	C	10/12/2024	46	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/1744/LBC	Belfast City Hall, 2 Donegall Square North, Belfast, BT1 5GS	Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall	LOC	16-Oct-24	C	10/12/2024	7	8	No Issue Date	Decision To Be Issued		05/02/2025	Deferred for Site Visit

LA04/2024/1138/F	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	MAJ	16-Oct-24	C	10/12/2024	7	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/1141/DCA	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses	LOC	28-Jun-24	C	10/12/2024	23	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0626/F	1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB .	Erection of 104no. residential units across two detached blocks [ranging between 3 and 5 storeys] including 84 no. Social Rented Housing Units (comprising a mix of General Social Housing and Category 1 over 55's accommodation), landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works	MAJ	17-Apr-24	C	10/12/2024	33	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2023/2557/F	Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove. Belfast.	260 no. dwellings, children's play area and other ancillary and associated works.	MAJ	24-Feb-23	C	10/12/2024	93	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement

LA04/2020/2325/F	Lands at Former Maple Leaf Club 41-43 Park Avenue Belfast.	Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	LOC	06-Nov-20	C	10/12/2024	213	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2019/0081/F	Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.	Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	LOC	04-Oct-24	C	10/12/2024	9	8	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0714/F	Units 2A and 2B at 38 Boucher Road, Belfast, BT12 6HR.	Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development.	MAJ	14-Jun-24	C	21/01/2025	31	2	No Issue Date	Decision To Be Issued		05/02/2025	Awaiting Section 76 Agreement
LA04/2024/0754/F	Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known at North Foreshore/Giants Park Belfast)	Retrospective application for the construction of a landscaped earth mound, new fencing, the reconfiguration of internal access arrangements to provide a new turning head, and associated site works. (Amended description and plans)	LOC	26-Apr-24	C	21/01/2025	38	2	No Issue Date	Decision To Be Issued		05/02/2025	To be issued
LA04/2024/0966/F	28 Dunvegan Street, Belfast, BT6 8GE	Retrospective: Change of use from 3-bedroom residential dwelling (C1) to short-term let (Sui Generis). Amended Plans & Description	LOC	14-Jun-24	C	21/01/2025	31	2	No Issue Date	Decision To Be Issued		05/02/2025	To be issued
LA04/2024/1623/F	49 Woodcot Avenue, Belfast, BT5 5JB	Change of use from 4 bed dwelling (C1) to 4 bed House of Multiple Occupancy (Sui Generis)	LOC	26-Sep-24	C	21/01/2025	16	2	No Issue Date	Decision To Be Issued		05/02/2025	Deferred for Site Visit



Subject:	Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG)
Date:	11 February 2025
Reporting Officer:	Dermot O'Kane – Acting Development Planning & Policy Manager
Contact Officer:	Martyn Smithson, Senior Planning Officer

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number	
1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime	
If Yes, when will the report become unrestricted?	
After Committee Decision After Council Decision Sometime in the future Never	

Call-in	
Is the decision eligible for Call-in?	Yes ☒ No ☐

1.0	Purpose of Report/Summary of Main Issues
1.1	This report provides an overview of Supplementary Planning Guidance (SPG) relating to Purpose Built Managed Student Accommodation (PBMSA), following the 12-week public consultation period. The existing SPG, adopted in June 2016, was reviewed following the adoption and Local Development Plan (LDP) Plan Strategy in May 2023 and the conclusion of the consultation for the draft SPG. Committee are asked to approve the final PBMSA SPG and associated public consultation report for publication.
2.0	Recommendation
2.1	Committee are asked to agree to the publication/adoption of the Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG) attached at Appendix 1 and the associated Consultation Report at Appendix 2.
3.0	Main Report
3.1	Prior to the development of the Local Development Plan (LDP) Plan Strategy, Planning Service produced three documents to provide the Council with appropriate tools to deal with an influx of planning applications for PBMSA in the City Centre. These included: • Purpose Built Managed Student Accommodation (PBMSA) – Planning and Place Advice Note, October 2015; • Purpose Built Managed Student Accommodation (PBMSA)– Planning and Place Best Practice Guide, December 2015; and • Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG), June 2016.
3.2	As these documents were developed in advance of the LDP, they were based on policies that have now been superseded by policies in the Plan Strategy. Appendix E of the Plan Strategy therefore noted that the current adopted SPG on PBMSA would need to be revised in line with the new LDP. The revised SPG follows the same format and style as the 17 SPG adopted in May 2023 alongside the Plan Strategy.
3.3	The formal consultation period for the PBMSA SPG commenced on Thursday 29 August 2024 and closed on Thursday 21 November 2024 at 5pm. An online consultation survey (and accompanying hardcopy survey form) was made available during this period for the receipt of representations.
3.4	A total of four (4) representations were received during the consultation period for the dSPG. The respondents are categorised as individual (2), an educational body (1) and private sector (1). The private sector response was a joint response by three planning consultants. The respondents are listed in Appendix A of the PBMSA SPG Consultation – Representations Report.
3.5	There were a range of positive comments received about the SPGs in terms of their clarity and intent and there were proposals for a number of minor changes, many of which have been incorporated into the final SPG document. There was general support for the preparation of a revised SPG following the adoption of the Plan Strategy in May 2023, which will supersede the 2016 PBMSA SPG. Comments welcomed the recognition given to the significant contribution made by students studying and living within the city to the local and regional economy and recognition to the need for PBMSA to be well planned/designed, appropriately located and properly managed.
3.6	A number of more significant comments were made in respect of the understanding of an Established Residential Area (ERA), including requests for greater clarity around criterion a.

	of Policy HOU12. Several paragraphs on ERAs were re-worked to clarify the intent of criterion a, in that it is a locational test rather than an impact test.
3.7	There was general support for the requirement for a management plan, while minor adjustments have been made to the SPG to ensure the guidance is in-line with current practice. A mixture of comments were also submitted in relation to the flexible application of design Policies HOU7, RD1 and OS3 to PBMSA development.
3.8	A table is included within the PBMSA SPG Consultation – Representations Report (Appendix 2) which details the main issues raised during the consultation in relation to the dSPG, including the Council's justification where revisions have been made or otherwise to the final SPG. Members are asked to note the changes made to the SPG and to approve the final PBMSA SPG (Appendix 1) for publication.
3.9	As part of the consultation one respondent requested that PBMSA monitoring is made publically available to assist with the demonstration of need. The Council maintains an annual monitor of PBMSA developments aligned to the start of each academic year i.e. October/November. Members should note that this data (from November 2023) has now been made available via an online map viewer which will be published on the Council website alongside the final SPG. It will continue to be maintained on an annual basis.
3.10	<u>Financial and Resource Implications</u> None associated with this report.
3.11	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> None associated with this report
4.0	Appendices - Documents Attached
	Appendix 1 – Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG), January 2025 Appendix 2 – PBMSA SPG Consultation – Representations Report

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Belfast Local Development Plan

**Purpose Built Managed Student
Accommodation (PBMSA)**

Supplementary Planning Guidance

January 2025

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1 Introduction

1.1 Introduction

- 1.1.1 This Supplementary Planning Guidance (SPG) provides additional advice and guidance specific to Purpose Built Managed Student Accommodation (PBMSA) in Belfast. It complements Policy HOU12: Large scale purpose built managed student accommodation (PBMSA) which has been adopted in the Local Development Plan (LDP) Plan Strategy (PS). It is intended for use by developers, the public and by planning officers in the assessment of planning applications for PBMSA developments within Belfast.
- 1.1.2 SPG represents non-statutory planning guidance which supports, clarifies and/or illustrates by example policies included within the current planning policy Framework, including the PS and other development plans.
- 1.1.3 Where relevant to a particular development proposal, this SPG will be taken into account as a material consideration when determining planning applications.

1.2 What is Purpose Built Managed Student Accommodation (PBMSA)

- 1.2.1 PBMSA is accommodation that is built, or converted, with the specific intent of being occupied by students undertaking a full-time course of higher or further education – either within individual ensuite units or sharing facilities. The inclusion of the word ‘managed’ highlights the importance of such accommodation being centrally supervised by the developer/landlord to provide welfare support for students and to ensure compliance with any code of conduct or tenancy agreements, etc.
- 1.2.2 These management arrangements are a significant difference between PBMSA and students living in the more traditional form of student accommodation often referred to as Houses in Multiple Occupation (HMOs) in the private rented sector. However, as a form of housing, PBMSA has many distinct characteristics that distinguish them from smaller-scale housing occupied by unrelated people (HMOs). They raise many different planning issues from other forms of student accommodation, HMOs or general housing that can have significant implications for the orderly and consistent development of the City.
- 1.2.3 Although ‘residential’ in nature, PBMSA has no formal definition within the planning system and is considered ‘sui generis’ (unique/of its own class). It is therefore a form of development for which further guidance and clarification is appropriate to ensure the unique nature of the development can be adequately assessed.

- 1.2.4 The student population in Belfast includes anyone enrolled for more than two weeks on a higher education (HE) course that is primarily based in the UK, unless they are an incoming exchange student, on sabbatical, writing-up or dormant. Data from universities, higher education colleges and other specialist providers of higher education are collectively referred to as Higher Education Institutions (HEIs). Higher education campuses in Northern Ireland includes Queen's University Belfast, The Open University, St Mary's University College, Stranmillis University College and Ulster University.
- 1.2.5 In the academic year 2021/22, there were a total of 2,862,620 students in higher education (undergraduate and postgraduate students) for the whole of the UK¹. In the context of Northern Ireland (NI), in the same academic year there were a total of 69,565 students in higher education (undergraduate and postgraduate students). Therefore, the NI student population represents 2.43% of the total UK students. The number of higher education students enrolled in Northern Irish campuses, has increased on an annual basis. From the academic year 2017/18 through to 2021/22 there was an increase of 15,105 students, or 27.7%.
- 1.2.6 The council recognise that students studying and living within Belfast make a significant contribution to local and regional economies. For Belfast, the continued growth in the number of students wishing to enter third level education in our universities and further education colleges; the re-location of the Ulster University to the north of the City Centre and growth in the international student market all present significant opportunities for the city.
- 1.2.7 However, the rapid expansion of student numbers over the last three decades also presents a range of challenges, with specific pressures relating to housing a large student population in concentrated areas of the city and associated impacts on existing housing stock, local amenities and the wider urban environment. Taking learning from experiences of areas such as the Holylands, student housing provision needs to be well planned and appropriately managed to ensure that there is positive integration with existing communities and minimise any potential negative side effects or 'externalities' associated with an increasing student population.

¹ <https://www.hesa.ac.uk/data-and-analysis/students/whos-in-he#numbers>

2 Policy Context

2.1 Regional planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1.1 The RDS recognises the importance of Belfast as the major driver for regional economic growth. It notes that population decline in the City needs to be reversed in order to have a strong capital city which is the economic driver of Northern Ireland. Key to this population growth will be the provision of housing to meet the full range of need. The council's Policy approach to PBMSA therefore seeks to manage housing growth and achieve sustainable patterns of development (Policy RG8) and help grow the population of the City (Policy SFG2).

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.1.2 The council is required by the SPPS to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. In furthering sustainable development, the SPPS advises that it is important to manage housing growth in a sustainable way, placing particular emphasis on the importance of the inter-relationship between the location of local housing, jobs, facilities and services, and infrastructure. It is similarly important to successfully integrate transport and land use generally in order to improve connectivity and promote more sustainable patterns of transport and travel.
- 2.1.3 Whilst there are no direct references to student housing within the SPPS, it notes that planning authorities should seek to facilitate sustainable housing growth in response to changing housing need, support urban regeneration (including proposals to address dereliction and to promote investment in the physical regeneration of deprived areas), progress policies, plans and proposals that can improve the health and well-being of local communities and help build a strong and shared society. Offering a variety of house types, sizes and tenures, such as bespoke PBMSA, will help to meet the diverse needs of all the community.

2.2 Local planning policy

Local Development Plan (LDP) Plan Strategy (PS) 2035

- 2.2.1 The Plan Strategy (PS) provides the strategic policy framework for the plan area as a whole across a range of topics. It sets out the vision for Belfast as well as the objectives and strategic policies required to deliver that vision. It also includes a suite of topic-based operational policies, including those relating to housing.
- 2.2.2 The residential accommodation policies within the PS seek to address both current and future residential needs by ensuring sufficient land is made available to meet

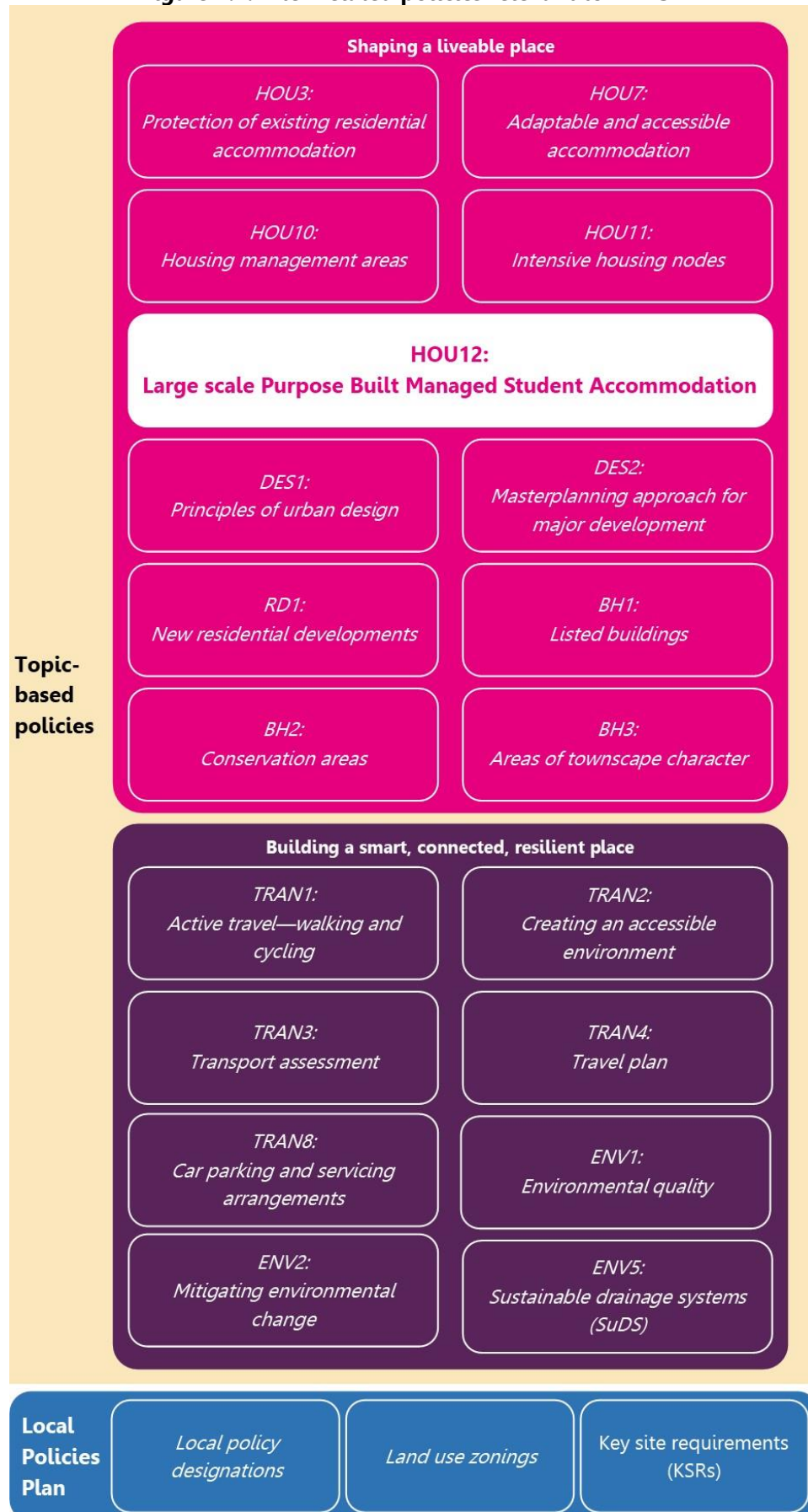
future housing requirements. The housing policies will therefore aim to ensure an appropriate supply of housing to provide for those with specialist housing need including specialist residential accommodation, including shared forms of housing and purpose-built student accommodation.

- 2.2.3 While this guidance supplements Policy HOU12: Large scale purpose built managed student accommodation (PBMSA), there are also a range of other relevant policies within the Plan Strategy as illustrated in Figure 2.1.

Local Policies Plan

- 2.2.4 The Local Policies Plan (LPP) will set out Key Site Requirements (KSRs) for certain land, which may in some cases be relevant to PBMSA development. This may include specific guidance or site-specific matters such as appropriate mix of uses, specific design requirements such as density of development, heights, scale, massing of buildings, etc.

Figure 2.1: Inter-related policies relevant to PBMSA



3 Large scale Purpose Built Managed Student Accommodation (PBMSA)

3.1 Introduction

- 3.1.1 PBMSA proposals raise a number of planning issues. Developers should consider the guidance provided in relation to these issues at the earliest opportunity when planning new PBMSA developments to ensure that the final development will be of the highest quality and will respond to the relevant planning policy requirements.
- 3.1.2 The Planning Act (NI) 2011 requires that prospective applicants for all regionally significant and major developments² must undertake formal public consultation prior to the submission of a planning application. This is to ensure that communities are aware of, and have an opportunity to comment on, such proposals before an application is made.
- 3.1.3 The 'front loading' of work is fundamental to the new development management system introduced through the reform of the planning in April 2015 and our Statement of Community Involvement (SCI) outlines a number of opportunities for early engagement with both the council and local communities/stakeholders, including:
- **Pre-application Discussions (PADs):** The opportunity to discuss any proposals for PBMSA with the council prior to a planning application being submitted; and
 - **Pre-Application Community Consultation (PACC):** Due to the scale and the nature of PBMSA, pre-application community and stakeholder consultation is usually required. Even where a specific development does not meet the statutory definition of major development, the nature of PBMSA means that early engagement with affected communities is still highly recommended.
 - **Proposal of Application Notice (PAN):** When a pre-application consultation is required, applicants must submit a PAN to the council detailing the proposed consultation process. Separate guidance on the PAN process and pre-application consultation is available from the council's website.
- 3.1.4 Whilst these provisions represent the minimum requirements for pre-application consultation, early engagement with interested parties³ and the council will help to enhance the quality of the design and reduce the potential delays at the application stage. Developers should therefore consider the need for engagement beyond the minimum level to increase the likelihood of delivering a successful PBMSA

² See the Planning (Development Management) Regulations (Northern Ireland) 2015

³ Interested parties may include, people living within the area/neighbourhood, elected representatives, voluntary groups, community forums/groups/umbrella organisations, environmental groups, residents' groups, business interests and developers/landowners.

development, through better understanding of local concerns and circumstances. This early engagement ensures action can be taken to address issues before detailed designs are developed for a formal application.

- 3.1.5 The following sections address each key planning issue in turn and set out the type of supporting information that is likely to be required as part of a planning application in order to allow each of these issues to be fully considered.

3.2 Location and accessibility

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

Planning permission will be granted for large scale purpose built managed student accommodation (PBMSA) where all of the following criteria are met:

- a. **The proposal is easily accessible to higher education Institution campuses by sustainable transport modes and is not within an established residential area (see appendix B);**

Accessibility

- 3.2.1 There is a need to ensure that PBMSA is easily accessible to HEI campuses by sustainable transport modes, be it walking or wheeling, cycling or public/shared forms of transport.
- 3.2.2 To be easily accessible, an ideal location for PBMSA would be within walking and wheeling distance to a campus. A distance of 1,200 metres, approximately 15 minutes walking time, of an existing higher education institution campus will help to achieve the aspiration of this policy criterion by allowing relative ease of access to a campus for students via walking and wheeling.
- 3.2.3 The City Centre is a highly accessible location, almost entirely within a 1,200m distance to either of the principal higher education institution campuses and is recognised as a preferred location for higher density housing, which could include PBMSA.
- 3.2.4 Outside of the City Centre, PBMSA may be acceptable, in principle, in highly accessible locations, such as on City Corridors, which benefit from appropriate infrastructure for cycling and public transport. Similarly, Intensive Housing Nodes (IHNs) are designated specifically because they are able to accommodate higher density residential developments with a lower impact on traditional residential areas and because they can optimise existing infrastructure for sustainable transport.

Large scale Purpose Built Managed Student Accommodation (PBMSA)

Although IHNs are designated specifically because they are appropriate locations for HMOs and flats/apartments, PBMSA have many similar locational requirements.⁴

- 3.2.5 While PBMSA may therefore be acceptable within IHNs, care should be taken to avoid an overconcentration particularly in areas nearby a HEI campus or in locations where increased pressure could be placed on Established Residential Areas (ERAs).

Protecting Established Residential Areas

- 3.2.6 Whilst it is recognised that PBMSA is residential in nature, planning legislation acknowledges PBMSA as a more intensive land use, and so is a '*sui generis*' use class. It is acknowledged that high-quality PBMSA can make a positive contribution to the local environment, supporting regeneration through renewal of vacant/derelict sites and boosting local populations to sustain facilities and amenities. However, the potential benefits must be balanced against potential negative impacts that may arise from PBMSA.
- 3.2.7 As well as ensuring accessibility to HEI campuses, criterion a. of Policy HOU12 also seeks to protect existing residential communities from unacceptable impacts by requiring that PBMSA developments are not located within Established Residential Areas (ERAs). ERAs are not formally designated within planning policy, but whether or not a site falls within an ERA is established with reference to the definition within Appendix B of the Plan Strategy.
- 3.2.8 As is common case, planning policy is to be given its ordinary, natural, commonsense meaning within the policy itself. The relevant context is spelt out by the aims and justification of the policy. Therefore, as criterion a. states, planning permission will only be granted for PBMSA development where a site is not deemed to be within an ERA. Where it falls within an ERA, planning permission will be refused.
- 3.2.9 As a general guide where a proposed development for student accommodation is surrounded on more than two sides by residential properties then it may be considered to fall within an ERA, particularly where there is a recognisable form of housing styles, clear spatial structure, building form or plot sizes. However, according to the definition, ERAs can also have a greater range and mix of building styles or a less uniform pattern of development and are nonetheless still worthy of protection against redevelopment or infill at a significantly higher density than that found in the locality. The definition of an ERA also acknowledges that they may include buildings

⁴ Policy HOU11 deals with Intensive housing nodes. Paragraph 7.1.74 of the Plan Strategy explains that intensive housing nodes will be designated in the Local Policies Plan (LPP) and that in advance of this, Policy HOU11 will be applied to existing HMO Development Nodes as outlined within designation HMO 4 of the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015. Existing HMO Development Nodes outside of the city centre are concentrated along existing arterial routes.

in commercial, retail or leisure services use, proportionate in scale to the size of the neighbourhood being served.

- 3.2.10 Whether or not a site falls within an ERA must therefore be judged on a case-by-case basis with reference to the site context and the definition of ERAs outlined in Appendix B of the PS.

Cumulative Impact

- 3.2.11 It is widely recognised that an overconcentration of student accommodation relative to the wider community can lead to an imbalance in the community. Taking the learning from experiences of areas such as the Holylands, student housing provision needs to be well planned and appropriately managed to ensure that there is a positive integration with any existing communities.
- 3.2.12 For PBMSA development, consideration will be given to the cumulative impact of PBMSA, to ensure that the impact on existing communities is carefully assessed. In many locations, whilst a single PBMSA development of an appropriate scale may be accommodated without giving rise to any particular harm, multiple PBMSA developments in close proximity are more likely to be detrimental. This will be particularly important within the HMAs designated pursuant to Policy HOU10, as well as within ERAs.
- 3.2.13 As noted, some areas of the city may be more appropriate for PBMSA development based on existing land uses where cumulative impacts may be reduced and where additional benefits may be realised such as revitalising the physical fabric through re-use of vacant buildings and redevelopment of derelict and unattractive land. However, the prime planning issue is the location of PBMSA on sites where there is accessibility to third-level institutions by sustainable transport needs.
- 3.2.14 No specific threshold is set at which a community balance is likely to be lost, and so the cumulative impact will be assessed on a case-by-case basis, taking into account the factors outlined above.

Protection of residential stock

- 3.2.15 The residential accommodation policies within the LDP seek to address current and future residential needs, by protecting existing residential stock and ensuring sufficient land is made available to meet future housing requirements. Policy HOU3: Protection of existing residential accommodation is applicable to any PBMSA developments that involve the conversion/re-development of existing residential buildings.
- 3.2.16 In such cases, Policy HOU3 would generally preclude the redevelopment and/or change of use of existing dwellings for PBMSA unless it is considered complementary

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to surrounding residential uses and will not result in any adverse effects on existing residential amenity. However, this will still be subject to meeting the requirements of Policy HOU12 and where an existing residential building is in close proximity to other residential uses it is likely that it may also be considered to fall within an ERA.

Supporting information

3.2.17 To allow for the full assessment of the location and accessibility of a proposal, including the cumulative impact, a **PBMSA Statement** must be submitted as part of any application for PBMSA developments which includes:

- A plan illustrating location of the development identifying key walking routes, distances and walking times to relevant higher education institution campus or public transport halts.

3.3 Scale of development

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- b. The development consists of a minimum of 200 occupants. This will not preclude proposals for smaller incremental extensions or consolidations of existing halls of residence and phased development of larger schemes;

- 3.3.1 When considering the impact of PBMSA, consideration should also be given as to whether the scale of a proposed development is appropriate to the location so as to enable adequate management, to maintain a community balance and to minimise any conflict with surrounding residential neighbourhoods.
- 3.3.2 PBMSA developments are required to have a minimum of 200 occupants, without precluding smaller incremental extensions or consolidations of existing accommodation and phased development of larger schemes. However, there is no specific policy for planning applications relating to PBMSA with fewer than 200 occupants and, as such, smaller schemes may be considered to fail this policy test. Student accommodation is measured in occupants/bed spaces and not individual units. 200 occupants would equate to 200 bedspaces.
- 3.3.3 However, where smaller schemes are able to meet the other requirements of this policy, such as the provision of appropriate management arrangements, planning applications may still be considered acceptable.
- 3.3.4 In addition, all PBMSA proposals are also subject to a range of other relevant policies, such as those relating to design quality and impact on surrounding areas (see Policy RD1).

3.4 Quality residential environment

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- c. The development provides a quality residential environment for students in accordance with the space standards for HMOs set out in appendix C;

Design Quality

- 3.4.1 The layout, design and facilities provided within a development should be of a high standard to ensure a quality residential environment. As outlined in Section 2, while Policy HOU12: Large scale purpose built managed student accommodation (PBMSA) sets out the broad policy framework for PBMSA developments, there are a range of other relevant policies within the Plan Strategy with design implications (see Figure 2.1).
- 3.4.2 It is important that the nature, layout and design of proposed schemes are appropriate to the location and context and would not result in an unacceptable impact on local character, environmental quality or residential amenity. Good quality PBMSA will help to maximise the positive effects of development, including multiple regeneration benefits, whilst minimising any potential harm to local character, environmental quality or existing residential amenity. When considering design quality in the context of PBMSA, it is important to address residential design criteria, deliver development which is sustainable, and attend to matters of parking, waste and recycling, alongside open space.

Residential Design Criteria

- 3.4.3 Policy RD1: New residential developments relates to design quality in new residential development and is applicable to PBMSA development given that they are residential in nature. To ensure conformity with these policy standards, planning applications for PBMSA will be tested against the design criteria. They seek to ensure integration with the surrounding context and minimal impact on neighbouring uses, the protection of the built and natural heritage, adequate provision of open space and local neighbourhood facilities, accessibility and appropriate parking provision, and the promotion of personal safety. As well as applying to new residential developments, the same design criteria also apply when converting or changing the use of existing buildings to PBMSA.
- 3.4.4 Policy RD1 contains a number of design criteria aimed at minimising conflict with adjacent land uses, assisting integration with the surrounding area, ensuring adequate provision of necessary local facilities and ensuring there are no unacceptable adverse effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. Comments

received in response to public consultation on a planning application will be considered when assessing the likely impact of a proposed development.

3.4.5 In addition to the residential design requirements, there are a number of broader policies and relevant land designations within the existing planning policy framework that provide specific design advice, depending on the specific location of a proposed development. These include:

- **Policy BH1: Listed Buildings:** There is a presumption in favour of retaining listed buildings unless there are exceptional reasons to justify a demolition. The change of use of listed buildings to PBMSA is likely to be appropriate where this secures its upkeep and survival and where the development is in conformity with the wider planning policy framework. PBMSA developments within the vicinity of listed buildings will also be subject to tighter policy controls to help control the impact on the setting of the listed buildings.
- **Policies BH2: Conservation Areas and BH3: Areas of Townscape Character (ATCs):** PBMSA developments within, or affecting, a Conservation Area or ATC will need to preserve or enhance the character and appearance of the Conservation Area or ATC. There is a presumption in favour of retaining any building which makes a positive contribution to the character or appearance of a Conservation Area or ATC, as identified within the Design Guides available for each area.
- **Zonings and designations:** Although potential uses of the sites are not always specified, PBMSA may be acceptable as part of a mixed use developments, assuming other policy requirements are met, including specified urban design requirements relating to density of development, heights, scale, massing, etc
- **Retail core:** Within Belfast City Centre, non-retail development is restricted to upper floors within the Primary Retail Core.

Sustainable Development

3.4.6 It is important that new PBMSA delivers sustainable development in its broadest sense. There are a number of elements of PBMSA developments that will contribute to the delivery of sustainable development, such as locating developments so as to reduce the need to travel and to promote walking or cycling, the use of Green Travel Plans and providing a quality residential environment. As with all new buildings, the design concept should consider the sustainability of the overall design from the outset. This could include the use of energy efficiency and sustainable construction methods, such as green roofs, or the installation of energy reduction and zero-carbon generating technologies, such as solar panels and rainwater harvesting, as appropriate. Green roofs can also contribute to the overall open space provision, as well as offering energy reductions through their isolating effect.

3.4.7 These are a number of rating systems, such as the Code for Sustainable Homes and BREEAM (Building Research Establishment's Environmental Assessment Method), available to help in the consideration of overall sustainable development. Reference

to such considerations should be included within the Design and Access Statement submitted to support any planning application.

- 3.4.8 There are a number of topic based environmental policies within the Plan Strategy which should be implemented for any new PBMSA developments. Policy ENV1 (Environmental quality) is intended for new developments to enhance environmental quality where possible, ensuring the development must not result in an unacceptable adverse impact on the environment including ground contamination, air and water quality, noise and light pollution. Policy ENV2 (Mitigating Environmental change) ensures new development will incorporate measures to mitigate environmental changes and reduce Greenhouse Gas (GHG) emissions by promoting sustainable patterns of development, while Policy ENV5 (Sustainable drainage systems (SuDS)), will be implemented for all built development, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere.

Parking

- 3.4.9 The negative impacts of the parking demands from students on existing provision should be addressed when considering planning applications for PBMSA developments. Criterion d. of Policy RD1 also sets out the policy requirement to keep hard surfacing to a minimum, which has direct relevance to car parking. Careful consideration should be given to the siting and organisation of car parking within an overall design for open space so that car parking does not negatively affect the use and appearance of open spaces. This is closely linked to the need to support walking, cycling and access to public transport referenced in criterion a. of Policy HOU12.
- 3.4.10 In accordance with Policies TRAN1: Active travel – walking and cycling and TRAN2: Creating an accessible environment, the provision of PBMSA in close proximity to a higher education institution campus can also help to justify a reduction in parking provision due to a reduced need for private cars to travel to the place of study. In reality, many PBMSA schemes operate without the need for parking bringing associated benefits such as reduction in emissions, health benefits of walking and cycling and increased use of public transport.
- 3.4.11 In accordance with Policies TRAN 3: Transport assessment and TRAN 4: Travel Plan, a detailed Transport Assessment Form should be completed to help understand the transport impacts of a development and to determine if a detailed Transport Assessment is needed. Travel Plans should also be provided in relation to PBMSA to provide the necessary evidence to support any reductions in parking provision and to detail how walking and cycling will be promoted. For example, 'green' Travel Plans are now widely utilised to actively encourage the use of alternative modes of transport, particularly cycling. Planning conditions or legal agreements will be utilised as necessary to ensure that parking and travel arrangements, such as operating as a

car-free facility, can be effectively enforced as part of a wider management plan for a scheme.

Waste and Recycling

- 3.4.12 All new PBMSA developments should have adequate provision of waste and recycling storage facilities and appropriate arrangements for the collection of such waste. This should be designed in accordance with the Local Government Waste Storage Guide for Northern Ireland (2010)⁵ and the council's Supplementary Waste Storage Guidance for Purpose Built Managed Student Accommodation in Belfast.⁶
- 3.4.13 Developers are advised to liaise with the council's Planning Service and Building Control Service for support and advice at an early stage to help clarify requirements and ensure that a suitable and satisfactory design is achieved.

Open Space/Communal Spaces

- 3.4.14 Criteria d. of Policy RD1 requires that appropriate open space is provided for new residential development and will be applicable for new PBMSA developments given that it is residential in nature. Adequate, quality open space is required within the development to provide recreational and social value.
- 3.4.15 Criteria i-n of Policy RD1 applies to new-build apartment developments over 30 units, in addition to criteria a. to h. Given a minimum of 200 occupants, PBMSA development will be of such a scale to share characteristics with a larger apartment development and so these latter criteria of RD1 will be applicable. This includes management arrangements, communal spaces throughout the development, storage space allocated within each individual unit, storage and disposal of water, provision for safe, convenient and secure cycle parking and communal facilities.
- 3.4.16 Policy OS3: Ancillary open space states that all new development proposals should include appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. A normal expectation would be at least 10% of the total site area, albeit the precise amount, location, type and design of such would be negotiated with the applicant.
- 3.4.17 Policy OS3 seeks to ensure that the provision of open space is integrated into the design for developments and is provided on-site. In this regard, it is important that any open space is safe and accessible, including consideration of opportunities for linkages to nearby facilities, whilst not resulting in any noise or nuisance for local occupiers and residents. It is also important that open space areas are robust and free

⁵ Available from: <https://www.belfastcity.gov.uk/planning-and-building-control/building-control/waste-storage-guidelines#414-1>

⁶ Available from: [https://www.belfastcity.gov.uk/Documents/Waste-Storage-Guidelines/Purpose-Built-Managed-Student-Accommodation-\(PBMSA\)](https://www.belfastcity.gov.uk/Documents/Waste-Storage-Guidelines/Purpose-Built-Managed-Student-Accommodation-(PBMSA))

from encroachment from unplanned or undesirable uses, including for parking, tipping and anti-social behaviour. It is recommended that, in preparing development proposals, early consideration is given to the likely open space needs of occupiers. In accordance with the advice provided for apartment/flat developments in 'Creating Places', private communal open space may take the form of gardens, court yards, patios, balconies, recessed balconies or terraces, depending on the characteristics of the development proposed and surrounding context.

- 3.4.18 PBMSA should consider well designed space around buildings which can add greatly to the attractiveness of a development especially where principles of defensible open space are applied. Communal spaces are also often provided in student accommodation to suit the need of the occupants, which are often in the form of (but not limited to) common areas (spacious lounges, games room, recreational space), fitness area/gymnasium, cinema room, break out rooms, meeting rooms, etc. Applicants should consider function, orientation, maintenance, scale and qualities of proposed communal open space/amenity space (both indoor and outdoor). In some cases it may be necessary to provide a landscape strategy considering the provision of open space and how it meets the needs of all future residents of the development.
- 3.4.19 Where proposals for PBMSA are in an accessible location, close to a higher education institution campus, where potential for the provision of open space is likely to be more limited, small squares or formal spaces should be considered alongside internal amenity spaces throughout the development. In these circumstances it is likely that streetscape, public realm and parking areas may become a focus for improved design.
- 3.4.20 Where concessions are made in open space standards, planning agreements may be sought to ensure provision of open space off-site or to secure funding for the enhancement to existing areas of public open space. In addition, conditions or planning agreements may also be used to ensure the policy requirement for the management and maintenance of any open space provided is secured.

Space Standards

- 3.4.21 As PBMSA has a number of unique features, such as the provision of indoor amenity space and communal facilities, lower unit space standards are acceptable in comparison to other residential development. Nevertheless, it is still important that new PBMSA developments create a quality and sustainable environment for future residents. PBMSA developments are therefore still required to be built in accordance with minimum space standards for HMOs as set out in Appendix C of the Plan Strategy.
- 3.4.22 Whilst the space standards within the Plan Strategy outline basic minimum standards, it should also be recognised that many institutions have standards that would exceed

these levels. However, there are no direct policies which inform the layout of such accommodation.

Internal storage space

- 3.4.23 Whilst there remains a requirement for minimum levels of internal storage space, this could be more flexibly applied to PBMSA development given general concessions accepted on space standards generally. However, to offset these lower general space standards, there is a general expectation that PBMSA will contain greater levels of communal space; more so than would be expected in a private housing development. Furthermore, it is where design features, such as space standards or storage requirements are provided below those of general residential development, the occupancy of PBMSA will usually be conditioned to limit occupation to students, particularly during term times.

Adaptable and accessible accommodation

- 3.4.24 PBMSA developments should seek to incorporate a high level of accessibility and inclusive design and are nevertheless required to comply with the Disability Discrimination Act (DDA) requirements. Provision should therefore be made to ensure a development is accessible to all and that accommodation could be suitable for students with disabilities. This includes not only within individual study bedrooms but also within the accommodation as a whole and along key access routes to and from the site.
- 3.4.25 In addition, Policy HOU7: Adaptable and accessible accommodation sets out a series of criteria to be applied to all new homes to ensure that they are designed in a flexible way that is adaptable and accessible. As PBMSA is residential in nature, Policy HOU7 is applicable. However, given that PBMSA is explicitly targeting students and that the accommodation would not therefore be intended for use throughout an individuals' lifetime, it is accepted that the policy should be applied flexibly.
- 3.4.26 Given the limited need for adaptability throughout an individuals' lifetime, it is not necessary for all units within PBMSA developments to meet all of the 'adaptable' criteria a-f of Policy HOU7. However, there remains a requirement that a minimum of 10% of the PBMSA units to be provided as wheelchair adaptable. This minimum requirement would help to accommodate students with a known disability in the UK and in NI⁷.
- 3.4.27 In relation to the specific criteria, detailed guidance relating to addressing all of the criteria of Policy HOU7 are outlined within the related 'Residential design (including adaptable and accessible accommodation) SPG'. However, specific notes in relation to

⁷ In 2021/22 c. 14% of all higher education students in NI had a known disability. Available from: <https://www.hesa.ac.uk/data-and-analysis/students/whos-in-he#characteristics>

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PBMSA development and the criteria of Policy HOU7 are also provided in Figure 3.1 below:

Figure 3.1: Wheelchair adaptable PBMSA Requirements

Policy HOU7 Criteria	PBMSA Wheelchair adaptable unit requirements
a. Parking provision should have a firm surface and provide level or gently sloping access to the main entrance of the property	Building Regulations NI, Technical Booklet R requires parking provision to have a firm surface, which is level or gently sloping. Access from any car parking to the principal entrance(s) should also be level, or have a gentle gradient over a long distance.
b. Main entrances should be sheltered from the weather	Building Regulations NI, Technical Booklet R requires the area immediately in front of entrance doors to be protected from inclement weather.
c. Permanent living space or dining space should be provided within or in addition to a kitchen at entrance level;	An accessible PBMSA unit can be provided either as part of a cluster unit with communal living, dining space and kitchen or as a self-contained room, with bedroom, living, dining and kitchen space in accordance with HMO Space Standards (see criterion g.). In either case, the unit should be provided on a single level.
d. Accommodation should provide entrance level WC with space to provide an accessible shower in the future if required;	The PBMSA unit should be on a single level and include an accessible bathroom/shower.
e. An accessible bathroom should be provided on the same floor as the main bedroom; and	
f. Glazing in the principal living space should be sited to enable outlook when seated.	Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail.
g. A wheelchair accessible environment is provided in accordance with the space standards for wheelchair housing set out in appendix C;	There are no specific space standards outlined for an accessible HMO/PBMSA units either within the SPG or Appendix C of the Plan Strategy. However, where an accessible and adaptable wheelchair PBMSA unit is able to meet the HMO space standards set out in Appendix C of the Plan Strategy whilst demonstrating compliance with the remaining criteria of Policy HOU7, it will also be deemed to have complied with criterion g. of Policy HOU7.
h. In-curtilage or designated car parking meets disabled parking standards;	Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail.

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Policy HOU7 Criteria	PBMSA Wheelchair adaptable unit requirements
i. Pathways are wide enough to accommodate a wheelchair and have a firm surface, level or gently sloping surface;	Building Regulations NI, Technical Booklet R requires access from the point of entrance at the boundary and from car parking provided to the principal entrance to be level, or have a gentle gradient over a long distance.
j. Entrance hallway, kitchen, living, dining area, bathroom and a main bedroom have an unobstructed turning circle;	At a minimum, an unobstructed turning circle of 1500mm should be provided within hallways, kitchens, living/dining areas, bedroom and accessible bathrooms. Within kitchens, there should be a turning circle of 1500mm clear diameter between kitchen units and other fixed objects, with additional space outside of the turning zone to assist manoeuvring throughout. Where a wheelchair adaptable unit forms part of a cluster of units with communal living/dining space and kitchen, the turning circles should be available within all communal spaces.
k. Entrances, doorways and halls should be an appropriate width and length allow for wheelchair access;	Building Regulations NI, Technical Booklet R requires accessible entrance doorway to contain a leaf which provides an effective clear width, manoeuvring space in front of the door. An unobstructed turning circle of 1500mm should be provided within hallways should permit a head-on approach to doorways.
l. Space should be provided in the entrance area to enable storage of a second wheelchair;	Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. Provision for the storage of a second wheelchair should be at least 1100mm deep and 900mm and should not compromise the unobstructed turning circle required within the entrance or hallways. Where a wheelchair adaptable unit forms part of a cluster of units with communal living/dining space and kitchen, the storage space could be provided either within the wheelchair adaptable bedroom or at the main entrance within the cluster unit.
m. Space should be identified that is capable of accommodating a future lift accessed off circulation spaces on each floor;	Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. This will usually be deemed to have been met if the PBMSA unit is on a single level within a building with wheelchair accessible communal lifts.

Policy HOU7 Criteria	PBMSA Wheelchair adaptable unit requirements
n. Adequate built-in storage should be provided;	Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. This should be separate to wheelchair storage provision (see criteria m. and areas containing boilers and other utility infrastructure.
o. Private amenity space shall be level or gently sloping and should incorporate an area of suitable hard surfacing.	Requirement the same as all residential development. See Residential design (including adaptable and accessible accommodation) SPG for further detail. Any communal and private amenity space provided should have a firm surface, which is level or gently sloping and access should also be level, or have a gentle gradient over a long distance.

Supporting information

3.4.28 To allow for the full assessment of the design quality of a proposed development, the following information must be submitted as part of all planning applications for PBMSA developments:

- **Design and Access Statement:** This should explain the design principles and concepts that have been applied to the proposal, taking account of relevant built heritage considerations, especially where proposals fall within a Conservation Area or affect the setting of a listed building. It should include:
 - Site Appraisal;
 - Concept Design;
 - A statement explaining the design objectives for the site;
 - Local design considerations; and
 - The relationship of the proposal to the surrounding context.
- **Landscaping Plan:** This should outline the proposed provision of any landscaped areas, open space or amenity spaces within the overall design concept for the scheme, including future maintenance arrangements required.
- **Transport Assessment Form:** This can be used to help the council and DfI Roads understand the transport impacts of the proposal and how those impacts may be mitigated, to determine whether a full Transport Assessment will be required (see the council's Validation Checklist for more information).
- **Travel Plan:** This should be drafted to actively encourage the use of alternative modes of transport to the private car, particularly cycling, walking and public transport, including justification for any reduction in parking standards to be considered. Issues to be considered, including any potential mitigation measures, should include:
 - Staff and Student travel arrangements (i.e. cycle parking, showers/changing facilities etc);
 - Control of beginning and end of term traffic;

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- Provision of secure cycle parking and links to existing or planned cycle networks;
- Travel packs for students at the beginning of each term (including appropriate routes to and from the higher education institution campus); and
- A Car Parking Management Plan (if parking is to be provided).

3.5 Management

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- d. The development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impacts from occupants;

Management Plan

- 3.5.1 It is vital that the PBMSA provision is well managed in order to provide a safe and positive living environment for students, whilst reducing the risk of adverse impacts upon residential amenity. A management plan will be required to ensure a quality, safe and attractive place for residents.
- 3.5.2 Planning applications for PBMSA must be accompanied by a **Management Plan** addressing general management arrangements associated with the operation of the building. This should include details of:
- Arrangements for the management and maintenance of the site, including any landscape or amenity space (in accordance with proposed Landscape plan);
 - Travel and transport plans, including the management of parking. This should include measures to improve access and encourage use of sustainable methods of transport, such as walking, cycling and public transport;
 - Servicing arrangements, including housekeeping, cleaning, details of any deliveries required and provision for the storage and collection of waste and recycling;
 - Arrangement for the storage and collection of post and deliveries for residents;
 - Special features to improve the safety and security of students; including, for example, any CCTV provided, adequate lighting, intercoms, etc;
 - Details of any maintenance and servicing programmes, including procedures and timescales for overseeing repairs to property and a programme of both statutory and procedural maintenance and testing requirements, including procedures for emergency light testing, fire alarm testing and equipment maintenance or servicing, portable appliance testing, legionella testing, lift maintenance, window cleaning, etc. Supporting documentation should be provided, including:
 - Health and Safety Policies;

- A Fire Safety Strategy;
- Waste and Recycling Policy;
- Copies of Maintenance Reports and procedures for reporting damage or repairs; or
- A Maintenance Lifecycle Chart, detailing the expected lifecycle of building components.
- Arrangements to ensure the well-being of residents;
- Arrangements for the management of noise and anti-social behaviour, including details of any soundproofing, noise control measures, a code of conduct to govern tenant behaviour and any proposed liaison arrangements with the relevant education institution(s), the council and the PSNI in relation to tenant behaviour;
- Arrangements for the management of periods of reduced occupancy; and
- Any formal accreditation scheme (e.g. ANUK/Unipol or Universities UK) the operator plans to secure for the management of the completed development.

3.5.3 A S76 planning agreement may be required to ensure delivery of proposed management arrangements, such as any formal links to a higher education institution campus or to ensure permanent occupation as student housing. Planning Agreements, and related developer contributions, may therefore be required in relation to PBMSA where management arrangements cannot be adequately addressed by the imposition of conditions alone. See Section 4.3 on use of Developer Contributions for more information. Where an operator is not known at the time of submitting a planning application to council, a draft Management Plan could be accepted as part of the application with a clause included to submit a final management plan, prior to occupation.

Security

3.5.4 Providing details of any special features proposed to improve the safety and security of students also helps strengthen Management Plans. This could include, for example, CCTV, the provision of lighting, intercoms, and arrangements for limiting access for residents, staff and visitors, etc.

Access

3.5.5 Access arrangements should also consider the details of travel to and from the accommodation, including measures proposed to improve access and encourage use of sustainable methods of transport, such as walking, cycling and public transport. This should refer to any Transport Assessments and Travel Plans prepared to support the planning application, clearly articulating how any policies, such as parking arrangements will be communicated to residents.

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- 3.5.6 Specific consideration should also be given to the arrangements for the arrival and departure of students, especially where it is likely that large numbers of residents may arrive or depart on the same day or weekend.

Student Behaviour

- 3.5.7 Details of a student tenancy agreement, including any conditions to ensure that students are responsible in their behaviour to respect fellow residents, neighbours and the building, are vital in assessing the appropriateness of management arrangements for proposed PBMSA. A copy of any information provided to residents, such as a tenant handbook or guide to living in the community, could help support a planning application, providing details of how agreed management arrangements would be communicated to the students, including key contact details and hours of operation, the standard of behaviour expected from occupants, complaints procedures and any disciplinary policies.
- 3.5.8 The management plan should also consider how the landlord will enforce the terms and conditions of the tenancy, including any liaison arrangements with the relevant education institution(s), the council and the police in relation to tenant behaviour. Any such plan could build upon any code of conduct provisions set out by the institution(s) to which the students belong. Consideration should also be given to the establishment of formal mechanisms to liaise between the operator and the local community, including where relevant any business community.

Accreditation

- 3.5.9 As part of management arrangements, developers should commit to securing accreditation under one of government-approved Codes of Standards for the management of PBMSA. This provides assurance to respective tenants that quality standards are being met and re-assures the council that appropriate management arrangements will be in place for operation of a development. This will help to demonstrate compliance with criterion d of Policy HOU12, that provision is made for the management of the accommodation. The Available Codes of Standards are available as follows:
- The Universities UK Code of Practice for University Managed Student Accommodation⁸
 - The Accreditation Network UK (ANUK)/Unipol Code of Standards for Larger Residential Developments for Student Accommodation Managed and Controlled by Educational Establishments⁹
 - The ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation NOT Managed and Controlled by Educational Establishments¹⁰

⁸ Available from: www.universitiesuk.ac.uk/acop

⁹ Available from: www.nationalcode.org

¹⁰ Available from: <https://www.nationalcode.org/download-codes>

3.6 Need

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- e. **The development meets an identified need for the type of accommodation proposed, demonstrated through submission of a statement of student housing need.**

- 3.6.1 The Strategic Planning Policy Statement (SPPS) for Northern Ireland expects planning authorities to consider the needs and aspirations of society and to facilitate sustainable housing growth in response to changing need when plan-making and decision-taking. The consideration of need for student accommodation is essential to ensure the right balance is struck between ensuring student housing needs are met and preventing an over-supply of accommodation that may be unsuitable for future use by non-student residents.
- 3.6.2 As PBMSA often involves concessions in relation to normal residential design standards (see Section 3.4 below), it cannot always be readily adapted for permanent occupation should it no longer be required for student occupation. It is therefore important, in accordance with criterion e. of Policy HOU12 that an oversupply of PBMSA in Belfast is avoided, particularly where this is competing for land for permanent housing supply.
- 3.6.3 It is essential to understand the profile of local student demand and the state of current and future accommodation supply to ensure the successful delivery of student housing to meet current and future need, linked to published growth projections of the city's further and higher education institutions.
- 3.6.4 This can be addressed through the preparation of a statement of need within the PBMSA Statement required to support any planning applications for PBMSA, based on known demand and supply indicators at the time within the student housing sector.

Demand

- 3.6.5 Demand for student accommodation is generally considered to be contained within one town or city and is determined by the number of students attending local higher education institutions. General population statistics, including the number of full-time student households are available from the Northern Ireland Statistics and Research Agency (NISRA), whilst information relating to the number of students currently attending HEIs across the UK and the various Northern Ireland institutions are available from the Higher Education Statistics Agency (HESA) and the Department for the Economy's (DfE) websites respectively.

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- 3.6.6 Whilst the level of full-time students, including those from non-EU countries who traditionally prefer PBMSA, is generally considered the key metric of student accommodation demand, within the Belfast context, the number of full-time students does not automatically translate into demand for PBMSA bed spaces. This is due to a number of unique local factors, including:
- A higher proportion of local students studying at Northern Ireland's HEIs, many of whom choose to stay at home whilst studying or with a tendency to commute on a weekly basis, returning home at weekends;
 - A historical preference of first year students in Belfast to live in private rented accommodation with other students whom they already know but who may be attending different HEIs. However, rising rents in the private rented sector may encourage some domestic students to live in purpose-built accommodation in the future; and
 - A low number of students from the rest of the UK study at Northern Ireland's HEIs (2,980 students, or 5.7%).
- 3.6.7 In the 2021/22 academic year, the total UK students which studied in Northern Ireland HEIs was 52,290. However, the majority of these students were from NI (49,310 students, or 94%).¹¹

Supply

- 3.6.8 There are a number of sources of information that can be accessed to assist in the evaluation of existing and future supply of PBMSA. They include:
- Information relating to the existing provision of student accommodation by Belfast's HEIs available from the higher education institution campus' respective websites¹²; and
 - Planning application searches¹³ identifying any relevant planning applications for PBMSA to enable an appraisal of schemes in the pipeline, including developments with planning permission and current applications.
 - Manual survey work may be required to confirm whether developments with planning consents in place are completed or under construction.

Supporting information

- 3.6.9 To allow for the full assessment of need, the **PBMSA Statement** that must be submitted as part of any planning application for PBMSA should provide evidence, as appropriate, to enable the assessment of need, based on known demand and supply indicators at the time within the student housing sector. This should include details of:

¹¹ Available from: <https://www.hesa.ac.uk/data-and-analysis/students/where-from>

¹² [Queen's University Belfast accommodation information](#), [Ulster University accommodation information](#), and [Stranmillis University College accommodation information](#)

¹³ Available from: <https://planningregister.planningsystemni.gov.uk/simple-search>

Large scale Purpose Built Managed Student Accommodation (PBMSA)

- The specific need that is being addressed, with reference to relevant Corporate Plans published by the city's further and higher education institutions;
- Why this need is currently unmet by existing student accommodation stock, implemented and un-implemented planning permissions for PBMSA;
- The type of existing accommodation the potential student occupiers are likely to be drawn from;
- Any recorded increase in student numbers;
- Higher education institution campus support, if available;
- Current waiting lists for student accommodation; and
- Bedspace to student population ratio/percentage comparison to other university cities.

4 Delivery and implementation

Policy HOU12 – Large scale purpose built managed student accommodation (PBMSA)

Planning permission will be subject to meeting all other policy requirements. S76 planning agreements are likely to be required in relation to PBMSA to provide a greater level of certainty in relation to management arrangements.

4.1. Occupancy conditions

- 4.1.1 The regional and local policy approach aims to raise residential design standards and ensure the key principles behind good placemaking are implemented in urban areas. It also recognises the wider economic, cultural and community benefits of achieving excellence in design.
- 4.1.2 PBMSA often involves concessions in relation to normal residential design standards, meaning that it cannot always be readily adapted for permanent occupation should it no longer be required for student occupation. The occupancy of PBMSA will usually therefore be conditioned through the associated planning agreement to limit occupation to students, including international and short-term students outside of term time.
- 4.1.3 Some operators may seek to utilise PBMSA bed spaces to provide short-stay holiday accommodation, which may help contribute towards the viability of the overall development. Such arrangements will be assessed on their own merits on a case-by-case basis but would only be permitted for a specified period of time using occupancy conditions, ensuring this does not harm the tourist accommodation markets and remains subservient to the main function to provide accommodation for full-time students. Details of any such use must be set out as part of the application submission.

4.2. Planning Agreements

- 4.2.1 Planning Agreements, and related developer contributions, may be required in relation to PBMSA where what is secured cannot be adequately addressed by the imposition of conditions alone. SPPS provides the policy basis for planning agreements generally, whilst Policy HOU12 notes that a planning agreement¹⁴ may be required to ensure delivery of agreed management arrangements relating to PBMSA.

¹⁴ *Legal agreements made in accordance with Section 76 of the Planning Act (Northern Ireland) 2011.*

- 4.2.2 There are a number of areas in relation to PBMSA where the council may consider the use of planning agreements, to facilitate or restrict the development and/or use of land or to require land to be used in any specified way (SPPS).
- 4.2.3 The council will usually require a S76 Agreement to secure the Student Management Plan and will endeavour to provide an early indication of the use of particular types of legal agreements/conditions appropriate to the circumstances, taking account of all relevant factors which may impact on the financial viability of the scheme proposed.
- 4.2.4 The council will negotiate and deal with planning obligations in a timely manner, particularly where pre-application discussions on such matters have taken place, and welcome the opportunity to discuss the nature of any agreements with developers at the earliest opportunity.

4.3. Developer Contributions

- 4.3.1 Whilst many planning obligations could be delivered directly by the developer as an integral part of an approved development, some could also take the form of financial payments to the council, particularly where it is necessary for developers to contribute to off-site works either directly or through pooled financial contributions. Where contributions are required, the associated costs will be calculated on a case-by-case basis in an open and transparent manner, taking account of the specific context and up-to-date cost information.
- 4.3.2 For example, contributions towards transport related initiatives could be calculated with reference to the total number of trips a development will generate during peak periods, whilst the level of financial contribution for public realm works or green/open space could be calculated with reference to the type, scale and quality of space to be provided, based on average costs in Belfast for providing or improving open space. For specific capital items, planning obligations will be based on up-to-date average build costs for the specific items required. In all cases, costs will be inclusive of all costs including fees and construction costs.
- 4.3.3 In addition, where the council incurs legal and administrative costs and expenses in preparing, negotiating and settling an Agreement, it may be necessary for the council to require contributions from a developer towards reasonable costs associated with this administration. Depending on the nature of the Developer Contribution, the council will normally require payment of a monitoring fee for monitoring compliance with completed Planning Agreements. Similarly, contributions may also be required to monitor specific elements of an agreement, such as the effectiveness of a Travel Plan. Such monitoring fees will be secured as part of the Planning Agreement and will be expected to be paid on or before the date of commencement of development.

Delivery and implementation

- 4.3.4 To facilitate the timely progress of a planning application, it is important that developers discuss the likely levels of contributions with the council at the earliest opportunity.

4.4. Community Benefit

- 4.4.1 In some circumstances, community benefits may be offered voluntarily by developers to communities likely to be affected by a development. The SPPS notes that this could take the form of payments to the community, in-kind benefits or shared ownership arrangements. However, such 'community benefits' cannot be considered material considerations in decision-taking and are distinct from developer contributions that may be required to enable a development to go ahead.

4.5. Supporting Information

- 4.4.2 To help facilitate discussions in relation to planning agreements and any developer contributions, the council will expect the PBMSA Statement to be submitted as part of a planning application for PBMSA that addresses the issues outlined in the SPG where they are relevant to the particular proposals.

Glossary

Accreditation Network UK (ANUK)

ANUK is a network of professional and organisations that promotes accreditation in private rented residential accommodation. It was formed in response to the increasing popularity of accreditation across the UK May 2002 to publicise, promote and share good practice in accreditation.

BREEAM (Building Research Establishment's Environmental Assessment Method)

BREEAM is an internationally recognised method of assessing, rating, and certifying the sustainability masterplanning projects, infrastructure and buildings. It promotes best practice for all aspects of sustainable property development using independent, licensed assessors to rate developments against scientifically based criteria covering a range of issues in categories that evaluate energy and water use, health and wellbeing, pollution, transport, materials, waste, ecology and management processes.

City Corridors

Key routes into and out of the city, typically characterised by a mix of uses fronting onto a busy road, some passing through important Local Centres.

Code for Sustainable Homes

The Code for Sustainable Homes is a UK national method for rating and certifying the sustainable design and construction of new homes. It covers nine categories of sustainable design including energy and CO2 emissions, water, materials, surface water run-off, waste, pollution, health and well-being, management and ecology.

Disability Discrimination Act (DDA)

Disability Discrimination Act 1995 is an Act to make it unlawful to discriminate against disabled persons in connection with employment, the provision of goods, facilities and services or the disposal or management of premises; to make provision about the employment of disabled persons; and to establish a National Disability Council.

Higher Education Institutions (HEIs)

Universities, colleges and further education institutions offering and delivering higher education.

Glossary

Higher Education Statistics Agency (HESA)

HESA, the Higher Education Statistics Agency collect, assure and disseminate data about higher education (HE) in the UK on behalf of their statutory customers. They work with HE providers in each of the four nations, collaborating with them to collect and curate one of the world's leading HE data sources.

House in Multiple Occupation (HMO)

A house in multiple occupation is a property rented out by at least 3 people who are not from 1 'household' (e.g. a family) but share facilities like the bathroom and kitchen.

Housing Management Areas (HMAs)

Areas designated under Policy HOU10 in which certain types and sizes of housing, including HMOs and conversions to self-contained flats through the sub-division of larger residential units, will be carefully managed to help to meet the diverse needs of all the community.

Intensive Housing Node (IHN)

Areas which seek to prioritise locations with good sustainable transport connectivity and strong access to employment and educational opportunity, such as appropriate locations within the city centre, local centres, close to rail stations or halts and on city corridors. Intensive housing nodes will be designated within the Local Policies Plan (LPP).

Management Plan

A Management Plan addresses general management arrangements associated with the operation of the building.

Northern Ireland Statistics and Research Agency (NISRA)

NISRA is an Agency of the Department of Finance. NISRA is the principal source of official statistics and social research on Northern Ireland. These statistics and research inform public policy and associated debate in the wider society.

Pre-Application Community Consultation (PACC)

A statutory requirement for specific community consultation that prospective applicants must undertake with communities for certain types of development. Development proposals fall into three categories – regionally significant, major and local. All application for regionally significant or major developments submitted on or after 01 July 2015 must comply with the PACC process. Pre-application consultation does not replace the opportunity, or remove the need, for communities and individuals to make formal comments on proposals during the planning application process.

**Pre-application
Discussion (PAD)**

A service offered by the council prior to lodging a planning application to give a better chance of getting planning permission. A PAD should improve the quality of the proposal, reduce the time it takes to determine the application, and give peace of mind that you are on the right lines before making a planning application. There may be a fee for this service.

**Proposal of Application
Notification (PAN)**

For major development proposals, developers are required to submit a 'Proposal of Application Notice' 12 weeks before submitting a formal planning application, explaining how they will engage with the local community. The council then has 21 days to consider the proposal and can either confirm their acceptance of the proposal or direct the applicant to modify their approach.

**Purpose Built Managed
Student Accommodation
(PBMSA)**

PBMSA is accommodation that is built, or converted, with the specific intent of being occupied by students undertaking a full-time course of higher or further education – either individual en-suite units or sharing facilities. The inclusion of the word 'managed' highlights the importance of such accommodation being centrally supervised by the developer/landlord to provide welfare support for students and to ensure compliance with any code of conduct or tenancy agreements, etc.

**Regional Development
Strategy (RDS)**

The spatial strategy of the Executive, which sets out policies for the delivery of the spatial aspects of the Programme for Government. It provides an overarching strategic planning framework to facilitate and guide the public and private sectors, influencing the future distribution of development throughout the Region.

Strategic Planning Policy Statement (SPPS) for Northern Ireland

The SPPS is a statement of the Department of Environment's policy on important planning matters that should be addressed across Northern Ireland. It identifies the objective of the planning system as being to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Its provisions must be taken into account in the preparation of Local Development Plans (LDPs) and are material to all decisions on individual planning applications and appeals.

Statement of Community Involvement (SCI)

The requirement to produce a Statement of Community Involvement (SCI) was introduced in the Planning Act 2011. The Planning (Statement of Community Involvement) Regulations (Northern Ireland) 2015 sets out the process by which this should be done.

Student Accommodation

A generic term that covers all forms of housing suitable for occupation by student, including both HMOs and PBMSA.

Sui Generis

A Latin phrase literally meaning "of its own kind; in a class by itself; unique". It is used in planning to refer to developments that do not fall within a specific class of the Planning (Use Classes) Order (NI) 2015.

Supplementary Planning Guidance (SPG)

Guidance to support, clarify and/or illustrate by example planning policy statements and plans. This can take the form of design guides or guides prepared for Conservation Areas and the suite of DCANs. Where relevant to a particular development proposal supplementary planning guidance will be taken into account as a material consideration in making decisions.

Unipol

ANUK/Unipol Code of Standards for Larger Residential Developments for student accommodation managed and controlled by educational establishments. The Code establishes a set of management standards for all residential developments managed and controlled by educational establishments (with the exception of head leased properties) and specifies appropriate controls to ensure that the particular needs of students are delivered effectively.



Belfast Local Development Plan

PBMSA SPG Consultation – Representations report

January 2025

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Introduction



1.1 Purpose of this report

- 1.1.1 This report details the engagement process undertaken in preparing and consulting on the proposed Purpose-Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG)¹. It outlines the results of this process, including a summary of the key issues raised through representations in relation to the draft SPG. It provides an indication of the Council's view in relation to the key issues in representations made in respect of the SPG consultation.

1.2 Background to the consultation

- 1.2.1. On 2 May 2023, as part of the process of developing the new Local Development Plan (LDP) for Belfast, the Council formally adopted the Plan Strategy (PS). In progressing work towards the adoption of the PS the council consulted on a suite of 17 SPG documents to support the implementation of the adopted PS.
- 1.2.2. This SPG represents non-statutory planning guidance that supports, clarifies and/or illustrates by example, policies included within the Belfast LDP. The information set out in the SPG should also be read in conjunction with the LDP Plan Strategy (May 2023). These initial 17 SPG were adopted alongside the PS in May 2023 and can be found on the council's website: www.belfastcity.gov.uk/LDP
- 1.2.3. Following adoption of the PS, the Council have now updated the PBMSA SPG produced in 2016, to ensure it is in line with updated Policy HOU12 of the PS.

1.3 Overview of the consultation process

- 1.3.1. The Council's Statement of Community Involvement sets out its policy for involving the community in the production of the LDP, describing who, how and when the community will be invited to participate in the different states of the LDP formulation. Section 6.1 of the Statement of Community Involvement informs that SPG will be published for consultation and comment prior to publication of the final draft, with comments received published on the Council's website.

Consultation

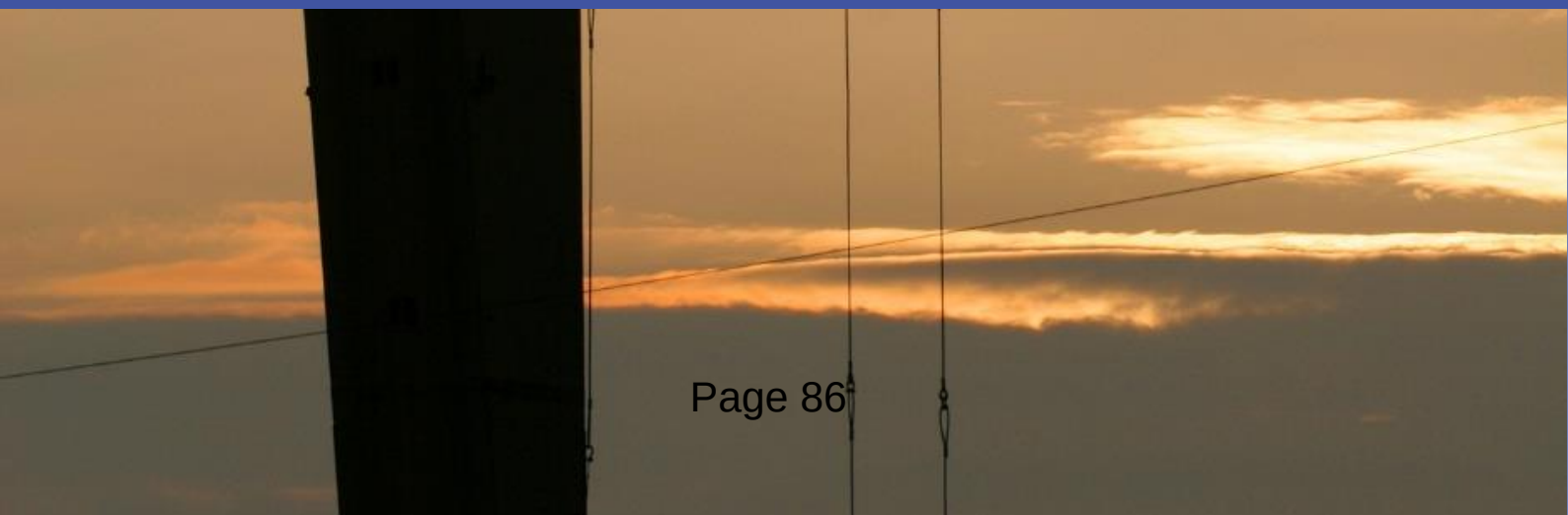
- 1.3.2. As part of the consultation process a public notice relating to the SPG was issued in September 2024, appearing in the following newspapers:
- [Newsletter \(6 September 2024\)](#)
 - [Irish News \(6 September 2024\)](#)

¹ SPG represents non-statutory planning guidance, intended to be read in conjunction with the existing planning policy framework, most notably the Strategic Planning Policy Statement (SPPS) for Northern Ireland and the Belfast Local Development Plan Strategy. SPG are intended for use by developers, the public and by planning officers to support the assessment and delivery of planning proposals.

- [Belfast Media Group Titles - Andersonstown News \(14 September 2024\)](#).
- 1.3.3. The formal consultation period commenced on Thursday 29 August 2024 and closed on Thursday 21 November 2024 at 5pm. An online consultation survey (and accompanying hard copy survey form) was made available during this period for the receipt of representations.
- 1.3.4. The survey was accompanied by a full range of consultation materials, made available to view and download online via the Council's website and were available for inspection at the main reception in Belfast City Hall during normal opening hours.
- 1.3.5. All of the consultation materials remain available for inspection on the LDP pages of the Council's website.
- 1.3.6. A copy of all newspaper adverts is included in Appendix B.



Overview of Responses



2.1 Summary of responses received

- 2.1.1 A total of 4 representations were received during the consultation period for the draft SPG. The respondents are categorised as individual (2)², an educational body (1) and private sector (1). The private sector response was a joint response by three planning consultants. They are listed at Appendix A.
- 2.1.2 There were a range of positive comments received about the SPGs in terms of their clarity and intent and there were proposals for a number of minor changes, many of which have been incorporated into the final SPG document. There was general support for the preparation of a revised SPG following the adoption of the Plan Strategy in May 2023, which will supersede the 2016 PBMSA SPG. Comments welcomed the recognition given to the significant contribution made by students studying and living within the city to the local and regional economy and recognition to the need for PBMSA to be well planned/designed, appropriately located and properly managed.
- 2.1.3 A number of more significant comments were made in respect of the understanding of an Established Residential Area (ERA), including requests for greater clarity around criterion a. of Policy HOU12. Several paragraphs on ERAs were re-worked to clarify the intent of criterion a., in that it is a locational test rather than an impact test.
- 2.1.4 There was general support for the requirement for a management plan, while minor adjustments have been made to the SPG to ensure the guidance is in-line with current practice. A mixture of comments were also submitted in relation to the flexible application of design Policies HOU7, RD1 and OS3 to PBMSA development.

2.2 Approach to analysis of responses

- 2.2.1 The consultation response form was designed to provide an appropriate format for accurately capturing respondent views in relation to the PBMSA SPG. However, the majority of respondents chose not to utilise the form when submitting their response. Therefore, to aid analysis of the responses, the Council undertook an initial review of each submission to ascertain to which section of the SPG the responses related.
- 2.2.2 In the following sections of this report the main issues raised in relation to the SPG have been summarised and responded to, including the Council's justification where revisions have been made or otherwise.

² Figures in brackets denote the number of respondents within each category classification.

Council response to key issues raised



Purpose Built Managed Student Accommodation (PBMSA)

Summary of Responses

Four (4) respondents made representations in respect of the PBMSA SPG. Of the comments submitted:

- There was **support** for Policy HOU12, and also for the preparation of an up-to-date PBMSA SPG;
- Comments welcomed the recognition that students make a significant contribution while studying and living within the city to the local and regional economy and recognises the **need for PBMSA** to be well planned/designed, appropriately located and properly managed;
- Several comments sought further clarity in the **definitions** of certain terms used throughout the SPG; including but not limited to *interested parties* and *sustainability of an ERA*;
- One comment raised concern over defining **accessibility** to a higher education institution campus (HEIC) weighted against the balance of **over-concentration** of PBMSA development;
- Numerous comments related to **Established Residential Areas (ERAs)** and requests were made to map the existing ERA's in Belfast;
- One comment noted the boundary of a university campus is often expansive and difficult to define;
- Further explanation was requested in relation to **HOU12 policy tests** namely how to establish if a site is, or is not within an ERA;
- Comments related to **cumulative impact**, **land use** and **design**, including comments of unattractive new builds;
- A comment questioned the **space standards** within criterion c. of Policy HOU12;
- Comments questioned the negative tone of the dSPG relating to **parking and cycle provision** within a PBMSA development;
- There were mixed reviews of guidance on **Policy HOU7**. While some welcomed the flexible approach to provide adaptable accommodation in PBMSA development, another queried its relevance;
- One comment queried the relevance of **Policy OS3** providing open space in PBMSA developments;
- There was a general consensus that **management plans** are required and very useful for PBMSA developments, while a few comments sought minor adjustments to the text in the SPG on this section;
- One comment noted that the market would regulate itself regarding the **need** for PBMSA development, while another comment praised the Council's approach to benchmark Belfast against other UK university cities in relation to the ratio of student numbers to bedspaces;
- One comment requested Council release and maintain a publicly available record relating to **current/future levels of PBMSA** development;

Council response to key issues raised

- A comment noted a **subservient use** can be utilised in PBMSA development, all year, not limited to outside term time;
- Issues were raised around discrimination against small business class, foreign investment not regarding Belfast local economy, the **consultation process**; and
- Some comments raised minor issues such as formatting queries and suggested wording updates.

Main Issue(s) raised by respondent(s) and Belfast City Council's response

Main issue	Council response
Support	
Welcomes the preparation of an up-to-date SPG for PBMSA following the adoption of the Belfast Local Development Plan: Plan Strategy 2035 (PS 2035) in May 2023.	Support for revised SPG welcomed.
Welcomes the recognition given in PS 2035 to the significant contribution made by students studying and living within the city to the local and regional economy and recognises the need for PBMSA to be well planned/designed, appropriately located and properly managed. Also welcomes the recognition given in PS 2035 to the contribution that PBMSA can make to increasing the residential population in the city centre.	Welcome support for the contribution that PBMSA can make to increasing the residential population in the city centre.
That the Council will negotiate and deal with planning obligations in a timely manner is welcome, particularly in the context where pre-application discussions have taken place on a proposal.	Welcome comments on PBMSA proposals going through PAD process and subsequently, a planning decision being issued in a timely manner.
Welcome the inclusion of a PBMSA Statement. It would be helpful to clarify if this is required at PAD or Full application stage.	A PBMSA Statement is required to be submitted along with the full planning application. However if an applicant has this prepared at the PAD stage, then it is welcomed at this earlier stage in the process.
Definitions	
The definition of ' <i>interested parties</i> ' as including those who stand to ' <i>gain or lose</i> ' from a planning proposal or decision is somewhat simplistic and potentially unhelpful.	Footnote 3 to be revised to read as follows; <i>Interested parties may include, people living within the area/neighbourhood, elected representatives, voluntary groups, community forums/groups/umbrella organisations, environmental groups, residents' groups, business interests and developers/landowners.</i> The list is taken from paragraph 3.2 of the Statement of Community Involvement (SCI).
No reference to BCCRIS, which seeks to increase the residential population in the City Centre, including "appropriate student housing" in "suitable locations."	BCCRIS definition to be removed from glossary. It was included in previous version of the SPG, however as superseded by the PS it has been removed from the glossary, given there is no reference to BCCRIS in the body of the revised SPG.
"PBSA" developments vs "PBMSA" developments? We are seeing some planning applications coming through as both and would benefit from guidance on differentiating between the two.	The document references PBMSA (Purpose Built Managed Student Accommodation) consistently throughout, which emphasise the importance of the development being managed.

Council response to key issues raised

Main issue	Council response
	Sometimes an applicant may reference PBSA in an application description, but the acronym used make no difference in the application of policy.
SPG references "higher education campuses" (paras 1.2.4 and 3.4.19) in Northern Ireland.... <i>"Higher education campuses in Northern Ireland includes Queen's University Belfast, The Open University, St Mary's University College, Stranmillis University College and Ulster University."</i> This should be amended to make specific reference to "further education colleges" (as per NI Direct website Universities and colleges in Northern Ireland nidirect).	Policy HOU12 criterion a. refers to 'higher education Institution campuses' while the 2016 PBMSA SPG uses the wording 'higher education campuses', as does HESA, an online source who publish higher education statistics. Para 1.2.4 is an introduction to HESA whose data are included in the statistics quoted in the following paragraphs. The list of institutions within this paragraph is therefore an statement of fact as to which data is included within the HESA statistics, which does not include any further education colleges, and has therefore not been updated. Other references throughout the document, such as the one within the dSPG paragraph 3.4.19 will be changed to refer consistently to "Higher Education Institution Campus (HEIC)" which is the wording used in the HOU12 policy. The definition for HEIC within the Glossary already includes reference to further education institutions.
Accessibility	
Welcoming the approach to ensure accessibility to higher education institution campuses.	Support welcomed.
The Council should be mindful of the tension between accessible 'areas' around a campus and the caution in the SPG around an overconcentration of PBMSA development	Point noted as Council understand there is a tension and the SPG aims to strike a balance in regard to accessibility and overconcentration of PBMSA development. SPG flags both accessibility and overconcentration of PBMSA development as separate issues which need to be considered for any scheme.
University campus areas are relatively expansive. It is difficult to define the boundaries of the campus, and consequently, accurately measure the 1,200m distance from these areas. Mapping of these areas would allow for greater certainty.	As noted by the respondent, HEIC buildings/campuses can be relatively expansive and may change over time. The 1,200m proximity guidance is intended to provide a general indication of accessibility, rather than a definitive measurement and there is therefore no need to map these areas. Instead, PBMSA schemes can help to demonstrate overall accessibility to existing

Main issue	Council response
	HEICs with reference to the general proximity, as well as public transport infrastructure, etc.
Expect Council will consider existing land use, cumulative impacts of PBMSA and accessibility to third level institutions by sustainable transport needs, when defining Intensive Housing Nodes (IHN) in the LPP.	Intensive Housing Nodes (IHN) will be identified in the Local Policies Plan (LPP) which is yet to be published. The Council will consider many factors including accessibility to services and educational institutions when determining IHN's.
Established Residential Areas (ERAs)	
The definition of an ERA should be included within the Glossary to the dSPG with an accompanying footnote to state that there is no geographic delineation of ERAs within planning policy.	The SPG is designed to be read in conjunction with the Plan Strategy and it is made clear within the SPG that an ERA is defined in Appendix B of the PS. It is noted that the definition of an ERA is considerably longer and more complex than other definitions contained within the SPG definition, so could not be easily replicated within the glossary.
Appendix B of the Plan Strategy is in place to provide definition for an ERA. This confirms that the purpose of an ERA is to protect the character of such areas. Appendix B does not seek to 'protect existing residential communities from unacceptable impacts', it is in place to protect character. This goes back to the Addendum to PPS7: Safeguarding the Character of Established Residential Areas which sought to protect areas from inappropriate development which included an analysis of density as a contributing factor to potential harm. An "area" is defined as a specific geographical region or space or particular function, which is measured in terms of its size, extent or characteristics. It is conflicting to say an ERA does not have a geographic delineation when it is an area with set characteristics included. Leaving it to a subjective assessment provides no certainty for development coming forward.	Appendix B is a definition to help determine where an ERA is, and the policy to be applied to any such ERA varies depending on which policy is referencing Appendix B. In Policy RD1 the reference to Appendix B is a character test, whereas in Policy HOU12 the reference to ERA is a locational test, asking whether a site is within an ERA or not. PPS7 no longer applies and has been purposely changed. ERAs will change over time as the city further develops. To try and embed precise geographic delineations for such areas into planning policy, with a 15-year time span, could reduce the reliability and flexibility. Instead, the approach taken in the PS to provide a definition for determining an ERA on a case-by-case basis allows for greater longevity and certainty.
This section of the SPG is profoundly negative towards PBMSA development, creating a pessimistic undertone and failing to acknowledge the benefits that PBMSA development can have in terms of supporting local services, bringing	The SPG as a whole attempts to strike a balance between the benefits of student accommodation and the need to manage potential negative impacts associated with such developments. For example, paragraph 3.2.8 of the dSPG is highlighting potential impacts of PBMSA which could be harmful to

Council response to key issues raised

Main issue	Council response
vibrancy to the city centre and increasing the residential population of Belfast.	the sustainability of an ERA and, although this may be perceived as overly negative, the dSPG states in introducing this in the previous paragraph, <i>that high-quality PBMSA can make a positive contribution to the local environment, supporting regeneration through renewal of vacant/derelict sites and boosting local populations to sustain facilities and amenities.</i> However, given the feedback provided regarding the overall tone of this section, paragraphs 3.2.6 to 3.2.18 of the draft SPG have been fundamentally re-written to help provide greater clarity in terms of the fundamental policy test in criterion a. of Policy HOU12; namely whether a site is located within an ERA, or not.
The 'sustainability' of an ERA must be defined in the SPG to understand what applicant's need to consider when bringing forward an application.	As noted above, this section of the SPG has been fundamentally re-worked to provide greater clarity. As part of this, reference to the 'sustainability' of an ERA has been removed, so no formal definition is required.
Paragraph 3.2.9 underestimates the value of management plans.	Paragraph 3.2.9 of the dSPG was not intending to undermine a PBMSA management plan, but rather was trying to explain that a management plan cannot always address all issues, and in the day-to-day operation, some pressures may still remain given the high-density form of development. Management arrangements create a significant difference between PBMSA and students living in the more traditional form of student accommodation in the private rented sector. However, even with effective management, PBMSA has many distinct characteristics that distinguish them from smaller-scale housing and raise many different planning issues from other forms of housing that can have significant implications for the orderly and consistent development of the City. For clarity, this section no longer references management plans, with Section 3.5 of the SPG remaining as the main source of additional guidance in relation to the use of management arrangements in PBMSA development.

Main issue	Council response
Further explanation required in relation to the note <i>'surrounded on more than two sides by residential uses'</i> in paragraph 3.2.13. This attempts to create a policy test that goes beyond HOU12 whilst attempting to define an ERA beyond Appendix B. There is much more to understanding the extent of an ERA than it being surrounded on more than two sides by residential properties. If that were the case then surely the council could identify the areas on a map. However, it is noted that criterion a. of Policy HOU 3, an important policy, refers to <i>'surrounding residential uses'</i>.	Paragraph 3.2.13 of the draft SPG (now paragraph 3.2.9) has been added to and amended to address this point and provide greater clarity. It now draws more extensively on the wording to the Appendix B definition, whilst retaining broad guidance regarding the surrounding context of a site. However, paragraph 3.2.10 of the SPG continues to acknowledge that whether or not a site falls within an ERA must be judged on a case-by-case basis. This strikes a better balance between providing more practical guidance to elucidate the policy, without introducing any additional policy 'tests'. For additional clarity, the references to Policy HOU3: Protection of residential stock in paragraph 3.2.12 of the draft SPG have been re-phrased and moved to paragraphs 3.2.15-3.2.16 of the SPG, to provide clarification on the relevance of this policy to PBMSA development.
An analysis of the impact as requested in paragraph 3.2.18 (supporting information) is not addressing any policy test and has not been a consideration in PBMSA development to date, for that reason. It is completely misplaced to seek to introduce this as a requirement through guidance.	Although part of the reasoning for the locational test for PBMSA not being located within an ERA includes the impact of the proposed development, this section of the SPG has been revised, as outlined above, to clarify that the policy test contained within criterion a. of Policy 12 is not an impact test. The requirement for supporting information contained within this section has therefore also been revised accordingly.
The Council should consider the application of this part of the policy within the city centre which is one area where the Plan Strategy wants to increase density. This runs contrary to that and to the pattern of PBMSA development to date.	As noted, the PS does seek to support high density residential accommodation in appropriate locations within the City Centre. For example, Policy SD3 City Centre seeks to support new economic and residential development to create a compact and vibrant city centre and notes that the 'Innovation District' should seek to build on the Ulster University city campus investment to promote the development of a lively mixed-use district to secure employment and residential opportunities for graduates and entrepreneurs. The SPG recognises at paragraph 3.2.3 that PBMSA is likely to be desirable in a highly accessible location such as the city centre, but also acknowledges that other locational factors need to be considered, such as

Council response to key issues raised

Main issue	Council response
	established residential areas, other zonings and designations or the protection of the Retail Core. As with all planning decisions, a number of competing factors often have to be held in tension when reaching a decision on a case-by-case basis.
Cumulative impact	
<i>The cumulative impact of PBMSA developments outside of residential areas or within the City Centre may lead to an over-concentration relative to other land uses in a specific locality...</i> and that <i>'this will be considered on a case-by-case basis...'</i>. It is noted that this approach is emphasised in 3.2.17 the dSPG and is, it is considered, a sound approach. In that context, the statement in para 3.2.15 related to <i>'ensure the balanced communities are achieved'</i> could be re-phrased to <i>'ensure that the impact on existing communities is carefully assessed'</i>. In the absence of the definition of a balanced community in the dSPG it is unclear how a balanced community might be achieved.	Support welcomed on assessing potential PBMSA development on a case-by-case basis. Comment taken on-board and will be formally factored into SPG paragraph 3.2.12 (previously paragraph 3.2.15), which will read; <i>For PBMSA development, consideration will be given to the cumulative impact of PBMSA, to ensure that the impact on existing communities is carefully assessed.</i>
Paragraph 3.2.17 has no policy basis in the Plan Strategy and no evidence is provided to substantiate this statement. It creates nothing but uncertainty to future development. The council must consider how this sits with a policy criterion that is seeking to concentrate PBMSA within a prescribed distance from a higher education campus.	Paragraph 3.2.14 of the SPG (previously paragraph 3.2.17) which has been reworded.
Land Use	
The draft SPG identifies how PBMSA is residential in nature yet it is also not an appropriate use on zoned residential land. The LDP in its wholly adopted form can safeguard potential future residential development opportunities and sites. The SPG cannot act as a safeguard in the interim position.	The reference to safeguarding zoned residential land in the dSPG paragraph 3.2.13 was provided in the context of the wider LDP objective of safeguarding future residential development opportunities and alongside Policy HOU3: protection of existing residential accommodation. Although it is recognised that PBMSA is residential in nature, planning legislation acknowledges PBMSA is a more intensive land use, and so is a 'sui generis' use class. Given the need to protect existing residential accommodation and the LDP requirement to identify and zone a supply of housing land that is sufficient to meet the population growth

Main issue	Council response
	projections for the Belfast district, PBMSA may not always be appropriate on zoned housing land. Nevertheless, as noted above, this section of the SPG has been revised to provide greater clarity.
Design	
Ballooning of such ugly new-builds in some cases overshadowing beautiful Victorian, Georgian or Edwardian architecture, e.g. Bradbury Place.	Paragraph 3.4.2 of the SPG makes clear that the nature, layout and design of proposed schemes should be appropriate to the location and context and should not result in an unacceptable impact on local character, environmental quality or residential amenity. Further to this, criterion a. of Policy HOU12 states <i>'is not within an established residential area'</i> ensuring there is no detriment to existing, established communities.
If it were the case that 30 units was the same as 200 occupants, then that should have explicitly been set out in the Plan Strategy. This guidance is not the place to add this as a policy test.	Paragraph 3.4.15 of the SPG has been reworded for clarity purposes. It is not stating that 30 units (apartments) is the same as 200 student occupants. It is suggesting that a PBMSA development, which under criterion b. will have a minimum of 200 occupants, would be of such a scale as to share characteristics with a larger apartment development.
Policy OS3 ancillary open space has not been recited in full, which misses the clear differentiation between open space (for all new development proposals) and public open space. There is no requirement within Policy HOU12 or OS3 for the provision of public open space for PBMSA development.	Policy OS3 will be applied flexibly to PBMSA development. The Council is not encouraging balconies, but listing possible ways of providing open space dependant on the context of a development site with reference to regional guidance provided in Creating Places. Paragraph 3.4.17 of the SPG reads; <i>In accordance with the advice provided for apartment/flat developments in 'Creating Places', private communal open space may take the form of gardens, court yards, patios, balconies, recessed balconies or terraces, depending on the characteristics of the development proposed and surround context.</i> Therefore, Council recognise open space will be varied depending on the development site, size and surrounding context.
Space Standards	
Complying with criterion c. of HOU12 only requires you to meet the requirements of Appendix C of the Plan Strategy, nothing more.	Criterion c. of Policy HOU12 is concerned with a quality residential environment, which includes a requirement to meet the space standards for HMOs as set out in Appendix C.

Council response to key issues raised

Main issue	Council response
Appendix C does not specify what should be included within the space and provides no guidance on amenity space size, design quality, parking, waste and recycling etc.	In addition, PBMSA development has to meet requirements of a range of PS policies including a number that relate to the design of residential development. Section 3.4 of the SPG therefore seeks to address all of these things collectively under the requirement to provide a quality residential environment.
Parking/cycle provision	
The specific characteristics of PBMSA developments, both in their nature and location, should be car-free. In this context, the description that the provision of PBMSA without any parking provision as a 'risk' because it could lead to increased demand for on-street parking is inappropriate. The 'risk' of PBMSA without any parking provision should be replaced with a section on the 'benefits' of PBMSA without any parking provision.	As suggested, Paragraph 3.4.10 of the SPG has been reworded to remove 'risk' and have a more positive tone.
Accessibility requirements should extend to cycle parking provision, which should also meet the accessibility requirements and comply with DDA to ensure disabled cyclists can easily access and store their bikes. The SPG should make reference to the preferred guidance i.e. LTN 1/20 and 'Wheels for Wellbeing.	Specific guidance on the provision and design of cycles storage is relevant for all residential developments and is already provided within the Residential Design SPG, which reads; <i>Storage for cycles should be in a location convenient to all users and routes to the cycle storage should have level access and adequate illumination to allow for safe passage.</i> There is therefore no need to replicate such guidance specifically within the PBMSA SPG.
Paragraph 3.4.11 suggests that a Transport Assessment (TA) and Travel Plan (TP) are provided to support PBMSA developments. The SPG does not refer to the completion of a Transport Assessment Form (TAF) to understand the transport impacts of a development.	As suggested, paragraph 3.4.11 of the SPG has now been revised to align with current practice and the Council's draft Planning Application Validation Checklist. This now refers to the use of a Transport Assessment Form to help establish if a detailed Transport Assessment is required. The list of supporting information under paragraph 3.4.28 of the SPG has also been amended accordingly.
Adaptable accommodation	
It is agreed, as noted in para 3.4.25, that the policy should be applied flexibly as PBMSA accommodation is not intended for use throughout an individual's lifetime.	Welcome support on adaptable accommodation for students.
The application of Policy HOU7 is misplaced. It clearly refers to 'new homes' in the policy. This is not applicable to PBMSA development.	Paragraph 3.4.25 of dSPG states; <i>As PBMSA is residential in nature, Policy HOU7 is applicable. However, given that PBMSA is explicitly targeting students and that the accommodation would not therefore</i>

Main issue	Council response
	<i>be intended for use throughout an individuals' lifetime, it is accepted that the policy should be applied flexibly.</i> Both Policy HOU7 and RD1 refer to residential developments, and therefore will both be applied flexibly to PBMSA proposals, which is residential in nature. Most of the PBMSA developments will meet the Policy HOU7 requirements as per Building Regulations.
Management plans	
The critical importance of a PBMSA Management Plan is fully recognised. However, it is considered that the dSPG should focus on the critical elements of a Management Plan rather than the prescriptive detailed list set out in the dSPG.	A definition for a Management Plan has been added to the Glossary. The list is not intended to be prescriptive or exhaustive but does help to clarify what would be required to address this policy requirement and has therefore been retained in the final SPG.
While it is welcome to acknowledge fluctuations in the student residential population outside of term time, it would also be helpful if PBMSA applications addressed how periods of reduced occupancy will be managed to prevent negative impacts on the surrounding area.	Point acknowledged and will be included as an additional bullet point in SPG paragraph 3.5.2.
The guidance needs to reflect that at the point of making an application, an end operator may not be known. However, it is common for a final management plan to be submitted to the council for agreement. That will include that the operator is or becomes accredited within one year of occupation.	Paragraph 3.5.3 of the sPG has been reworded to reflect the fact that an operator may not be known at the time of submitting a planning application to Council, with a clause included to submit a final management plan, prior to occupation.
PBMSA development have the requirement for greater levels of engagement with the local community, coordinated by their management teams and secured through legal agreements. This supports community cohesion and engagement with local community and student residents. However, we disagree that there should be direct engagement between students and the local community, but rather, if liaison is to take place, this should come from the operator/management of the PBMSA.	Paragraph 3.5.8 of the SPG has been reworded to clarify that the formal engagement should be co-ordinated through the operator, rather than the students themselves.
Need	
The market will decide if there is a need for further PBMSA development. BCC	Whilst the market should regulate itself in terms of PBMSA delivery, the LDP as a whole seeks to seek to address current and future

Council response to key issues raised

Main issue	Council response
should recognise that the industry will regulate itself if demand is not there.	residential needs by ensuring sufficient land is made available to meet all future housing requirements and Policy HOU12 requires an assessment of need for the type of accommodation proposed. Therefore information is required on the profile of local student demand and the state of current and future accommodation supply to ensure the successful delivery of student housing to meet current and future need.
To support planning applications, Councils should make information pertaining to current or future levels of PBMSA development available publicly upon request. This would involve the Council, maintaining a record and it would inform those wanting to come forward with PBMSA development.	The Council monitors PBMSA developments which have been completed since 2015 on an annual basis, including those developed, under construction, with planning approval, pending approval, and those refused planning permission, etc. This information will be made publicly available via an online map viewer when the revised PBMSA SPG is formally published.
The universities are often unwilling to share the information they hold on accommodation needs. This can make it difficult to understand the baseline and future trends. If university or financial institution support cannot be provided, it should not be assumed that there is no need for a development.	The list does state university support, if it is available. Therefore, it would not be considered necessary.
The Council should continue the approach of comparing Belfast to other major university cities in the UK	Council agrees this is a valid way of considering the need for PBMSA developments. This is acknowledged under paragraph 3.6.9 of the SPG. In recent consultation responses on proposed PBMSA development in Belfast, the Council has made comparison to other UK cities, and compared student numbers to bedspaces, to gauge market saturation.
Bank funding will often be dependent on planning permission being granted so it would not be possible to submit this information during the planning application process. This is not a prerequisite for planning, and therefore this reference should be removed.	The PBMSA Statement relating to the assessment of need will be revised to remove this point from the list under paragraph 3.6.9 of the SPG.
Subservient Use	
The use of PBMSA for non-student guests both during and outside of term time should be assessed on a case-by-case basis subject to the use remaining subservient to the main function of providing accommodation for students.	Paragraph 4.1.3 of the SPG has been reworded to remove the references to term-time.

Main issue	Council response
Planning Agreement - S76/condition	
A more appropriate timing for the payment of the monitoring fee would be on occupation of the development rather than commencement of development.	The Council is required to monitor delivery of development in accordance with any s76 Agreement so, as is common practice, the monitoring fee is paid on or before the date of commencement of development.
Miscellaneous	
Policy HOU12 can be perceived as discrimination against a small business class that was actually reflective of the demographics of the city.	The purpose of the PBMSA SPG is to supplement and clarify Policy HOU12 of the PS. The PS was subject to Independent Examination (IE) and was found to be sound. It was subsequently adopted in May 2023.
Foreign investment into PBMSA not having regard for Belfast local economy.	There is a recognised need for PBMSA in the city, and therefore the PBMSA SPG (2016) is being updated to reflect Policy adopted in the Plan Strategy (PS) – namely Policy HOU12. Additionally, the origin of an investor is outside the scope of planning.
The wording used in relation to 'Community Benefit' should reflect the SPPS (para 5.71) which states that <i>'In some circumstances, community benefits may be offered voluntarily by developers to communities likely to be affected by a development.'</i>	Paragraph 4.4.1 of the SPG has been revised as suggested.
SPG should also extend to the protection of high value employment-generating sites within the City Centre.	Any land which is zoned for employment use would be protected and would not be suitable for PBMSA.
Throughout the SPG, any references to University should be referred to consistently "higher education campuses"	Any reference to university/college will be revised to higher education institution campus (HEIC), for consistency.
Consultation process	
Consultation is not democratic and is easily subverted by commercial vested interests.	The consultation for the dSPG ran for 12 weeks up until Thursday 21 November 2024, inviting anyone to provide comments. The dSPG was advertised in the Newsletter, Andersonstown News and the Irish News for broad circulation in the city and was also advertised on the Council website. The process was intended to be informative, user friendly, inclusive and conducted in an open and transparent way. Every effort is be made to engage the community, record views and provide feedback.

Appendix A: Respondents

The following organisations/individuals provided a response to the consultation on the proposed SPG documents:

Individual

- Anonymous – Respondent No 1
- Anonymous – Respondent No 2

Educational body

- Queens University Belfast (QUB)

Private Sector

- Turley, TSA Planning & Clyde Shanks

Appendix B: Copy of Newspaper Adverts

- Newsletter (6 September 2024)

**Belfast
City Council**

Local Development Plan

**Draft Purpose Built Managed Student
Accommodation (PBMSA) Supplementary
Planning Guidelines (SPG)**

Belfast City Council has prepared draft Supplementary Planning Guidelines (SPG) associated with Policy HOU12: Large Scale Purpose Built Managed Student Accommodation (PBMSA) contained in the Belfast Local Development Plan (LDP) Plan Strategy. SPG represents non-statutory planning guidance that supports and clarifies planning policies and is intended to assist policy implementation.

The Council is publishing the draft PBMSA SPG for public consultation. The draft SPG will be available for public inspection from Thursday 29 August 2024 and submissions may be made during the public consultation period, which will close at 5pm on Thursday 21 November 2024. Submissions received after this time will not be considered.

The draft SPG will be available online at www.belfastcity.gov.uk/LDP from Thursday 29 August 2024. It will also be available for inspection at the Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP during normal public opening hours. Submissions can be submitted online using the Belfast City Council consultation site accessible at www.belfastcity.gov.uk/LDP - submissions may also be made by email to: localdevelopmentplan@belfastcity.gov.uk or by post to: Local Development Plan, Belfast Planning Service, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

If you have any queries on the draft SPG, Belfast Planning Service may be contacted on 028 9050 0510 or planning@belfastcity.gov.uk (Monday to Friday) at Belfast City Council, Planning Service, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

Copies can be obtained, by writing to the above address, emailing planning@belfastcity.gov.uk or calling 028 9050 0510.

www.belfastcity.gov.uk/LDP

- Belfast Media Group Titles - Andersonstown News (14 September 2024)

14 September 2024

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Belfast City Council Local Development Plan

Draft Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidelines (SPG)

Belfast City Council has prepared draft Supplementary Planning Guidelines (SPG) associated with Policy H0012: Large Scale Purpose Built Managed Student Accommodation (PBMSA) contained in the Belfast Local Development Plan (LDP) Plan Strategy. SPG represent a non-statutory planning guidance that supports and clarifies planning policies and is intended to assist policy implementation.

The Council is publishing the draft PBMSA SPG for public consultation. The draft SPG will be available for public inspection from **Thursday 20 August 2024**, and submitted one may be made during the public consultation period, which will close at 5pm on **Thursday 23 November 2024**. Submissions received after this time will not be considered.

The draft SPG will be available online at www.belfastcity.gov.uk/LDP from **Thursday 20 August 2024**. It will also be available for inspection at the Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP during normal public opening hours. Submissions can be submitted online using the Belfast City Council consultation site accessible at www.belfastcity.gov.uk/LDP, submissions may also be made by email to localdevelopmentplanning@belfastcity.gov.uk or by post to: Local Development Plan, Belfast Planning Service, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

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Copies can be obtained, by writing to the above address, emailing planning@belfastcity.gov.uk or calling 028 9050 0610.

www.belfastcity.gov.uk/LDP

LICENSING OF PLACES OF ENTERTAINMENT RENEWAL APPLICATION FOR AN ENTERTAINMENTS LICENCE pursuant to Art. 3 of the Local Government (Misc Provisions) (NI) Order 1985

TAKE NOTICE that an application dated 14th September 2024 was made for a 7 day annual entertainment licence for: **ADROYNE WORKING MENS CLUB, 98 Kerrera Street, Belfast BT14 7TL**

Permitting: Dancing, singing or music or any entertainment of a like kind. Equipment for the playing of billiards, pool, snooker or other similar games.

Representation in relation to this application may be made by giving notice to the Head of Building Control, 5th Floor, 9 Langton Place, Belfast, BT1 3LP, stating in general terms the nature of the representation, no later than 28 days after the date of the application.

Brendan Mallory,
24 Flux Street, Belfast BT14 7EJ

**Deadline 4pm
Tuesdays for the
Andersonstown News
and North
Belfast News.**

**Log onto:
www.belfastmedia.com**

**LICENSING (NORTHERN IRELAND) ORDER 1996
(Article 22, Schedule 5, paras. 1 and 2)
Notice of application for the transfer of a licence
Petty Sessions District of Belfast Magistrates Court
County Court Division of Belfast**

TAKE NOTICE that I, **Gerard Carlini**, intend at the magistrates' court sitting at Belfast Magistrates Court on 18th October 2024 at 10.00 am to apply for the transfer to me of a licence at present held by Sarah Louise Carlini for the premises at **Unit 2, 6 Kennedy Centre, Belfast 5 64-563 Heila Road, BT1 8AS** being premises of the following kind according to the Licensing (Northern Ireland) Order 1996, namely premises specified in Article:

5 1 (4) - a restaurant, i.e., premises (other than those referred to in Article 5(1)(a) of the Order) substantially adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with a main table meal at midday or in the evening, or both. The present licence is due to expire on 30th September 2027.

TAKE NOTICE that at the same time I intend to apply to the court to renew the licence.

Dated this 4th September 2024

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Introduction to Sign language (10wk BSL beginner)

Intermediate sign language (10wk BSL beginner)

Introduction to Irish Sign Language (10wk ISL beginner)

Zoom taster course (4wk course)

Courses run from Sept 2024 – March 2025

*Community Groups interested in running a 6wk sign language course: contact 07963697134 or josephscentreforthedeaf@yahoo.com

Day - Saturday	Introduction to British Sign Language (BSL) date:
Sat 10.30-12.30pm	21 st Sept – 30 th Nov

Day - Saturday	Introduction to Irish Sign Language dates: (ISL)
10.30-12.30pm	12 th Jan – 22 nd March 2025

Day - Saturday	Intermediate sign language course dates
Sat: 1pm – 3pm	11 th Jan – 22 nd March 2025

Day - Saturday	Zoom- 4wk taster course
Sat: 11am – 12pm	9 th Nov – 30 th Nov 28 th Jan – 8 th Feb

For more information contact:

Yanahiri: 07963697134, josephscentreforthedeaf@yahoo.com or

Website: www.josephscentreforthedeaf.co.uk

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Subject:	Consultation on Private Member's Bill relating to Tree Protection
Date:	11 February 2025
Reporting Officer:	Kate Bentley, Director of Planning and Building Control
Contact Officer:	Dermot O'Kane, Acting Development Planning & Policy Manager Mark Whittaker, Acting Principal Planning Officer

Restricted Reports

Is this report restricted?	Yes ☐	No ☒
If Yes, when will the report become unrestricted?		
After Committee Decision	☐	
After Council Decision	☐	
Some time in the future	☐	
Never	☐	

Call-in

Is the decision eligible for Call-in?	Yes ☒	No ☐
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1.0	Purpose of Report or Summary of Main Issues
1.1	To inform Members of a current public consultation relating to a private member's bill proposed by Peter McReynolds MLA on tree protection matters.
2.0	Recommendations
	The committee is requested to note the current public consultation on tree protection matters and to agree a response to the consultation questions. A draft response is attached at Appendix 1.
3.0	Main Report
3.1	Peter McReynolds MLA has written to the Council as a key stakeholder in tree protection matters in connection with his Private Member's Bill that " <i>seeks to strengthen the legal protections of individual and groups of trees, as well as ancient and long established woodland in Northern Ireland</i> ". He is currently undertaking public consultation on his proposals and is seeking the Council's opinion on a number of questions relating to Tree Preservation Order (TPO) mechanisms, ancient woodlands and " <i>heritage trees</i> ".
3.2	The Private Member's Bill is being brought forward because Mr McReynolds believes that the current measures for tree protection are " <i>not adequate for mitigating against the risk of unauthorised removal of mature trees</i> ". He also is concerned at the loss of trees and

3.3	woodland, with consequent impact on biodiversity, and is seeking to better safeguard these valuable natural infrastructure and heritage assets. The proposed Private Member's Bill seeks new legislation that would seek to strengthen the legal protection of individual and groups of trees, as well as ancient and long-established woodland in Northern Ireland. According to Mr McReynolds, the proposed Bill would cover three key areas: 1) Strengthen existing legal protections for trees, by enhancing Tree Preservation Orders (TPOs) in legislation. 2) Protect and support Northern Ireland's oldest and most significant trees by creating a new 'Heritage Tree' designation. 3) Safeguard ancient/long-established woodland and legally protected trees from building developments and/or new infrastructure.
3.4	
3.5	The current public consultation is facilitated through a questionnaire survey relating to the three key areas above. The consultation will close on Thursday 6th March 2025.
3.6	The proposed response to the questionnaire survey is attached at Appendix 1. The response generally acknowledges the importance of trees to the wider environment, including as an important element of our green and blue infrastructure. It sets out the Council's approach to Tree Preservation Orders (TPOs) and generally supports the TPO mechanism as the appropriate mechanism for tree protection. In this regard, the response questions the need for a separate designation and consenting regime alongside TPOs and also questions how and by what authority such a proposal would be administered and delivered. Whilst clearly in support of appropriate tree protection measures, ideally supplemented with best practice advice and guidance, the response notes that there may well be significant resource implications for whichever authority is allocated the responsibility for any new protective designations. In this regard, many of the questions are difficult to answer definitively in the absence of more detailed proposals, including in terms of duties, definitions and funding.
4.0	Appendices
	Appendix 1 – Proposed Response to Consultation

Appendix 1 – Proposed Response to Consultation

Introduction

Peter McReynolds MLA plans to introduce a Private Member's Bill to improve protection for trees across Northern Ireland. This legislation would seek to strengthen the legal protection of individual and groups of trees, as well as ancient and long-established woodland in Northern Ireland.

A proposed Bill would cover three key areas:

- 1) Strengthen existing legal protections for trees, by enhancing Tree Preservation Orders (TPOs) in legislation.
- 2) Protect and support Northern Ireland's oldest and most significant trees by creating a new 'Heritage Tree' designation.
- 3) Safeguard ancient/long-established woodland and legally protected trees from building developments and/or new infrastructure.

Question 1. Are you responding as an individual or on behalf of an organisation?

- Organisation ✓
- Individual

Question 2. If you are responding on behalf of an organisation, what is the name of your organisation?

- Belfast City Council

Section 1: Strengthening Existing Legal Protections for Trees

Currently, a TPO can protect a single tree, or a group of trees, if they are deemed important for an area's appearance. When a tree, or group of trees, is protected by a TPO it means permission must be sought by either the local authority, or the Department for Infrastructure, before cutting or pruning the tree. Breaching a TPO is a criminal offence which can carry a fine relative to the severity of the offence. Despite this, a [2023 report](#) found that despite 369 tree protection breaches reported between 2019 and 2022, only one resulted in enforcement action being taken, and none led to prosecution.

Peter McReynolds MLA is proposing to strengthen TPOs by:

- Introducing 'ecosystem services' as an additional attribute for making a TPO. This would take into account the benefits trees play in all our lives, such as improving air quality and reducing the risk of flooding, rather than just amenity.
- Updating the Planning Act (Northern Ireland) 2011 to make it an offence to 'cause or permit' the breach of a TPO. This would make it easier to enforce and prosecute in cases where a TPO has been breached.
- Include a requirement for those in breach of a TPO to plant a suitable tree in its place and be responsible for its establishment in its formative years.

These measures will strengthen the effectiveness of TPOs by increasing the likelihood enforcement action is taken when breaches of TPOs are identified and reducing the loopholes which enable landowners to evade prosecution.

Question 3. Did you know about TPOs as a mechanism for protecting trees?

- Yes ✓
- No

Question 4. How effective do you think TPOs are for protecting trees and groups of trees?

- Extremely effective
- Very effective ✓
- Somewhat effective
- Not so effective
- Not at all effective

Do you have any further thoughts about the current system for protecting trees and groups of trees?

Specified trees can be protected through a TPO, which requires a statutory process to be undertaken in accordance with planning legislation. In addition, trees that are within a Conservation Area also enjoy a level of protection and planning permissions can include conditions to retain specific trees where appropriate. In all of these cases, prior notification and/or consent is required from the Council before any works are undertaken to such trees.

There are currently 150 confirmed TPOs in Belfast. A TPO can cover a single tree, groups of trees within an area or whole woodlands. The current area of TPOs is approximately 350 hectares. In addition, there are 13 Conservation Areas in Belfast where the trees are subject to protection similar to that of a TPO. These cover an area of approximately 444 hectares. Almost all TPOs and Conservation Areas are within the current settlement boundary, covering almost 8.6% of the built-up urban area. A publicly available map of all TPOs and Conservation Areas is on the Council's website here: [Spectrum Spatial](#).

Applications are made to the Council by persons wishing to carry out works to protected trees (TPOs, Conservation Areas or planning conditions), including pruning and minor surgery works, as well as felling works. On average, the tree officers in the Planning Service deal with around 200 treeworks applications annually. Where felling of trees is permitted, it is a normal requirement that a suitable replacement is planted to ensure no net loss of trees.

All requests for a TPO are considered by the Planning Service and can be submitted via the new planning portal. In addition, the Council itself may initiate a TPO where considered expedient, for example, as a result of a planning application where there may be a significant threat of felling. The assessment of prospective TPOs is based on a number of key considerations set out in legislation. These include trees of special value in terms of amenity, history or rarity, which may be under threat. Other considerations include the health of the trees, public health and safety issues and the implications for ongoing tree management. The Council has published guidance on protected trees that provides further details on the main considerations for TPO requests and the required statutory process. This is available on the Council's website here: [Tree preservation orders | Belfast City Council](#).

When a TPO is proposed, notice must be served on the landowner and any other relevant interested parties, including adjoining owners. Most commonly, a 'provisional' TPO is applied, which takes immediate effect and lasts up to six months. This allows time for a detailed survey to be carried out by an arborist to record exact positioning, tree species, age and health and any recommended actions. The Council's tree officers will take account of the detailed survey, any representations received and the aforementioned key considerations in resolving whether to confirm the TPO within the statutory six month period. Any provisional TPO and confirmed TPO are required to be referred to Land and Property Services for registering as a statutory charge on the relevant property.

TPOs are subject to review as part of the ongoing work programme to manage these designations in respect of permitted works and current tree health. This review also ensures that unauthorised felling of protected trees can be identified and can result in enforcement action being pursued.

As outlined above, there is a statutory process for the serving of TPOs, including notification and legal procedures and obtaining an expert detailed survey. The process is not designed to provide blanket TPO coverage as it must be applied to specified individual trees or tree groupings. Whilst a TPO can give protection to specified trees, it does not obligate any particular tree management measures. The TPO process and the consequent consenting process, alongside the ongoing review programme, are time and resource intensive and these duties are currently fulfilled by one tree and landscape officer in the Plans and Policy team. The tree officer also provides advice/comments on planning applications and assistance to the public with queries relating to trees and landscaping.

Question 5. Do you support adding 'ecosystem services' as an additional attribute for making a TPO to protect trees or groups of trees?

- Yes
- No
- Unsure ✓

Do you have any further thoughts on which benefits trees provide (ecosystem services) should be considered when making a TPO?

Section 122 of the Planning Act 2011 enables the making of a TPO where “it appears ... that it is expedient in the interests of amenity”. Belfast City Council’s published guidance on TPOs acknowledges that “trees can have a high amenity value and can make an important contribution to the environment....provide wildlife habitat and contribute to the health and wellbeing of humans.” The guidance also sets out the key considerations that we look at when deciding to protect specific trees with a TPO, as follows:

- a) Potential Threat:** priority will be given to the protection of those trees deemed to be at immediate risk from active felling or damage from development on site. We will assess and prioritise all other requests accordingly;
- b) Visibility:** the extent to which the trees or woodlands can be seen by the general public will inform the assessment of whether the impact on the local environment is significant;
- c) Individual Impact:** the fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The tree’s particular importance will be assessed by reference to its size and form, its future potential as an amenity should also be assessed taking into account any special factors such as its screening value or contribution to the character or appearance of an area. In relation to a group of trees or woodland, an assessment will be made of the collective impact;
- d) Wider Impact:** The significance of the trees in their local surroundings will also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity;
- e) Historical Importance:** Certain trees because of their age, association with the setting of listed buildings or the contribution they make to the special character of a conservation area may require consideration for TPO protection; and
- f) Rarity:** There may be occasions where a tree(s) may be considered for TPO protection solely on the grounds of its rarity. The priority of the consideration will reflect the rarity of the species.

Having regard to the above, the Council already recognises the potential ecosystem services benefits of trees. However it is accepted that the definition of ‘amenity’ is open to

interpretation and can sometimes be applied narrowly and may not specifically include some of the wider benefits of trees and woodland. As is often the case in planning, there is a question of balance and resources and it is ultimately the decision of each planning authority whether to pursue a new TPO. Therefore, the Council is of the view that revised regional guidance could be helpful in setting out how 'amenity' can be interpreted in relation to section 122 of the Act, which could include 'ecosystem services', provided DfI undertakes prior consultation with all councils.

Under English law, the Town and Country Planning Act 1990 makes it an offence to 'cause or permit' the breach of a TPO. In Northern Ireland, the Planning Act (Northern Ireland) 2011 addresses only causing a breach, referring to 'any person, in contravention' of a TPO. However, the subordinate Planning (Trees) Regulations (Northern Ireland) 2015 expand this to include both causing and permitting a breach, creating a significant discrepancy between different pieces of legislation.

Question 6. Do you support updating the Planning Act (Northern Ireland) 2011 to make it an offence to cause or permit the breach of a TPO?

- Yes ✓
- No
- Unsure

Do you have any further thoughts on making it an offence to cause or permit the breach of a TPO?

It is noted that there is a discrepancy between the wording in the Planning Act and the standard Form of a TPO set out in the schedule to the Trees Regulations. The Act creates the offence of breaching a TPO and currently this does not include "permitting" any relevant unlawful activity. It is agreed that consideration should be given by the Department to the scope of the offence in the Act and whether it should be amended to include 'permitting', in addition to 'causing'. However it should also be noted that even if the Planning Act is revised there will still be an onerous evidential burden to cross in proving that a person permitted a breach. Nonetheless the amendment would be a useful addition to the legislation as it would widen the scope of the offence for future prosecutions.

Question 7. Do you support the requirement to plant and maintain a tree if a TPO has been breached?

- Yes ✓
- No
- Unsure

Do you have any further thoughts on the requirement to plant and maintain a tree if a TPO has been breached?

The Planning Act already addresses the issue of replacement trees in the above circumstances. The replanting of a suitable tree is normally a requirement of any removal of a TPO tree, whether with consent (through a treeworks application) or retrospectively where a breach of control has occurred. The species, size and location of the replacement tree may be suggested by the council. However, the responsibility to plant the tree rests with the landowner.

Section 2: Heritage Trees

Unlike our oldest and most significant buildings, most of our oldest and most significant trees are not legally protected. In Northern Ireland, there are over 2,000 recorded ancient and veteran trees. A major concern is stopping the loss of these trees due to development and neglect because, once they are lost, they cannot be replaced.

A Tree Protection Bill would propose Northern Ireland's oldest and most significant trees could be designated as 'Heritage Trees'. These would be identified and listed because of their age, ecological value, historical, or cultural significance. Once designated as Heritage Trees, they would receive similar protections to trees under a TPO. Local councils would be responsible for issuing Heritage Tree Protection Orders, ensuring there are strict measures to prevent any unauthorised removal or damage.

Question 8. Do you agree with the creation of a new heritage tree designation to protect our oldest and most significant trees?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree ✓
- Strongly disagree

Do you have any further thoughts on the creation of a new heritage tree designation to protect our oldest and most significant trees?

The existing mechanism for TPOs could be used to protect important heritage trees. Whilst the current TPO process is relatively onerous for councils to initiate and conclude, the addition of a separate mechanism for tree protection does not appear to offer any significant benefits, presuming any designation process would be similar to that of a TPO. Any move for a significant increase in the number of TPOs (whether defined as heritage trees or under TPO mechanisms) is likely to have a very significant impact on the resources of councils. This includes the designation process itself, as well as the subsequent increase in number of treework applications for consent for works to protected trees.

Further to the above, we would suggest that, when considering `oldest` trees, it is important to consider the age of an individual tree relative to what is expected of the species. Clarification may be required in terms of individual tree species being considered for this designation.

Question Title 9. Please rank the criteria you think should be used to determine whether a heritage tree qualifies as a heritage tree, from 1 being the most important to 4 being the least important.

- Ecological value
- Age
- Historical significance
- Cultural significance

It is not possible to rank these criteria in any meaningful way as all are clearly important and each case will depend on individual merit. However, the natural life stages and lifespan of different species of tree must also be considered, as well as the health and condition of candidate trees. It must be acknowledged that most trees will require (and benefit from) appropriate maintenance, including canopy reductions, pruning, etc., and many veteran trees may also require to be assessed in terms of public safety with appropriate remedial measures.

All such works require the consent of councils as is currently the case for TPO trees, and this again has significant implications for council resources.

Heritage Tree status would introduce 'Heritage Tree Partnership Agreements' which would encourage co-operation between tree owners and responsible organisations to ensure the best care and maintenance of important trees. These agreements could include small grants or advice to help protect them for future generations.

Question 10. Do you agree with the proposal to support landowners who have heritage trees on their property?

- Yes
- No
- Unsure ✓

Do you have any further thoughts on the proposal to support landowners who have heritage trees on their property?

Notwithstanding the comments made above that do not specifically support the identification of heritage trees separately from TPO trees and the lack of clarity as to what entities would be regarded as “responsible organisations”, in the event that a heritage tree designation is taken forward separately by a government department, then it would appear beneficial to offer advice and grant aid on appropriate tree management practices. The cost of providing advice and grant aid will require to be adequately resourced. This would appear to be a matter that the Department of Agriculture, Environment and Rural Affairs would be best placed to deliver.

Further recognition of the importance of all trees, including heritage trees and ancient woodlands, could be achieved through education and information programmes across a wide variety of sectors. Information on the benefits provided by trees and their significance to the wider ecosystem services should help foster stewardship and appropriate management. The availability of financial support to help deliver the desired outcomes will undoubtedly assist.

Question 11. What kind of support do you think should be provided to landowners who have heritage trees on their property?

- Financial incentives
- Expert advice on tree care
- Both
- Neither
- Other

If other, please specify what support you think should be provided to landowners who have heritage trees on their property.

This question is difficult to answer in the absence of information as to how heritage trees may be designated, including by whom and under what legislative mechanism. Further to the answer to question 10 above, if a government department proposes to take the heritage tree designation forward across Northern Ireland, then it should be adequately resourced. The provision of general or specific tree management advice would clearly be useful but has significant implications for resources. Naturally, the provision of grant aid has even greater implications for resources and budgets, including in grant administration and follow up verification.

Section 3: Safeguarding Ancient and Long Established Woodland

Ancient woodland, which has been around since the 1600s, and long-established woodland, which dates back to at least 1830, have developed unique and complex ecosystems over time. These woodlands are shaped by factors like the type of soil, the local climate, and how people have interacted with them. Ancient woodland makes up just 0.04% of Northern Ireland's landscape, and once its gone, it cannot be replaced.

Permitted developments allow specific works by statutory undertakers like utilities or telecoms without formal planning permission. A Tree Protection Bill would propose adding ancient and long-established woodland, legally protected trees (those with a TPO) and heritage trees, to the list of criteria in which development is not automatically permitted. This measure would provide these irreplaceable assets with the same protection as Areas of Special Scientific Interest or sites of archaeological interest to ensure they will not be lost to development without the necessary authorisation.

Question 12. Do you support the proposal to restrict permitted developments from sites with ancient and long-established woodland, legally protected trees and heritage trees?

- Yes
- No
- Unsure ✓

Do you have any further comments on protecting ancient and long-established woodland, legally protected trees and heritage trees from permitted development?

Once again, this question is difficult to answer in the absence of information as to how ancient and long-established woodlands and heritage trees may be designated and by what authority. In principle, the removal of permitted development rights where the proposal would damage or result in the loss of a protected tree is supported. Indeed, where a TPO is in place, consent is still required for works to the protected trees irrespective of whether the proposed development is permitted development. Similarly, there is precedent in current Planning Regulations that remove permitted development rights in limited cases where the development would result in tree removal (Permitted Development Regulations: Part 9 Class C – Industrial hardstandings and Part 16 Class A – Mineral exploration).

However, the removal of permitted development rights has a consequential impact on councils as a significant increase in planning applications would result, including many by statutory undertakers. There will also be requirements for special provisions for emergency and safety works, such as after storm damage. Furthermore, consideration would also require to be given to the exact wording of any limitations on permitted development. This includes whether any works to trees would be the limitation (e.g. pruning or lopping) as well as felling/removal. Consideration may also require to be given to situations where permitted works may result in significant damage to adjacent protected trees, including over a longer period of time.

Any proposed changes need to be very carefully considered, including in terms of wording of any limitations and exemptions to facilitate effective outcomes that meet the overall intended objectives in a balanced way. In addition to impacts on time and resources for councils and developers/utility providers, there may well be significant implications for enforcement and legal processes.

Question 13. Do you support the proposals to require developers to prove that there are no other viable options for development in cases where development would result in the removal or alteration of ancient and long-established woodlands, and heritage trees?

- Yes ✓
- No
- Unsure

Do you have any further comments on the proposed requirements for developers?

Once again, this question is difficult to answer in the absence of information as to how heritage trees may be designated and by what authority. However, in the event that the designation is taken forward, it is clearly important that developers carefully consider appropriate tree protection measures at the outset of the site selection and design process. The onus will be on developers to demonstrate that full and genuine consideration has been given to the trees from the outset and that suitable alternatives exist that would avoid the loss of trees and that this is only acceptable in cases of over-riding public or strategic/national interest. For many larger proposals, this will form an integral part of any Environmental Impact Assessment.

Belfast City Council's Local Development Plan includes a clear policy to protect trees from new development. Policy TRE1 seeks to protect existing trees and states a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity, including through the adoption of the precautionary principle when considering the impacts of a proposed development on trees of visual, biodiversity or amenity quality and significance. It also seeks to secure a net gain in tree numbers as a result of built development.

Question 14. When balanced against the benefits of this legislation, do you think that any cost of implementing and enforcing the proposed bill is acceptable?

- Yes
- No
- Don't know ✓
- Other (please specify)

The council acknowledges the high importance and value of trees to the environment, including their multi-functional benefits as a key element of our green and blue infrastructure. It is accepted that any consenting regime requires adequate resources for effective and meaningful delivery of its objectives and that a greater level or extent of tree protection will bring wide socio-economic and well and environmental benefits. Nevertheless, the proposals to date are silent on where the duties will lie and how they will be delivered and funded. Therefore it is not possible to say whether 'any cost' is acceptable, particularly given the extreme budgetary constraints across all Northern Ireland government departments and councils.

Question 15. Please tick any of the following options that you believe these proposals will positively benefit:

- The Environment ✓
- The Climate ✓
- Biodiversity ✓
- Public Health ✓
- Other (please specify)

The appropriate protection and proper management of trees, which are an important part of our green and blue infrastructure resource, will bring benefits across a wide range of areas and

metrics. Belfast City Council's Green and Blue Infrastructure Plan (2020) fully acknowledges this and sets out the range of benefits across our city and society.

Question 16. Do you have any additional comments on the proposed legislative changes to enhance the legal protection of trees and ancient/long-established woodland in Northern Ireland?

The Council fully acknowledges the importance of appropriate and effective tree protection and this is evidenced in the Green and Blue Infrastructure Plan 2020 and the Belfast Local Development Plan Strategy 2035 (adopted May 2023). The recognition of the value and importance of heritage trees and ancient woodland in this consultation is welcomed by the Council. Many of the comments made above reflect the need for more detail on the proposed legislative changes, particularly how they will be implemented and funded.

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Subject:	Discussion on Draft Planning Application Validation Checklist
Date:	11 th February 2025
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	No
If Yes, when will the report become unrestricted? After Committee Decision After Council Decision Some time in the future Never	

Call-in	
Is the decision eligible for Call-in?	Yes

1.0	Purpose of Report or Summary of Main Issues
1.1	The Council is currently consulting on its Draft Planning Application Validation Checklist.
1.2	At its meeting of 15 th October 2024, the Committee agreed to hold a workshop on the draft checklist. It is proposed that there is a discussion on the draft checklist at the main Committee meeting on 11 th February 2025. The proposed final checklist is expected to be reported to the Committee at its 18 th March 2025 meeting.
1.3	Officers will give a presentation on the Draft Planning Application Validation Checklist followed by Member discussion.
2.0	Recommendation
2.1	The report is for notation.

3.0	Main Report
	<u>Background</u>
3.1	The Council is currently consulting on its Draft Planning Application Validation Checklist. The final Validation Checklist, once adopted, will set out additional statutory information requirements for applications for full planning permission, outline planning permission and approval of reserved matters over and above the current minimum statutory requirements (which will remain unchanged).
3.2	The Committee considered the proposed consultation at its meeting on 15 th October 2024. The report to that Committee sets out the background to the consultation and reasons for the Validation Checklist and can be viewed here (item 26).
3.3	The public consultation runs from 03 December 2024 to 10 February 2025 (10 weeks).
3.4	A link to the consultation online survey and Draft Planning Application Validation Checklist can be found here . A copy of the draft checklist is provided at Appendix 1 .
3.5	The Department for Infrastructure (DfI) has very recently published Development Management Practice Note 8: Planning Application Validation Checklists , which provides guidance to councils on their preparation and implementation of validation checklists.
	<u>Engagement</u>
3.6	As well as the online survey, the Planning Service has carried out engagement events with other service areas within the Council, statutory and non-statutory consultees and customers. The latter session was an in-person event held in City Hall with applicants, planning agents and architects.
	<u>Proposed Final Validation Checklist</u>
3.7	Feedback from the online consultation survey and engagement events will be assessed and inform changes to the proposed Final Validation Checklist. It is expected that the final checklist will be reported to Committees in March, including the Planning Committee for notation and comment, Strategic Policy and Resources Committee for agreement and Full Council in early April for ratification and adoption.
3.8	The Final Validation Checklist will be implemented from its publication on the Council's website, expected to be early April 2025.
	<u>Committee Discussion</u>
3.9	Officers will give a presentation on the Draft Planning Application Checklist, followed by Member Discussion.
6.0	Financial & Resource Implications
6.1	The Council's ability to specify information requirements for particular types of application will have a significant impact on efficiency and timely processing of planning applications.
7.0	Equality or Good Relations Implications / Rural Needs Assessment
7.1	The draft Validation Checklist is subject to a Section 75 Equality Screening and Rural Needs Impact Assessment. This information is available as part of the consultation and feedback received will be used to inform the development of the draft Validation Checklist.
8.0	Appendices – Documents Attached
	Appendix 1 – Copy of Draft Planning Application Validation Checklist (consultation)



Draft Planning Application Validation Checklist

For Consultation

December 2024



Guidelines

What is it?

On 1st October 2024, the Department for Infrastructure (DfI) published legislation¹ that permits Councils to publish a “Validation Checklist”. The new legislation comes into operation on 1st April 2025, which gives councils time to prepare and consult on their proposed Validation Checklist.

A Validation Checklist informs applicants of the level and type of information required to be submitted (above the current minimum mandatory information which remains unchanged) for an application to be “valid” and processed by the Council. The purpose is to provide certainty and clarity to applicants and improve the quality of applications on submission, resulting in quicker decisions and more efficient consultee responses.

The Validation Checklist is aimed at applicants and planning agents. However, it will also be of interest to other stakeholders including consultees, communities and businesses in providing greater certainty as to the information required with applications at the start of the process.

The draft Validation Checklist is based on the Council’s “Application Checklist”, which was first published in 2018 and has become established for planning applications in Belfast.

DfI is intending to publish a [Development Management Practice Note](#) on the preparation and implementation of Validation Checklists.

How will it be applied?

The Validation Checklist applies to applications for full permission, outline permission and approval of reserved matters. It sets out the information that should be submitted, having regard to the nature, scale and location of the proposal. The checklist will be applied on a case-by-case basis and the submitted information should be proportionate and sufficient to enable the appropriate consideration of the proposal.

We will review the planning application on submission to make sure it includes the current minimum mandatory information set by legislation and any additional information specified by the Validation Checklist. If information is missing, we will contact the applicant (or their agent) and request it. We will only require information in the Validation Checklist where it is reasonable (and proportionate) and we think it will be relevant, necessary and material to the consideration of the application.

To help customers, we have provided an [indicative guide](#) as to the typical information requirements by type of application. We are proposing that Householder applications (e.g. for domestic extensions, garages and outbuildings) only need to be accompanied by a Biodiversity Checklist (with potential for a Biodiversity Survey) and a short and succinct Climate Change Statement. Applications for other types of proposal will likely require additional information.

We recommend that each information type is provided as a separate document. However, it can alternatively be provided as part of another document such as a Planning Statement

¹ Planning (General Development Procedure Amendment) Order (Northern Ireland) 2024

or Design and Access Statement. Where provided as part of another document, the applicant should clearly state in a covering letter where the information can be found.

We intend to publish a “checklist” alongside the final Validation Checklist that applicants can use as a prompt and to confirm/record which information they have provided with their application for administrative purposes.

Information that should be provided with an application in accordance with the Validation Checklist can be discussed with the Planning Service as part of a Pre-Application Discussion.

Is there a right of appeal?

Yes, if agreement is not reached between the Council and applicant (or their agent) on the need for the information, the Council will issue a “Notice” formally confirming the invalidity of the application to the applicant. The applicant may lodge an appeal to the Planning Appeals Commission concerning the invalidity of the application within 14 days of the date of the Notice.

It is expected that further information on the appeals process will become available on the [Planning Appeals Commission's website](#).

Indicative Guide - Information Requirements by Type of Application

The following is an indicative guide as to the information typically required for certain types of planning application.

Additional information may be required on a case-by-case basis according to the nature, scale and location of the proposal.

Hotel

- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Odour Impact Assessment
- Waste Management Plan

Householder

- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement

Houses in Multiple Occupancy (HMO)

- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Parking Survey
- Residential Quality Statement
- Waste Management Plan

Major development

- Biodiversity Checklist with potential Biodiversity Survey
- Climate Change Statement
- Outline Construction Environmental Management Plan
- Contextual Design Information
- Economic Statement
- Employability and Skills Profile (except for applications for environmental improvements and Multi-Use Game Areas)
- Health Impact Assessment
- Masterplanning Statement
- Open Space Statement
- Phasing Plan
- Planning Agreement (Heads of Terms Form)
- Planning Statement
- Transport Assessment Form (with potential for Transport Assessment)

Purpose Built Managed Student Accommodation

- Adaptable and Accessible Accommodation Statement (including a Wheelchair Accessibility Statement)
- Biodiversity Checklist with potential Biodiversity Survey
- Climate Change Statement
- PBMSA Statement
- Residential Quality Statement
- Transport Assessment Form (with potential for Transport Assessment)

- Waste Management Plan

Residential Development – 1 to 4 Residential Units

- Adaptable and Accessible Accommodation Statement
- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Residential Quality Statement

Residential Development – 5 to 9 Residential Units (or greater than 0.1ha)

- Adaptable and Accessible Accommodation Statement
- Affordable Housing Proposal Form
- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Housing Mix Statement
- Planning Agreement (Heads of Terms Form)
- Residential Quality Statement

Residential Development – 10 to 49 Residential Units

- Adaptable and Accessible Accommodation Statement (including a Wheelchair Accessibility Statement)
- Affordable Housing Proposal Form
- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Drainage Assessment
- Housing Mix Statement
- Planning Agreement (Heads of Terms Form)
- Residential Quality Statement
- Transport Assessment Form

Residential Development – 50 or more Residential Units (Major development)

- Adaptable and Accessible Accommodation Statement (including a Wheelchair Accessibility Statement)
- Affordable Housing Proposal Form
- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Drainage Assessment
- Economic Statement
- Health Impact Assessment
- Housing Mix Statement
- Masterplanning Statement
- Planning Agreement (Heads of Terms Form)
- Planning Statement
- Residential Quality Statement
- Transport Assessment Form (with potential for Transport Assessment)

Short-term Let Accommodation For example, short-term holiday lets, self-catering apartments, apart-hotels and serviced apartments.

- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Short-term Let Accommodation Statement

Specialist residential accommodation For example, sheltered housing, extra care housing, nursing homes and residential care homes.

- Biodiversity Checklist with potential Biodiversity Survey
- Climate Change Statement
- Specialist Housing Statement

Telecommunications Infrastructure For example, masts, antennae and base stations.

- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Tele-communications Supporting Statement

Town Centre uses (cultural and community facilities, retail, leisure, entertainment and businesses)

- Biodiversity Checklist (with potential for Biodiversity Survey)
- Climate Change Statement
- Offices: Office Impact Assessment
- Open Space Statement
- Retail or other main town centre uses: Retail Impact Assessment
- Retail or other main town centre uses: Sequential Test
- Transport Assessment Form (with potential for Transport Assessment)

Validation checklist

1. Adaptable and Accessible Accommodation Statement
2. Affordable Housing Proposal Form
3. Air Quality Impact Assessment (AQIA)
4. Archaeological Impact Assessment
5. Archaeological Site Evaluation
6. Biodiversity Checklist
7. Biodiversity Survey
8. Climate Change Statement
9. Community Cohesion and Good Relations Statement
10. (Outline) Construction Environmental Management Plan (CEMP)
11. Contaminated Land Assessment
12. Contextual Design Information
13. Daylight, Sunlight and Overshadowing Assessment
14. Demolition Justification Statement
15. Drainage Assessment
16. Economic Statement
17. Employability and Skills Profile
18. Event Management Plan
19. Environmental Statement (EIA)
20. Flood Risk Assessment
21. Health Impact Assessment (HIA)
22. Heritage Impact Assessment
23. Housing Mix Statement
24. Landscape/Townscape and Visual Impact Assessment (LVIA)
25. Landscape/Townscape and Visual Appraisal (LVA)
26. Lighting Impact Assessment
27. Marketing Statement
28. Masterplanning Statement
29. Noise Impact Assessment (NIA)
30. Odour Impact Assessment
31. Office Impact Assessment
32. Open Space Statement
33. Parking Survey
34. PBMSA Statement
35. Phasing Plan
36. Planning Agreement (Heads of Terms Form)

- 37. Planning Statement Planning Policy Belfast LDP Plan Strategy – various policies
- 38. Residential Quality Statement
- 39. Retail Impact Assessment (and Assessment of Need)
- 40. Sequential Test (main town centre uses)
- 41. Short-term Let Accommodation Statement
- 42. Specialist Housing Statement
- 43. Tall Buildings Design Statement
- 44. Tele-communications Supporting Statement
- 45. Transport Assessment
- 46. Transport Assessment Form
- 47. Travel Plan
- 48. Tree Report
- 49. Viability Assessment
- 50. Waste Management Plan
- 51. Wind Energy Statement

1. Adaptable and Accessible Accommodation Statement

Planning Policy

Policy HOU7 of the Belfast LDP Plan Strategy

SPPS Para. 6.297

SPG

Residential Design (Including Adaptable and Accessible Accommodation)
Supplementary Planning Guidance

What is it?

Policy HOU7 of the Plan Strategy requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible.

An **Adaptable and Accessible Accommodation Statement** sets out how the planning application addresses the requirements of Policy HOU7.

When is it required?

An **Adaptable and Accessible Accommodation Statement** should be provided with all applications for permanent accommodation including:

- new homes including dwellings, apartments, maisonettes and other forms of permanent accommodation;
- Purpose Built Managed Student Accommodation;
- Houses in Multiple Occupation (HMOs).

In addition, for applications for 10 residential units or more, the **Adaptable and Accessible Accommodation Statement** should include a supplementary **“Wheelchair Accessibility Statement”**.

What should be included?

An **Adaptable and Accessible Accommodation Statement** should include:

1. A written statement that sets out how each of the policy criteria a. to f. inclusive in Policy HOU7 are addressed. Where a criterion is not satisfied, the statement should provide justification as to why this is the case.
2. Annotated scale drawings (or clear cross reference to such drawings provided with the application) that demonstrate how each of the satisfied criteria are addressed.

For applications for **10 residential units** or more, the **Adaptable and Accessible Accommodation Statement** should include a supplemental **“Wheelchair Accessibility Statement”**, including:

1. a written statement that sets out how each of criteria g. to o. inclusive are addressed for at least 10% of the homes. Where a criterion is not satisfied, the statement should provide justification as to why this is the case.
2. Annotated scale drawings (or clear cross reference to such drawings provided with the application) that demonstrate how each of the satisfied criteria are addressed.

Guidance

Further guidance is contained in the [Residential Design \(Including Adaptable and Accessible Accommodation\) Supplementary Planning Guidance](#).

2. Affordable Housing Proposal Form

Planning Policy

Policy HOU5 of the Belfast LDP Plan Strategy

SPPS Para. 6.143

SPG

Affordable Housing and Housing Mix Supplementary Planning Guidance

What is it?

Policy HOU5 of the Plan Strategy requires residential sites of a certain size or number of units to provide a minimum of 20% of the units as affordable housing. Affordable housing includes social rented housing; intermediate housing for sale; and intermediate housing for rent.

An **Affordable Housing Proposal Form** provides information on how Policy HOU5 is addressed by the application.

When is it required?

An **Affordable Housing Proposal Form** should be provided with applications for sites greater than 0.1 hectares and/or containing 5 or more residential units. It is required for proposals for general housing including dwelling houses, apartments and maisonettes, mixed-use developments, conversions, sub-divisions and changes of use.

For the avoidance of doubt, an **Affordable Housing Proposal Form** is not required for specialist housing including Purpose Built Managed Student Accommodation and residential institutions such as care homes, nursing homes and supported housing schemes.

What should be included?

Applicants should complete and submit the **Affordable Housing Proposal Form** at "Appendix 1" of the [Affordable Housing and Housing Mix Supplementary Planning Guidance](#).

A copy of the Affordable Housing Form can be obtained by emailing planning@belfastcity.gov.uk

Where Policy HOU5 of the Plan Strategy applies, and less than 20% affordable housing is proposed, a written statement should be provided that sets out why the minimum level of affordable housing is not proposed. For example, this could be based on grounds of either a) sustainability; and/or b) viability. Where the justification is on viability grounds, a **Viability Assessment** should be provided (see section 49).

Guidance

Further guidance is provided by the Council's [Affordable Housing and Housing Mix Supplementary Planning Guidance](#).

3. Air Quality Impact Assessment (AQIA)

Planning Policy

Policy ENV1 of the Belfast LDP Plan Strategy

SPPS Para. 4.11- 4.12, Annex A

Guidance

Belfast Air Quality Action Plan 2021-2026

What is it?

Policy ENV1 of the Plan Strategy 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. Development must not result in an unacceptable adverse impact on the environment, including air quality.

Air Quality Impact Assessment (AQIA) is a process for determining the significance of the impact of proposed development on ambient air quality or determining the significance of the impact of local ambient air quality on proposed development. These impacts may need to be quantified and evaluated in the context of existing air quality, air quality objectives or limits.

When is it required?

An **AQIA** should be provided where the proposal:

- is to be located in an existing area of poor air quality such as in the case of an application for residential development;
- will cause a significant increase in road traffic flows or changes the proximity to receptors, e.g. car parks, realigned roads, junctions etc;
- introduces one or more substantial combustion processes, e.g. centralised boilers, generators, CHP plant or biomass, where there is a risk of impact at relevant receptors; or

	• gives rise to potentially unacceptable air pollution impacts (such as dust) at nearby sensitive locations during demolition or construction processes. What should be included? An AQIA should be undertaken with reference to the Government's local air quality management technical guidance (LAQM.TG (16) and associated air quality screening and assessment tools. Where necessary, the AQIA should also have regard to the requirements of the IAQM Guidance on the Assessment of Dust from Demolition and Construction. The AQIA may take the form of either a simple or detailed assessment but it must be sufficient to determine the significance of air quality impacts. Where the AQIA predicts that new development may give rise to, or experience a significant adverse air quality impact, the assessment should set out the measures to avoid, reduce and, where appropriate, offset the impact to ensure that relevant receptors are not exposed to pollution levels in excess of ambient air quality objectives or limits. Guidance In determining whether new development requires an AQIA, the Council refers to best practice guidance such as Environmental Protection UK and the Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017). Information about current and historic ambient pollution levels, Air Quality Management Areas (AQMAs) and the Council's various air quality reports can be found at: www.airqualityni.co.uk The Belfast City Council Air Quality Action Plan 2021 to 2026 can be found at: Air Quality Action Plan.
4. Archaeological Impact Assessment Planning Policy Policy BH5 of the Belfast LDP Plan Strategy SPPS Pars. 6.8-11	What is it? Policy BH5 of the Plan Strategy seeks to conserve and protect and where possible enhance archaeological assets. Where the impact of a development proposal on important archaeological remains is unclear, or the relative importance of such remains is uncertain, the council will normally require developers to provide further information in the form of an archaeological assessment or an archaeological evaluation. An Archaeological Impact Assessment identifies the potential impacts of the proposal upon archaeological assets, and upon potential new archaeological sites and features. It assesses the significance of assets, the magnitude of impact of development, and recommends mitigation. It is largely a desk-based exercise, incorporating the results of a site walkover survey and other specialist surveys as required. When is it required? An Archaeological Impact Assessment should be provided for proposals within an Area of Archaeological Interest or Potential where it involves the breaking of ground (i.e. an Archaeological Impact Assessment is not required for proposals that only involve the change of use of land or property). What should be included? An Archaeological Impact Assessment should be prepared by a qualified archaeologist and include a desk-based assessment to identify the known archaeological and related historic environment assets within the application site and within an appropriate study area. Guidance on what should be included in an Archaeological Impact Assessment is provided by the Department for Communities'

	“Development and Archaeology: Guidance on Archaeological Works in the Planning Process”. Guidance Applicants should take into account archaeological considerations and deal with them from the beginning of the development management process. The needs of archaeology and development can often be reconciled, and potential conflict avoided or much reduced, if applicants discuss their proposals early. The first step is for applicants to consult the Department for Communities’ Historic environment map viewer for known archaeological sites and monuments.
5. Archaeological Site Evaluation Planning Policy Policy BH5 of the Belfast LDP Plan Strategy SPPS Pars. 6.8-11.	What is it? Policy BH5 of the Plan Strategy seeks to conserve and protect and where possible enhance archaeological assets. Where the impact of a development proposal on important archaeological remains is unclear, or the relative importance of such remains is uncertain, the council will normally require developers to provide further information in the form of an archaeological assessment or an archaeological evaluation. An Archaeological Site Evaluation usually involves a targeted archaeological excavation, of limited scope, carried out by a licensed archaeologist. It is quite distinct from a full archaeological excavation. It aims to clarify the nature and extent of below-ground archaeological remains within a proposed development site. Evaluations may also be carried out to inform an Archaeological Impact Assessment (AIA) for a site, particularly where areas of heightened archaeological potential have been identified. Evaluations can clarify the potential archaeological risks and constraints of a development site early in the planning process, including identifying areas where development may not be acceptable to planning policy. Evaluations may also influence the design and layout of a development to avoid or minimise archaeological impacts. When is it required? An Archaeological Site Evaluation should be provided with applications where it is essential to clarify if a proposal or aspects of it are acceptable having regard to Policy BH5 and if there is uncertainty as to whether the proposal would be acceptable in principle (i.e. such information cannot be provided after a planning decision through planning conditions). What should be included? An Archaeological Site Evaluation should be prepared by a qualified archaeologist. Guidance on what should be included in an Archaeological Impact Assessment is provided by the Department for Communities “Development and Archaeology: Guidance on Archaeological Works in the Planning Process”. Guidance Applicants should take into account archaeological considerations and deal with them from the beginning of the development management process. The needs of archaeology and development can often be reconciled, and potential conflict avoided or much reduced, if applicants discuss their proposals early. The first step is for applicants to consult the Department for Communities’ Historic environment map viewer for known archaeological sites and monuments.
6. Biodiversity Checklist Planning Policy Policy NH1 of the Belfast LDP Plan Strategy	What is it? Policy NH1 of the Plan Strategy states that in assessing proposals, the Council will seek to ensure the protection of the district’s natural heritage and biodiversity. The Biodiversity Checklist is a ‘step by step’ tool which is used by applicants to help identify if a development proposal is likely to adversely

SPPS Par. 6.168-198	affect any biodiversity and natural heritage interests and whether further ecological assessments / surveys are required. When is it required? The Biodiversity Checklist should be provided with all applications where another biodiversity or ecological survey has not already been completed. What should be included? Applicants should complete and submit the Biodiversity Checklist available on DAERA's website. Guidance The Council has a statutory duty under the Wildlife and Natural Environment Act (Northern Ireland) 2011 to have regard to conserving biodiversity as part of policy or decision making and in drawing up development plans. DAERA provides standing advice on the development of land that may affect natural heritage interests.
7. Biodiversity Survey Planning Policy Policy NH1 of the Belfast LDP Plan Strategy SPPS Par. 6.168-198	What is it? Policy NH1 of the Plan Strategy states that in assessing proposals, the Council will seek to ensure the protection of the district's natural heritage and biodiversity. The council will require developers to undertake appropriate site surveys and assessments for consideration prior to planning applications being determined. A Biodiversity Survey (or ecological or wildlife survey) assesses the specific impacts of development proposals on natural heritage, including designated sites and priority habitats; and protected and priority species. When is it required? A Biodiversity Survey is required where: - the need for a survey is identified as part of the completion of the Biodiversity Checklist (see section 6 above); or - the proposal would impact or have the potential to impact on natural heritage, including designated sites and priority habitats; or protected and priority species. Guidance The Council has a statutory duty under the Wildlife and Natural Environment Act (Northern Ireland) 2011 to have regard to conserving biodiversity as part of policy or decision making and in drawing up development plans. The DAERA provides standing advice on the development of land that may affect natural heritage interests. Further planning advice and guidance is provided on DAERA's website.
8. Climate Change Statement Planning Policy Policies ENV2, ENV3, ENV5 and TRE1 of the Belfast LDP Plan Strategy SPPS Para. 3.13 and 6.137 SPG	What is it? Policies ENV2, ENV3 and ENV5 of the Plan Strategy require proposals to mitigate and adapt to climate change, and include, where appropriate, Sustainable Urban Drainage Systems (SuDS). Policy TRE1 seeks to ensure a net gain in tree numbers as a result of built development, in the interests of natural heritage, amenity, environmental quality and resilience. All proposals for new built development should seek to provide for additional tree planting appropriate to the nature, scale and location of the development.

A **Climate Change Statement** sets out how the requirements of Policies ENV2, ENV3, ENV5 and TRE1 are addressed.

When is it required?

A **Climate Change Statement** should be submitted with all applications for new development (including new build, extensions, conversion of buildings and changes of use).

What should be included?

A **Climate Change Statement** should address Policies ENV2, ENV3, ENV5 and TRE1 of the Plan Strategy and be proportionate to the proposal and its context. Householder proposals (e.g. domestic extensions, garages and outbuildings) only require a short and succinct written statement about how climate change policy requirements have been addressed.

Annotated scale drawings should be provided (or clear cross reference to such drawings provided with the application) that demonstrate how each of the requirements are met.

Major applications

For applications for Major development, the **Climate Change Statement** should include the following. Where a requirement or criterion is not met, the statement must provide justification as to why this is the case.

Policy ENV2:

1. How the proposal incorporates measures to mitigate environmental change and reduce Green House Gases (GHG) by promoting sustainable patterns of development;
2. How the proposal maximises opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency); and
3. How the proposal, where appropriate, demonstrates the highest feasible and viable sustainability standards in the design, construction, operation and “end of life” phases of development in line with the ‘nearly zero carbon buildings’ strategy set out in the EU energy performance and buildings directive, where all new buildings are required to be ‘nearly zero carbon’ by 2020.

Policy ENV3:

4. A written statement that sets out how each of the policy criteria a. to i. inclusive in Policy ENV3 are addressed. Where a criterion is not satisfied, the statement should provide justification as to why this is the case.

Policy ENV5:

5. How the proposal addresses the need to include SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. The following potential measures should be addressed:
 - Green roofs (intensive and/or extensive systems);
 - Swales;
 - Filter strips and filter drains;
 - Permeable or porous paving;
 - Detention basins;

	• Open areas, ponds and wetlands; and • Trees and landscaping. <i>Policy TRE1:</i> 6. Proposals for a net gain in tree numbers (proposals for built development only). Guidance Further guidance is provided by the Sustainable Urban Drainage Systems and Trees and Development Supplementary Planning Guidance.
9. Community Cohesion and Good Relations Statement Planning Policy Policy CGR1 of the Belfast LDP Plan Strategy SPPS Para. 4.17	What is it? Policy CGR1 of the Plan Strategy relate to the consideration of community cohesion and good relations in respect of proposals at interface locations, in close proximity to peace infrastructure and are judged to impact on contested space. A Community Cohesion and Good Relations Statement sets out how the requirements of Policy CGR1 are addressed. When is it required? A Community Cohesion and Good Relations Statement should be provided with all applications for development at interface locations, in close proximity to peace infrastructure, or which would impact upon contested space. However, this does not include minor planning applications such as householder proposals. What must be included? A Community Cohesion and Good Relations Statement should set out how each of the policy criteria a. to e. inclusive in Policy CRG1 are addressed. Where a criterion is not satisfied, the statement should provide justification as to why this is the case.
10. (Outline) Construction Environmental Management Plan (CEMP) Planning Policy Policies ENV1 and NH1 of the Belfast LDP Plan Strategy SPPS Para. 4.11-4.12, Annex A	What is it? Policy ENV1 of the Plan Strategy 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. Development must not result in an unacceptable adverse impact on the environment, including consideration of ground contamination, air quality, water quality, noise and light pollution. Policy NH1 of the Plan Strategy seeks to ensure the protection of the district's natural heritage and biodiversity. An Outline Construction Environmental Management Plan provides a framework from which a final Construction Environmental Management Plan (CEMP) will be developed to avoid, minimise or mitigate any construction effects on the environment. When is it required? An Outline Construction Environmental Management Plan should be provided with applications for: • EIA development (see section 19); or • Major development in sensitive coastal and harbour areas; and within or in close proximity to, or hydrologically linked to, protected designated sites such as Special Protection Areas (SPA), RAMSAR sites and Areas of Special Scientific Interest (ASSI). What should be included? An Outline Construction Environmental Management Plan should include:

	• details of all proposed site works, excavations and construction; • details of all areas to be used for the storage of substrate/spoil including a suitable buffer between location for storage of excavated spoil and construction materials and any watercourses or surface drain present on site or adjacent to site; • details of the pollution prevention measures to be employed during construction and operation including noise, vibration, dust, ambient air quality and contamination of both land and the water environment; • detailed drawing plans, demonstrating a suitable buffer between locations for refueling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drain present on site or adjacent to the site; and • a proposed storm drainage plan designed to the principles of Sustainable Drainage Systems (SuDS) in order to minimise the polluting effects of storm water on waterways. Guidance Further guidance is available on DAERA's website.
11. Contaminated Land Assessment Planning Policy Policy ENV1 of the Belfast LDP Plan Strategy	What is it? Policy ENV1 of the Plan Strategy states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protect communities from materially harmful development. Development must not result in an unacceptable adverse impact on the environment, including from ground contamination. Land contamination can harm: • human health; • drinking water supplies, groundwater and surface water; • soils; • ecosystems including wildlife, animals and wetlands; • property. In accordance with the Land Contamination Risk Management (LCRM) guidance published by the UK Environment Agency, the Contaminated Land Assessment process is used to: • identify and assess if there is an unacceptable risk; • assess what remediation options are suitable to manage the risk; • plan and carry out remediation; • verify that remediation has worked. When is it required? A Contaminated Land Assessment should be submitted with applications for proposals on, or close to, land which has a current or previous use that has the potential for harmful contamination. What should be included? A Contaminated Land Assessment should be produced by a competent person in accordance with the staged risk based approach presented in the LCRM guidance. There are 3 stages and each stage is broken down into tiers or steps. <u>Stage 1: Risk assessment</u> The LCRM presents a tiered approach to risk assessment. The 3 tiers are: 1. Preliminary risk assessment. 2. Generic quantitative risk assessment. 3. Detailed quantitative risk assessment. <u>Stage 2: Options appraisal</u> There are 3 steps to follow.

	1. Identify feasible remediation options. 2. Do a detailed evaluation of options. 3. Select the final remediation option. <u>Stage 3: Remediation and verification</u> There are 4 steps to follow. 1. Develop a remediation strategy. 2. Remediate. 3. Produce a verification report. 4. Do long term monitoring and maintenance, if required. Where a Contaminated Land Assessment is required, a preliminary risk assessment should be provided. The stages outlined above should then be followed; the risk assessment process may be exited at various stages if the assessment confirms that there are no unacceptable risks and that no further action is needed. All of the relevant reports (identified as being required through the process), up to and including the remediation strategy, should be submitted. Guidance A few examples of potentially contaminated land include: • previously developed land (brownfield sites); • former industrial land (for example engineering or chemical works, textile works and foundries); • petrol filling stations and garages (and other land uses associated with fuel storage); • waste facilities; and • areas that have been subject to in-filling and/or reclamation. Further information may be obtained by referring to DoE Industry Profiles. It should be noted that references to the Part 2A contaminated land regime within the LCRM do not apply in Northern Ireland. All Contaminated Land Assessments should be undertaken in accordance with relevant British Standards and industry best practice (as outlined within the LCRM guidance). The Northern Ireland Environment Agency (NIEA) Land Use Database contains a record of approximately 14,000 sites across Northern Ireland that have had previous industrial land use(s). This database is available via the OSNI Spatial NI - Map Viewer. Other important sources of information in regard to land contamination assessments include historical maps (such as those provided within the PRONI Historical Maps viewer) and geological and hydrogeological information (such as that provided within the GSNI GeoIndex map viewer). It may also be useful to seek environmental information on specific sites from relevant authorities, including the Environmental Health Service in the Council.
12. Contextual Design Information Planning Policy Policies DES1, BH1, BH2 and BH3 of the Belfast LDP Plan Strategy SPPS Para. 4.23- 4.40 SPG Placemaking and Urban Design Supplementary Planning Guidance	What is it? Policy DES1 of the Plan Strategy relates to the principles of urban design and states that planning permission will be granted for new development that accords with design criteria relating to high quality, sustainable design that makes a positive contribution to placemaking. Policy BH1 relates to proposals affecting a Listed Building. Policy BH2 relates to new development within or affect the setting of a Conservation Area. Policy BH3 relates to new development within an Area of Townscape Character. Contextual Design Information is visual material, such as drawings or CGIs, which accurately reflects the proposal in its immediate and local context, usually the existing street scene into which the development is to

Residential Design Supplementary Planning Guidance Residential Extensions and Alterations Supplementary Planning Guidance	be placed. It is used to help assess the impact and suitability of the design of the proposal within its surrounding context. When is it required? Contextual Design Information will be required for the following (other than where they only involve a material change of use): • applications for Major development; • proposals that impact on built heritage including Listed Buildings, Scheduled Monuments, historic monuments/gardens, Conservation Areas and Areas of Townscape Character; or • proposals that may significantly impact on the street-scene or townscape. What should it include? The type of Contextual Design Information that is required will depend on the nature of the proposal, its location, scale and the potential impacts. Examples of Contextual Design Information include: • extended scaled elevations, both existing and proposed, which illustrate the existing context and how the proposal responds to this context in relation to neighbouring buildings and the wider street-scene; • site sections; • photomontages showing existing and proposed key views; • axonometric drawings; and • 3D modelling such as use of VU.CITY: Belfast (an accurate 3D model of most of Belfast).
13. Daylight, Sunlight and Overshadowing Assessment Planning Policy Policies DES1 and RD1 of the Belfast LDP Plan Strategy SPPS Para. 4.23- 4.40 SPG Residential Design Supplementary Planning Guidance Placemaking and Urban Design Supplementary Planning Guidance	What is it? Policy DES1 of the Plan Strategy requires that proposals ensure no undue effect on the amenity of neighbouring properties or public spaces by minimising the impact of overshadowing and loss of daylight. Policy RD1 requires that proposals do not unduly affect the amenity of neighbouring residents, including loss of light and overshadowing. A Daylight, Sunlight and Overshadowing Assessment assesses the impact of the proposal on existing surrounding properties and open spaces in terms of daylight and sunlight. It may also assess the performance of the development for future occupants. When is it required? A Daylight, Sunlight and Overshadowing Assessment should be provided with all applications involving: • buildings exceeding four storeys in height where adjoining other developed land or public open spaces; or • where proposed buildings or extensions could lead to harmful overshadowing of adjacent or other proposed buildings or spaces within or outside the site; or • where the proposed development would itself be subject to significant shading from adjoining buildings or trees, or the proposed development itself. What should it include? A Daylight, Sunlight and Overshadowing Assessment should include: 1. an aerial plan that shows shadowing impacts on adjacent buildings and public open spaces within and outside the site in respect of <u>both</u> the existing situation and proposed situation following implementation of the proposal. The assessment should

	be provided at the Spring Equinox (20th or 21st March) and during the following times of day: • 8am; 10am; 12pm; 2pm; 4pm; and 6pm. For applications for Major development, the assessment should include an assessment consistent with the latest relevant Building Research Establishment (BRE) guidance. 2. an assessment of daylight and sunlight levels within the proposed development itself. For applications for Major development, the assessment should include an assessment consistent with the latest relevant Building Research Establishment (BRE) guidance.
14. Demolition Justification Statement Planning Policy Policies BH2, BH3 and ENV2 of the Belfast LDP Plan Strategy SPPS Para. 6.13, 6.15, 6.18s, 6.19 and 6.22	What is it? In the interests of mitigating climate change, Policy ENV2 of the Plan Strategy seeks to avoid demolition, where feasible, with consideration given to how existing buildings or main structures can be re-used. Policies BH2 and BH3 of the Plan Strategy state that there will be a presumption in favour of retaining non-listed buildings in Conservation Areas and Areas of Townscape Character respectively. A Demolition Justification Statement demonstrates why a building or structure that is normally protected by planning policy is not proposed to be retained and re-used. When is it required? A Demolition Justification Statement should be provided: • where the proposal involves demolition and replacement of a building or main structure, having regard to Policy ENV2 of the Plan Strategy. This information will also be sought where demolition has already taken place; or • for demolition of a building that makes a material contribution to a Conservation Area, having regard to Policy BH2 of the Plan Strategy; or • for demolition of a building that makes a material contribution to the distinctive character of an Area of Townscape Character, having regard to Policy BH3 of the Plan Strategy. What should it include? The level of detail included in the Demolition Justification Statement should be proportionate to the nature and function of the building and the issues involved. The Demolition Justification Statement should explain why it is not feasible to retain and re-use the existing building/s or main structure/s that are proposed to be demolished and replaced. Factors may include the suitability of the building for the proposed use; its structural condition and/or financial viability and need to be evidenced. In these regards, the application may also require a Marketing Statement (see section 27) and/or Viability Assessment (see section 49). The Demolition Justification Statement should also include measures to minimise any waste through the re-use of as much building and sites materials as possible. If acceptable, those measures may be a secured as a planning condition were planning permission to be granted.

15. Drainage Assessment

Planning Policy

Policies ENV4 and ENV5 of the Belfast LDP Plan Strategy

SPPS Para. 6.104 and 6.113

SPG

Planning and Flood Risk Supplementary Planning Guidance

What is it?

Policy ENV4 of the Plan Strategy states that in all circumstances the Council will adopt a precautionary approach in assessing proposals in areas that may be liable to flood risk presently or in the future.

Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface runoff and to ensure flooding is not increased elsewhere.

A **Drainage Assessment** is a statement of the drainage issues relevant to a development proposal and the measures to provide the appropriate standard of drainage. The detail of the assessment will be proportionate to the nature of the proposal. (It may also be called a Drainage Impact Assessment).

When is it required?

In accordance with the [Planning and Flood Risk Supplementary Planning Guidance](#), a **Drainage Assessment** should be provided for all development proposals that meet or exceed any of the following thresholds.

- new residential development comprising of 10 or more residential units; or
- a development site in excess of 1 hectare; or
- change of use involving new buildings and/or hardstanding surface exceeding 1,000 sqm in area.

A **Drainage Assessment** should also be provided for any development proposal, except for minor development, where:

- the proposed development is located in an area where there is evidence of a history of surface water flooding; or
- surface water run-off from the development may adversely impact upon other development or features of importance to nature conservation, archaeology or the built heritage.

What should be included?

Guidance on the information that should be contained in a **Drainage Assessment** is provided in Annex E of the [Planning and Flood Risk Supplementary Planning Guidance](#).

16. Economic Statement

Planning Policy

Policies EC1, EC2, EC3, , EC5, EC6 and EC7 of the Belfast LDP Plan Strategy

SPPS Para. 6.79-98

Guidance

Chapter 9 of the Developer Contributions Framework

What is it?

Policies EC1, EC2, EC3, EC5, EC6 and EC7 relate to proposals that have economic development impacts. Economic impacts of a proposal, such as investment, job creation and contribution to rates, are a material planning consideration relevant to the assessment of applications.

An **Economic Statement** sets out the economic impacts of new development on the area, whether specific to the neighbourhood in which the proposal would be located, city-wide, regional or international.

When is it required?

An **Economic Statement** should be submitted with all applications for Major development.

What should be included?

An Economic Statement should include:

- the level of economic investment;
- GDV impact on the local and, where relevant, regional economy;
- the number and type of jobs to be created both during the construction phase and on occupation, specifying whether the jobs are part time or full time;
- impact on rates;

	• any commitments to employability and skills and inclusive growth (also see section 17, Employability and Skills Profile); • whether the proposal is speculative or if there is a specific end user; • the timeframe for delivery of the development; • any wider benefits of the proposal to the economy. Guidance Further guidance is provided in Chapter 9 of the Council's Developer Contributions Framework.
17. Employability and Skills Profile Planning Policy Policies EC1, EC2, EC3, EC5, EC6 and EC7 of the Belfast LDP Plan Strategy SPPS Para. 6.79-98 Guidance Chapter 9 of the Developer Contributions Framework	What is it? Inclusive growth is a core aim of the Plan Strategy. Policies SP4, EC1, EC2, EC3, EC5, EC6 and EC7 relate to proposals that have economic development impacts. Policy EC4 seeks to protect zoned employment land. Chapter 9 of the Developer Contributions Framework sets out the circumstances in which developers will be required to make contributions to employability and skills. An Employability and Skills Profile provides a breakdown of proposed uses and an estimate of potential jobs to be created/displaced as a result of the development. This information enables the Council to undertake a “skills assessment”, which will inform whether employability and skills interventions are needed as a result of the development. When is it required? An Employability and Skills Profile should be provided with all applications for: • Major development (<u>except</u> for applications for environmental improvements and Multi-Use Game Areas); • proposals resulting in the loss of economic development uses. Guidance An Employability and Skills Profile should include: <u>Construction</u> • details of the “construction phase” including: estimated construction costs; period for construction including estimate start date and completion date; and any relevant phasing information (including demolition); • the number and type of Full Time Employment (FTE) jobs that will be created during the construction stage of the development including job occupations; • The approximate number and type of jobs that will be created during the occupation stage of the development based on purpose/use of development, including displacement calculations; and • For public sector construction, confirmation that Social Value applies. A Construction Employability and Skills Plan is not necessary in such cases. <u>Operation</u> • Details of the “operational phase” including: breakdown of floor space by use/number of bedrooms as applicable; • the number and type of Full Time Employment (FTE) jobs that will be created during the operational/occupation stage of the development based on purpose/use of development including displacement calculations; • for mixed use developments the expected breakdown of uses as related to the employment sectors, the approximate number and

	type of jobs that will be created during the occupation stage of the development based on purpose/use of development; and the developer should base the provided figures on recognised employment densities and provide information on any assumption they have adopted. Guidance The submitted information should be sufficient for the Council to carry out a “skills assessment” to establish whether employability and skills interventions are required. Where interventions are required, the applicant will be required to provide an Employability and Skills Plan. This will normally be secured through a Section 76 Planning Agreement (see section 36 Planning Agreements (Heads of Terms Form)). Further guidance is provided by the Council's Developer Contributions Framework.
18. Event Management Plan Planning Policy Policies TRAN 3 and TRAN 6 of the Belfast LDP Plan Strategy SPPS Para. 4.11, 6.90 and 6.208. 6.213, Annex A	What is it? Policy TRAN 3 of the Plan Strategy requires a transport assessment to evaluate the transport implications of a development proposal, which is likely to have significant travel generating uses. Policy TRAN 6 of the Plan Strategy relates to proposals involving direct access, or the intensification of the use of an existing access, onto a public road. An Event Management Plan sets out how the proposal seeks to minimise the transportation impacts of events that would be held as a result of the proposal. When is it required? An Event Management Plan should be provided with applications for proposals for commercial, recreational, cultural and community proposals which involve the hosting of events that generate significant large numbers of attendees and could result in significant travel disruption. What should be included? An Event Management Plan should consider the types of trips, in all modes, likely to visit the site, to ensure they can arrive, park if necessary and depart without causing a traffic safety hazard or disruption to other traffic on the network. Where disruption to the network is anticipated, the Event Management Plan should propose measures that are co-ordinated with PSNI, Department for Infrastructure Roads, and the local community as necessary, to mitigate these impacts. Evidence should be provided of the engagement and input of those bodies into the Event Management Plan. The Events Management Plan should consider measures to encourage sustainable travel, such as public transport, the use of coaches and off-site park and ride and shuttle bus facilities.
19. Environmental Statement (EIA) Legislation The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017	What is it? The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 (“the Regulations”) specifies the circumstances in which a proposal is “EIA” development and requires an Environmental Statement to be submitted alongside the planning application. An Environmental Statement sets out the likely significant effects of the proposal – whether positive or negative – and can relate to environmental, social or economic impacts. When is it required? An Environmental Statement should be submitted where:

	- the development proposal falls under Schedule 1 of the Regulations; or - the development proposal falls under Schedule 2 of the Regulations and the Council has given a screening opinion that the proposal is “EIA” development and that an Environmental Statement is required; or - the applicant intends to submit an Environmental Statement alongside the planning application. What should be included? Applicants should seek a “Scoping Opinion” from the Council as to the recommended content of the Environmental Statement before it is prepared. Guidance If the development proposal falls under Schedule 2 of the Regulations, the applicant is strongly advised to submit a formal request to the City Council for a “screening opinion” as to whether the proposal is EIA prior to submitting the application. Where an Environmental Statement is deemed to be required, the applicant is advised to seek a scoping opinion from the Council on its content.
20. Flood Risk Assessment Planning Policy Policy ENV4 of the Belfast LDP Plan Strategy SPPS Para. 6.99-132 SPG Planning and Flood Risk Supplementary Planning Guidance	What is it? Policy ENV4 of the Plan Strategy requires that planning applications in flood risk areas are accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment. A Flood Risk Assessment is an assessment of the risk of flooding from all flooding mechanisms, the identification of flood mitigation measures and should provide advice on actions to be taken before and during a flood. When is it required? A Flood Risk Assessment should be provided with applications where the following circumstances apply: - when the proposed development is within fluvial / coastal flood plain / reservoir flood inundation area; or - where a more accurate definition of the flood plain and its extents is needed. What should be included? Guidance on the information that should be contained in a Flood Risk Assessment is provided in Annex E of the Planning and Flood Risk Supplementary Planning Guidance. Guidance Flood Maps can be viewed on the Department for Infrastructure website.
21. Health Impact Assessment (HIA) Planning Policy Policy HC1 of the Belfast LDP Plan Strategy SPPS Para. 3.2, 4.3-4.10	What is it? Policy HC1 of the Plan Strategy seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. A Health Impact Assessment (HIA) helps to ensure that health and wellbeing are properly considered in development proposals. In looking at how a proposal might affect people’s health, an HIA can identify ways to amend the proposal to reduce possible harmful effects and increase possible beneficial effects. HIAs can be done at any stage in the

	development process but are best done at the earliest stage possible in project design to allow scope for mitigations and other improvements. When is it required? A Health Impact Assessment should be provided with applications for Major residential, commercial and industrial development. A Health Impact Assessment may also be required for other forms of development with potential to have a significant adverse effect on public health and wellbeing. What should be included? The Health Impact Assessment should follow the methodology provided in the Council's Promoting Healthy Communities Technical Advice Note 1 and associated Appendix 1: Health Impact Assessment Screening Guide.
22. Heritage Impact Assessment Planning Policy Policies BH1 and BH2 of the Belfast LDP Plan Strategy SPPS Para. 6.12, 6.13, 6.18 and 6.19	What is it? Policy BH1 relates to development affecting the setting of a Listed Building. Planning legislation requires that special regard must be had to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. Policy BH2 relates to proposals for development within or affecting the setting of a Conservation Area. Planning legislation requires that special regard must be had to the desirability of preserving the character or appearance of a Conservation Area where opportunity does not arise to enhance it; and to enhance the character or appearance of the Conservation Area where an opportunity to do so does arise. A Heritage Impact Assessment assesses the impact of new development on built heritage, including the setting of a Listed Building or Scheduled Monument; or the character or appearance of a Conservation Area and its setting. When is it required? A Heritage Impact Assessment is required with planning applications for proposals that would: - likely significantly impact on the character and appearance of a Conservation Area or its setting; or - likely significantly impact on the setting of a Listed Building or Scheduled Monument. What should be included? A Heritage Impact Assessment should identify the impacted heritage assets; define and analyse its setting; and assess the change. Guidance A Heritage Impact Assessment can form part of a Design and Access Statement. Historic environment advice and guidance in the planning process is provided on the Department for Communities' website.
23. Housing Mix Statement Planning Policy Policy HOU6 of the Belfast LDP Plan Strategy	What is it? Policy HOU6 of the Plan Strategy requires housing proposals of a certain scale to provide a suitable mix of house types and sizes. The aim is to promote choice and assist in meeting community needs. There should be particular emphasis on provision for smaller homes across all tenures to meet future household requirements. A Housing Mix Statement provides details of the proposed mix of house types and sizes.

SPG

Affordable Housing and
Housing Mix SPG

When is it required?

A **Housing Mix Statement** should be provided with applications for new residential development on sites greater than 0.1 ha and/or containing 5 or more residential units. It is required for proposals for general housing including dwelling houses, apartments and maisonettes, mixed-use developments, conversions, sub-divisions and changes of use.

For the avoidance of doubt, a **Housing Mix Statement** is not required for specialist housing including Purpose Built Managed Student Accommodation and residential institutions such as care homes, nursing homes and supported housing schemes.

What should be included?

The **Housing Mix Statement** should include the following:

1. A “housing mix schedule”, providing information on the number, type and size of each residential unit.

House type	Size (sqm)	Number of units
E.g. three-bedroom four person detached dwelling		
Etc.		

2. A written statement that demonstrates how the proposed housing mix has been informed by the following:
 - a. 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.

Where a criterion is not satisfied, the statement should provide justification as to why this is the case.

Guidance

Further guidance is provided by the Council's [Affordable Housing and Housing Mix Supplementary Planning Guidance](#).

24. Landscape/Townscape and Visual Impact Assessment (LVIA)

Planning Policy ss

Policies LC1, LC1A, LC1B, LC1C, LD CD, LC2, LC3 and LC4 of the Belfast LDP Plan Strategy

SPPS Para. 4.39 and 6.76

SPG

Placemaking and Urban Design
Supplementary Planning
Guidance

Tall Buildings Supplementary
Planning Guidance

What is it?

Policy LC1 of the Plan Strategy states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. The Council will adopt the precautionary approach in assessing development proposals in any designated landscape, giving careful consideration to a range of criteria.

Policies LC1A (Areas of Outstanding Natural Beauty), LC1B, (Areas of High Scenic Value), LC1C (Local Landscape Policy Areas) and LC1D (Landscape wedges), LC2 (Lagan valley regional park) and LC3 (Belfast Hills), LC4 (coastal areas) set out further specific landscape policy requirements.

A **Landscape/Townscape and Visual Impact Assessment (LVIA)** is the process of evaluating the effects of a proposal on views and on the landscape itself (“townscape” is defined as the landscape within the built-up area).

When is it required?

A **Landscape and Visual Impact Assessment** should be provided for all “EIA development” where the proposal would likely have significant environmental effects on the landscape/townscape (also see section 19, **Environmental Statement**).

What should be included?

	A Landscape/Townscape and Visual Impact Assessment should follow the methodology set out in the Guidelines on Landscape and Visual Impact Assessment published by the Landscape Institute and Institute of Environmental Management and Assessment.
25. Landscape/Townscape and Visual Appraisal (LVA) Planning Policy Policies LC1, LC1A, LC1B, LC1C, LDCD, LC2, LC3 and LC4 of the Belfast LDP Plan Strategy SPPS Para. 4.39 and 6.76 SPG Placemaking and Urban Design Supplementary Planning Guidance	What is it? Policy LC1 of the Plan Strategy states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. The Council will adopt the precautionary approach in assessing development proposals in any designated landscape, giving careful consideration to a range of criteria. Policies LC1A (Areas of Outstanding Natural Beauty), LC1B, (Areas of High Scenic Value), LC1C (Local Landscape Policy Areas) and LC1D (Landscape wedges), LC2 (Lagan valley regional park) and LC3 (Belfast Hills), LC4 (coastal areas) set out further specific landscape policy requirements. A Landscape/Townscape and Visual Appraisal (LVA) is the process of evaluating the effects of a proposal on views and on the landscape itself ("townscape" is defined as the landscape within the built-up area). When is it required? A Landscape and Visual Appraisal should be provided with applications for the following where the proposal is <u>not</u> EIA Development: - proposals in the countryside which are likely to have a significant visual impact within the landscape, and for any Major applications within or affecting the setting of an Area of Outstanding Natural Beauty; or - proposals in the urban area which are likely to have a significant visual impact on the townscape; or - proposals for wind turbines where their overall height would exceed 15 metres and where Environmental Impact Assessment is required. What should be included? A Landscape/Townscape and Visual Appraisal should follow the methodology set out in the Guidelines on Landscape and Visual Impact Assessment published by the Landscape Institute and Institute of Environmental Management and Assessment. A LVA typically follows the format of an LVIA but, by definition, does not consider significance, with no requirement to give a judgement on the significance of effects. Further guidance is contained in the Placemaking and Urban Design Supplementary Planning Guidance.
26. Lighting Impact Assessment Planning Policy Policies ENV1, OS5 and OS7 of the Belfast LDP Plan Strategy SPPS Para. 4.11 and 6.213	What is it? Policy ENV1 of the Plan Strategy 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. Development must not result in an unacceptable adverse impact on the environment, including light pollution. Policy OS5 of the Plan Strategy relates to proposals for intensive sports facilities. There should be no unacceptable impact on amenities of people living nearby including light pollution likely to be generated. Policy OS7 of the Plan Strategy relates to proposals for floodlighting. The council will only support the development of floodlighting associated with sports and outdoor recreational facilities where all the criteria in the policy are met.

	A Lighting Impact Assessment explains how proposals that include largescale external lighting, such as floodlighting, will impact on the visual amenity of the area, and living conditions of local people. When is it required? A Lighting Impact Assessment should be provided with applications for: - proposals involving largescale artificial lighting (such as floodlighting of sports pitches); or - proposals for sensitive receptors close to a largescale existing artificial light source. What should be included? A Lighting Impact Assessment should include: - technical specification of the external lighting, including a layout plan with beam orientation and a schedule of the equipment in the design; - details of any directional hoods or other forms of mitigation; - proposed hours of illumination; - a light overspill diagram with a vertical lux contour plot and calculated vertical lux levels at appropriate façade heights at sensitive premises, taking account of topography; - identification of the appropriate environmental zone as outlined in the relevant Institute of Lighting Professionals guidance document: and - the design and layout details of the proposal should demonstrate that any existing light sources will have no negative impact on habitable rooms. Guidance Detailed guidance on lighting impact can be found on the Institute of Lighting Professionals (ILP) website. This includes the ILP Guidance on Undertaking Environmental Lighting Impact Assessments and Guidance Note for the reduction of obtrusive light. Guidance is also provided by Sport England – Outdoor Sports Lighting Briefing Note.
27. Marketing Statement Planning Policy Policies BH2, EC4 and TLC2 of the Belfast LDP Plan Strategy SPG Loss of Zoned Employment Land Supplementary Planning Guidance	What is it? Policies BH2 and BH3 of the Plan Strategy seek to safeguard buildings that makes a material contribution to the character and appearance of a Conservation Area or Area of Townscape Character from demolition. Policy EC4 of the Plan Strategy states that only in exceptional circumstances will the loss of zoned employment land be considered acceptable. Policy TLC2 of the Plan Strategy states that only in exceptional circumstances will the loss of existing tourism and leisure and cultural facilities and assets be considered acceptable. A Marketing Statement informs whether the existing use of a building or land is viable or likely to be viable in the context of market testing. The Council expects land premises to be actively marketed for at least 18 months before the application is made. When is it required? A Marketing Statement should be provided where the applicant seeks to demonstrate through market testing that the current use of a building or land is no longer viable, or is unlikely to be viable, and believes that this is

	an important material consideration when the planning application is assessed. For example, a Marketing Statement may be used to support applications which involve: • demolition of a building which makes a material contribution to the character and appearance of a Conservation Area or Area of Townscape Character, having regard to Policies BH2 and BH3 of the Plan Strategy; or • loss of zoned employment land, having regard to Policy EC4 of the Plan Strategy; or • loss of existing tourism, leisure and cultural provision and assets, having regard to Policy TLC2 of the Plan Strategy What should be included? The Marketing Statement should include the information specified at paragraphs 3.3.7 and 3.3.8 of the Loss of Zoned Employment Land Supplementary Planning Guidance.
28. Masterplanning Statement Planning Policy Policy DES2 of the Belfast LDP Plan Strategy SPPS Para. 3.3, 4.2, 4.11, 4.12, 4.23-4.36 SPG Masterplanning Approach for Major Development Supplementary Planning Guidance	What is it? Policy DES2 of the Plan Strategy requires a masterplanning approach for Major development. A Masterplanning Statement sets out how proposals for Major development accord with the masterplanning principles set out in Policy DES2 of the Plan Strategy. When is it required? A Masterplanning Statement should be provided with all applications for Major development. What should be included? A Masterplanning Statement should set out how the proposal addresses criteria a. to h. inclusive of Policy DES2. Where a criterion is not satisfied, the statement should provide justification as to why this is the case. Guidance Further guidance is contained in the Council's Masterplanning Approach for Major Development Supplementary Planning Guidance.
29. Noise Impact Assessment (NIA) Planning Policy Policy ENV1 of the Belfast LDP Plan Strategy SPPS Para. 4.11-4.12, Annex A SPG Evening and Night-time Economy Supplementary Planning Guidance Sensitive Uses Supplementary Planning Guidance Guidance Belfast City Council Environmental Protection Advice Note 1 (EPAN 1)	What is it? Policy ENV1 of the Plan Strategy 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. Development must not result in an unacceptable adverse impact on the environment, including noise. A Noise Impact Assessment sets out the potential for new development to impact on its surroundings by way of noise and/or vibration. Where necessary, it will include measures to mitigate noise and vibration impacts, particularly if the site is surrounded by sensitive premises such as housing and other residential uses. When is it required? A Noise Impact Assessment should be provided with applications where: • noise and/or vibration arising from the proposed development has potential to adversely impact on nearby residential property or other noise sensitive premises such as schools or hospitals; or • proposed noise sensitive premises or development is likely to be exposed to adverse noise and/or vibration from an existing noise

	source (e.g. from road traffic/railway/ entertainment venues/sports/leisure facilities/plant noise). What should be included? The Noise Impact Assessment should include the information and follow the guidance contained in the Belfast City Council Environmental Protection Advice Note 1 (EPAN 1). Guidance Further guidance is contained in the Council's Sensitive Uses Supplementary Planning Guidance and Evening and Night-time Economy Supplementary Planning Guidance.
30. Odour Impact Assessment Planning Policy Policy ENV1 of the Belfast LDP Plan Strategy SPPS Para. 4.11 and 6.90 SPG Sensitive Uses Supplementary Planning Guidance Evening and Night-time Economy Supplementary Planning Guidance	What is it? Policy ENV1 of the Plan Strategy 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. Development must not result in an unacceptable adverse impact on the environment, including air quality. An Odour Impact Assessment assesses the impact of odour generating uses on sensitive receptors; or the impact of existing nearby odour generating uses on proposals whose use/s are sensitive by nature. Where necessary and appropriate, the assessment should include measures to mitigate odour impacts. This shall include details of proposed odour abatement system controls and demonstrate that the proposed controls are fit for purpose. When is it required? An Odour Impact Assessment should be provided with applications for: - proposals for use/s which generate odour and have the potential to impact on the amenity of nearby sensitive receptors. Examples of odour generating uses include commercial kitchens, industrial processes, breweries/distilleries, waste transfer stations, sewage treatment/pumping stations; - proposals for sensitive uses which have the potential to be impacted by existing odour generating uses in the locality. Examples of sensitive uses include new housing proposals, offices, hotels and tourist accommodation. What should be included? An Odour Impact Assessment should be carried out by competent person/s and in line with current best practice and guidance. Applicants are referred to guidance provided by the Institute of Air Quality Management (IAQM): Guidance on the Assessment of Odour for Planning. Details of an odour abatement system should include: - scale floor plans and elevations showing the positioning and design of ventilation, flue/s and extraction equipment including termination points; - manufacturers details of the equipment proposed including odour abatement techniques; and - assessment of certain processes may require odour dispersion modelling to predict impact at sensitive receptors. Guidance Further guidance is contained in the Council's Sensitive Uses Supplementary Planning Guidance and Evening and Night-time Economy Supplementary Planning Guidance. Useful guidance is provided by DEFRA – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2005)

	(This guidance was officially withdrawn in 2017 but remains a useful reference point). A Noise and Vibration Impact Assessment may also be required (see section 30).
31. Office Impact Assessment Planning Policy Policies SD2, EC6 and RET2 of the Belfast LDP Plan Strategy SPPS Para. 6.85 and 6.95 SPG Retail and Main Town Centre Uses Supplementary Planning Guidance	What is it? Policy EC6 of the Plan Strategy relates to proposals for office development. Proposals for Use Class B1(a) general offices outside specified areas must comply with the sequential approach with those in excess of 1,000 sqm gross floor space accompanied with an impact assessment and an assessment of need as set out in Policy RET2. Policy RET2 of the Plan Strategy relates to proposals for main town centre uses, including businesses (and offices). Proposals must demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to criteria of suitability, availability and viability; and submit a retail impact assessment of need for proposals that have a floor space of 1,000 sqm gross and above. An Office Impact Assessment sets out how the requirements of Policies EC6 and RET2 are addressed in respect of larger scale office proposals. When is it required? An Office Impact Assessment is required with planning applications for Use Class B1(a) general offices of 1,000 sqm gross floor space or greater outside the specified areas described in Policy EC6 of the Plan Strategy. What should be included? An Office Impact Assessment should: • demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to criteria of suitability, availability and viability; and • include a retail impact assessment that demonstrates the impact of the proposal either by itself, or in combination with other committed development proposals, on the vitality and viability of centres within Belfast and its catchment. Applicants should refer to the by step approach set out in paragraph 3.3 and paragraph 3.5 of the Retail and Main Town Centre Uses Supplementary Planning Guidance. Guidance Further guidance is contained in the Retail and Main Town Centre Uses Supplementary Planning Guidance.

32. Open Space Statement

Planning Policy

Policy OS3 of the Belfast LDP Plan Strategy

SPPS Paras 4.4, 4.8, 6.199, 6.200, 6.201 and 6.211

SPG

Residential Development Supplementary Planning Guidance

What is it?

Policy OS3 of the Plan Strategy requires all new development to include appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development.

Where the provision of public open space is proposed or required under Policy OS3, 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 the following:

- a. a 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.

An **Open Space Statement** sets out how the requirements of Policy OS3 have been addressed.

When is it required?

An **Open Space Statement** should be provided with all applications for Major development for non-residential uses such as employment, retail, leisure, tourism, cultural and community uses.

Note: the requirement for open space for residential housing proposals are dealt with through a separate Residential Quality Statement (see section 38).

What should be included?

An **Open Space Statement** should address the requirements in Policy OS3 of the Plan Strategy, including the following.

1. how the policy requirement for at least 10% of the site area to be provided as public open space has been met – this should include a written description and annotated and scale plan showing the location of the open space;
2. how the policy requirement for complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, are incorporated into the design of the development;
3. where the requirements of Policy OS3 are not fully met, the reasoning must be explained.

33. Parking Survey

Planning Policy

Policy TRAN8 and TRAN9 of the Belfast LDP Plan Strategy

SPPS Para. 6.296, 6.297 and 6.304

Guidance

Parking Standards (DfI)

Creating Places (DfI)

What is it?

Policy TRAN 8 of the Plan Strategy requires development proposals to provide adequate provision for car parking and appropriate servicing arrangement.

Parking standards are set out in the Department's [Parking Standards](#) guidance, currently under review.

A reduced level of car parking provision may be acceptable in a number of circumstances, including where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking.

A **Parking Survey** assesses the number and location of parked vehicles and available space at any one time in the vicinity of the application site, either on street or in existing car parks, and provides an indication of parking trends and any available capacity that could serve the proposed development.

	When is it required? A Parking Survey should be submitted when there is an identified parking need that cannot be accommodated within the application site. What should be included? A Parking Survey should include the following: 1. A survey of parked vehicles and available parking spaces within 200 metres radius (400 metres diameter) of the application site; 2. Parked vehicles and available spaces are to be shown on a plan; 3. Timed and dated photographs; 4. Areas of parking restriction (e.g. single yellow lines, double yellow lines, disabled parking spaces, waiting bays and other restrictions) must not be included and must be indicated on the plan; 5. Spaces within 15 metres of a junction should also not be included; 6. The survey should be undertaken over at least three days during the working week (i.e. Monday to Friday) and at least one day during the weekend; 7. Residential Parking Survey (in support of residential proposals) – the survey should take place between 7pm and 7am; and 8. Commercial Parking Survey (in support of commercial proposals) – the survey should take place between 7am and 7pm. Guidance Parking standards are set out in the Department's Parking Standards guidance, currently under review.
34. PBMSA Statement Planning Policy Policy HOU12 of the Belfast LDP Plan Strategy SPG PBMSA Supplementary Planning Guidance	What is it? Policy HOU12 of the Plan Strategy states that planning permission will be granted for large-scale Purpose Built Managed Student Accommodation (PBMSA) where certain criteria are met. A PBMSA Statement sets out how the requirements of Policy HOU12 are addressed. When is it required? A PBMSA Statement should be submitted with all applications for Purpose Built Managed Student Accommodation. What must be included? The PBMSA Statement should set out how the proposal addresses criteria a. to e. inclusive of Policy HOU12 of the Plan Strategy. Where a criterion is not satisfied, the statement should provide justification as to why this is the case. In respect of criterion e., a “statement of student housing need” should be submitted, which addresses the following points: 1. the specific need that is being addressed, with reference to relevant Corporate Plans published by the city's further and higher education institutions; 2. why this need is currently unmet by existing student accommodation stock, implemented and un-implemented planning permissions for PBMSA; 3. the type of existing accommodation the potential student occupiers are likely to be drawn from; 4. any recorded increase in student numbers; 5. university support, if available;

	6. current waiting lists for student accommodation; 7. bedspace to student population ratio/percentage comparison to other university cities; and 8. bank funding available to deliver proposals. Guidance Further guidance is contained in the Council's Draft Purpose Built Managed Student Accommodation Supplementary Planning Guidance.
35. Phasing Plan Planning Policy Policies DES1 and DES2 of the Belfast LDP Plan Strategy SPPS Par. 6.301 SPG Masterplanning Approach For Major Development Supplementary Planning Guidance	What is it? Policy DES1 of the Plan Strategy relates to the principles of urban design. Policy DES2 of the Plan Strategy requires proposals for Major development to comply with specified masterplanning principles. A Phasing Plan sets out the sequence in which the various parts of a larger development scheme will be brought forward. The phasing is indicated on a diagrammatic plan with supporting narrative that describes the sequencing and why it is to take place in that order. When is it required? A Phasing Plan should be provided with applications for • Major development; or • proposals intended to be implemented in phases. What should be included? A Phasing Plan should include the following: 1. A plan demarcating the various proposed phases of the development; 2. Supporting narrative that describes the sequencing of the phases and why the proposal is proposed to be implemented in that order; 3. The sequencing of delivery of any infrastructure necessary to support the proposal; 4. If necessary, financial viability information to support the case for phasing of the development (also see section 49, Viability Assessment). Guidance Further guidance is provided by the Masterplanning Approach For Major Development Supplementary Planning Guidance.
36. Planning Agreement (Heads of Terms Form) Planning Policy Policies DES1, HOU5, HOU12, RD1, CRG1, HC1, CI1, CC1, TRAN8, ENV5 and OS3 of the Belfast LDP Plan Strategy SPPS Para. 5.66, 5.67, 5.69 and 5.77 Guidance Developer Contributions Framework	What is it? The Plan Strategy includes a range of planning policies that identify the potential requirement for a Planning Agreement to secure developer contributions, infrastructure or other forms of planning obligation to make the proposed development acceptable. A Heads of Terms Form sets out the applicant's intention to enter into a Planning Agreement as part of the planning application process, and describes the planning obligations that it is expected to contain. The Heads of Terms Form also provides important administrative information to assist the preparation of the Planning Agreement including details of ownership of the site and the solicitor acting on behalf of the applicant. When is it required? A Heads of Terms Form should be provided with all applications where it is expected that a Planning Agreement will be a prerequisite to the granting of planning permission, having regard to the planning policies in the Plan Strategy.

	What should be included? Applicants should complete the Heads of Terms Form template, which can be obtained by emailing planning@belfastcity.gov.uk Guidance The Council will draft the Planning Agreement based on a review of the Heads of Terms Form by the Planning Service. The Council's Developer Contribution Framework sets out circumstances when a Planning Agreement will be required to secure developer contributions. Further guidance on planning agreements is provided by Development Management Practice Note 21: Section 76 Planning Agreements
37. Planning Statement Planning Policy Belfast LDP Plan Strategy – various policies Planning Policy Belfast LDP Plan Strategy – various policies	What is it? A Planning Statement is a written document that explains the rationale for the proposal and provides an assessment in the context of the relevant local and regional planning policies. When is it required? A Planning Statement should be provided with applications for: • Major development; • proposals that would result in the loss of existing open space, having regard to Policy OS1 of the Plan Strategy; • proposals that would result in the loss of employment land; having regard to Policy EC4 of the Plan Strategy; • proposals that would result in the loss of community infrastructure, having regard to Policy CI1 of the Plan Strategy; • proposals that require the exceptions test to be applied as described in the Planning and Flood Risk Supplementary Planning Guidance, having regard to Policy ENV4 of the Plan Strategy; and • proposals that would result in the demolition or part demolition of either: - a Listed Building (Policy BH1); or - an un-listed building within a Conservation Area that makes a material contribution to the character or appearance of that Conservation Area (Policy BH2); or - an un-listed building within an Area of Townscape Character (including draft) that makes a material contribution to the character or appearance of that Area of Townscape Character (Policy BH3). What should be included? The Planning Statement should set out how a development proposal takes account of relevant planning policies and other material considerations. It should include: 1. a description of the site and its surrounding context; 2. a description of the proposal and why it is needed; 3. relevant planning history; 4. summary of the relevant regional and local planning policies, including the Local Development Plan, and how those planning policies have been applied; 5. other relevant material considerations; 6. assessment of how the proposal addresses the key planning issues;

	7. explanation if the proposal is contrary to any of the relevant planning policies (e.g. loss of open space); 8. suggested draft planning conditions in the event that planning permission is granted.																												
38. Residential Quality Statement Planning Policy Policies RD1 and OS3 of the Belfast LDP Plan Strategy SPPS Para. 4.4, 4.8, 4.9, 6.199, 6.200, 6.201 and 6.211 SPG Residential Design Supplementary Planning Guidance Guidance Creating Places	What is it? Policy RD1 of the Plan Strategy requires new residential development to provide appropriate open space; to create a quality and sustainable residential environment in accordance with the space standards set out in Appendix C; and to ensure that living rooms, kitchens and bedrooms have access to natural light. Policy OS3 of the Plan Strategy requires all new development to include appropriate provision for open space. Specific requirements are set out for residential development including the provision of integral public open space and an equipped children’s play area for certain scale residential proposals. Creating Places (Departmental guidance) provides guidance on garden and amenity standards. For dwellinghouses, the average space garden size should be around 70 sqm or greater. For any individual house, however, an area less than around 40 sqm will generally be unacceptable. In the case of apartment or flat developments, or 1 and 2 bedroomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 sqm per unit to around 30 sqm per unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. A Residential Quality Statement sets out how proposals for new residential development addresses policy requirements and guidance around open space, amenity space, space standards and natural light. When is it required? A Residential Quality Statement should be provided with applications for the following forms of residential accommodation, including new build, conversion, sub-division and material changes of use: new residential housing (including dwelling houses, apartments, flats and maisonettes); Houses in Multiple Occupation (HMOs); and Purpose Built Managed Student Accommodation (PBMSA) accommodation. What should be included? A Residential Quality Statement should: 1. For proposals of 25 or more units, set out the proposals for integral public open space and an equipped children’s play area within the development as per the requirements of Policy OS3. Where the requirements are not met, the statement shall provide justification as to why this is the case. 2. Detail the proposed amenity space (external and internal) for each proposed residential unit, based on the following table: <table><tr><th>Unit / Plot</th><th>External Amenity Space (sqm)</th><th>Internal Amenity Space (sqm)</th><th>Total Amenity Space (Sqm)</th></tr><tr><td>1</td><td></td><td></td><td></td></tr><tr><td>2</td><td></td><td></td><td></td></tr><tr><td>3</td><td></td><td></td><td></td></tr><tr><td>Communal</td><td></td><td></td><td></td></tr><tr><td>Total</td><td></td><td></td><td></td></tr><tr><td>Average</td><td></td><td></td><td></td></tr></table>	Unit / Plot	External Amenity Space (sqm)	Internal Amenity Space (sqm)	Total Amenity Space (Sqm)	1				2				3				Communal				Total				Average			
Unit / Plot	External Amenity Space (sqm)	Internal Amenity Space (sqm)	Total Amenity Space (Sqm)																										
1																													
2																													
3																													
Communal																													
Total																													
Average																													

3. The size of each proposed residential unit (sqm) against the space standards in Appendix C of the Plan Strategy, based on the following table:

Unit type	Minimum space standard in Appendix C (sqm)	Proposed floor space (sqm).	No. of Units
e.g. 2 person / 1 bed	50	55	
e.g. 4 person / 3 bed (two storey)	80	95	
Etc.			

Guidance

Further guidance is provided by the [Residential Design Supplementary Planning Guidance](#).

Applicants should also refer to the Department's [Creating Places: Achieving Quality in Residential Environments](#).

39. Retail Impact Assessment (and Assessment of Need)

Planning Policy

Policies SD2, RET1, RET2, RET3 and RET4 of the Belfast LDP Plan Strategy

SPPS Para. 6.283 and 6.290

SPG

Retail and Main Town Centre Uses Supplementary Planning Guidance

What is it?

Policy RET1 of the Plan Strategy establishes a retail hierarchy to focus new retail development in existing centres in order of preference according to their type.

Policy RET2 requires proposals for main town centre uses outside of existing centres to be supported by a **Retail Impact Assessment (and Assessment of Need)** for proposals that have a floorspace of 1,000 sqm gross and above.

A **Retail Impact Assessment (and Assessment of Need)** considers the impacts of proposals for retail or other main town centre uses on the vitality and viability of Belfast City Centre, District centres and Local centres.

When is it required?

A **Retail Impact Assessment (and Assessment of Need)** should be provided with applications for retail or other main town centre uses (including cultural and community facilities, retail, leisure, entertainment and businesses) outside of existing centres that have a floor space of 1,000 sqm gross and above.

What should be included?

A **Retail Impact Assessment (and Assessment of Need)** should consider:

- the impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal; and
- the impact of the proposal on the vitality and viability of centres, including local consumer choice and trade

The **Retail Impact Assessment (and Assessment of Need)** should adopt the step by step methodology as referred to in paragraph 3.3 of the [Retail and Main Town Centre Uses Supplementary Planning Guidance](#).

In addition, the following information should be provided:

- detail the nature of and reasons for the proposal;
- identify and justify a catchment area from which the proposal will draw trade and customers taking account of factors including the nature of retailing of the proposal and transport links. Where a designated centre is located outside but adjacent to the

	catchment, that centre should also be included in the assessment; • identify a catchment area based on drive time journeys from the application site, sub-divided into 5-minute isochrone intervals, and clearly identified on a supporting catchment area map; • include commentary on the vitality and viability of existing centres within the catchment; • use an appropriate base and design year. The design year should generally be not less than 4 years after the base year, and include justification for the chosen design year; • identify and use public published evidence sources for establishing existing and projected population, expenditure, and turnovers of existing retail developments for base and design years; • justify trade diversion figures from existing facilities and any perceived diversions from outside the catchment area of the proposal; • identify, consider, and justify the cumulative impacts of extant permissions and taking account of the proposal; • examine the 'no development' scenario; • impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal; • impact of the proposal on the vitality and viability of centres, including local consumer choice and trade; and • an electronic copy of all supporting figures and tables. Guidance Further guidance is contained in the Council's Retail and Main Town Centre Uses Supplementary Planning Guidance.
40. Sequential Test (main town centre uses) Planning Policy Policies SD2, RET1, RET2, RET3 and RET4 of the Belfast LDP Plan Strategy SPPS Par. 6.280 SPG Retail and Main Town Centre Uses Supplementary Planning Guidance	What is it? Policy RET1 of the Plan Strategy establishes a retail hierarchy to focus new retail development in existing centres in order of preference according to their type. Policy RET2 requires proposals for main town centre uses outside of existing centres to demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to criteria of suitability, availability and viability. The Sequential Test guides main town centre uses to sites within centres locations first. If no centre sites are available, developers should consider an edge of centre location. Only when centre locations or edge of centre locations are unavailable, can consideration be given to an out of centre location. In such cases the developer will still be required to demonstrate that the proposal will not harm existing centres. When is it required? The Sequential Test should be provided with applications for retail or other main town centre development (including cultural and community facilities, retail, leisure, entertainment and businesses) is proposed either in an edge of centre or an out of centre location. This advice is at officer level only and does not prejudice any future formal decision that the Council may wish to make. includes proposals for new build, extensions and changes of use. What should be included? A Sequential Test should follow the step by step approach set out in section 3.1 of the Retail and Main Town Centre Uses Supplementary Planning Guidance.

	The Sequential Test should: • be proportionate and appropriate for the proposal; • establish the appropriate catchment for the proposal based on the areas from which customers/visitors/users would be attracted. Catchments should include, where appropriate, an assessment of centres outside of the Council boundary, where relevant; • identify a catchment area based on drive time journeys from the proposed site, sub-divided into 5-minute isochrone intervals, and clearly identified on a supporting catchment area map; • identify which designated centres should be assessed. Where a designated centre is located outside but adjacent to the catchment, that centre should also be included in the assessment; • identify the sequentially preferable sites which should be assessed; and • assess the suitability, availability and viability of those sites; and • include scope for flexibility in the format and scale of the proposed development. Guidance Further guidance is contained in the Council's Retail and Main Town Centre Uses Supplementary Planning Guidance.
41. Short-term Let Accommodation Statement Planning Policy Policies HOU3 HOU13 of the Belfast LDP Plan Strategy SPPS Para. 6.135, 6.136 and 6.137	What is it? Policy HOU3 of the Plan Strategy seeks to protect existing residential accommodation. Policy HOU13 of the Plan Strategy relates to proposals for short-term let accommodation and sets out criteria for assessing planning applications for such uses. A Short-term Let Accommodation Statement demonstrates how proposals for short-term let accommodation meet the requirements of Policy HOU13. When is it required? A Short-term Let Accommodation Statement should be provided with applications for short-term let accommodation – including short-term holiday lets; self-catering apartments; apart-hotels and serviced apartments. What should be included? The Short-term Let Accommodation Statement should address criteria a. to f. inclusive of Policy HOU13 of the Plan Strategy. Where a criterion is not fully met, this must be justified.
42. Specialist Housing Statement Planning Policy Policy HOU8 of the Belfast LDP Plan Strategy SPPS Para. 4.14. 4.16. 6.137	What is it? Policy HOU8 of the Plan Strategy sets out the circumstances where planning permission will be granted for specialist residential accommodation, including retirement villages and care facilities. A Specialist Housing Statement demonstrates how proposals for specialist residential accommodation meet the requirements of Policy HOU8. When is it required? A Specialist Housing Statement should be provided with applications for specialist residential accommodation – including both new build and extensions – such as sheltered housing, extra care housing, nursing homes and residential care homes.

	What should be included? The Specialist Housing Statement should address criteria a. and b. inclusive of Policy HOU8 of the Plan Strategy. Where a criterion is not fully met, this must be justified.
43. Tall Buildings Design Statement Planning Policy Policy DES3 of the Belfast LDP Plan Strategy SPPS Para. 3.3, 4.2, 4.11, 4.12, 4.23-4.36 SPG Tall Buildings Supplementary Planning Guidance	What it is? Policy DES3 of the Plan Strategy provides criteria for assessing proposals for tall buildings, defined as any building 35m above ordnance datum (AOD) or taller or those which are significantly higher than their surroundings. A Tall Buildings Design Statement sets out how proposals for tall buildings address the design criteria in Policy DES3. When is it required? A Tall Buildings Design Statement should be provided with applications for a tall building, defined as: • any building 35 metres above ordnance datum (AOD) or taller; or • any building which is significantly higher than their surroundings. What should be included? The Tall Buildings Design Statement should address criteria a. to h. inclusive of Policy DES3 of the Plan Strategy. Where a criterion is not met, this must be justified. Guidance Further guidance is contained in the Council's Tall Buildings Supplementary Planning Guidance.
44. Telecommunications Supporting Statement Planning Policy Policy ITU 1 of the Belfast LDP Plan Strategy SPPS Para. 6.235-250	What is it? Policy ITU 1 of the Plan Strategy sets out the requirements for proposals for telecommunications development. A Telecommunications Supporting Statement sets out the proposal addresses the requirements of Policy ITU 1, including technical justification for the proposals and demonstration as to how it has been sited and designed to minimise visual and environmental impact, including investigation of mast sharing. When is it required? A Telecommunications Supporting Statement should be provided with applications for telecommunications infrastructure comprising masts, antennae and base stations. What should be included? A Telecommunications Supporting Statement should address criteria a. to h. inclusive of Policy ITU 1 of the Plan Strategy. Where a criterion is not met, this must be justified.

45. Transport Assessment

Planning Policy

Policy TRAN3 of the Belfast LDP Plan Strategy

SPPS Para. 6.303

SPG

Transportation Supplementary Planning Guidance

Guidance

Chapter 10 of the Developer Contributions Framework

What is it?

Policy TRAN 3 of the Plan Strategy states that a transport assessment will be required to evaluate the transport implications of the development proposal, where it is likely to have significant travel generating uses.

A **Transport Assessment** is a comprehensive and systematic process that sets out various transport issues relating to a proposed development. It identifies what measures will be taken to deal with the anticipated transport impacts of the scheme in relation to all forms of travel. Where that mitigation relates to matters that can be addressed by management arrangements, the mitigation may inform the preparation of Travel Plans. Its purpose is to provide enough information for the Council and Department for Infrastructure (Roads) to understand how the proposal is likely to function in transport terms.

When is it required?

A **Transport Assessment** should be provided with applications for proposed development that would likely have significant transport implications.

Applicants should complete a Transport Assessment Form (TAF) to help establish if a detailed **Transport Assessment** is needed (also see section 46).

The following table provides a guide as to when a Transport Assessment may be required.

Food retail - 1,000 sqm Gross Floor Area
Non-food retail - 1,000 sqm Gross Floor Area
Cinemas and conference facilities - 1,000 sqm Gross Floor Area
Leisure facilities - 1,000 sqm Gross Floor Area
Business - 2,500 sqm Gross Floor Area
Industry - 5,000 sqm Gross Floor Area
Distribution and warehousing - 10,000 sqm Gross Floor Area
Hospitals - 2,500 sqm Gross Floor Area
Higher and further education 2,500 sqm Gross Floor Area
Stadia - 1,500 seats
Housing – 100 units

What should be included?

The requirement for and scope of a **Transport Assessment** should be discussed with the Council's Planning Service and DfI Roads as part of a Pre-Application Discussion.

Detailed guidance is provided by the Department's [Transport Assessment: Guidelines for Development Proposals in Northern Ireland \(November 2006\)](#) (currently under review).

[Further guidance is provided by the Transportation Supplementary Planning Guidance.](#)

46. Transport Assessment Form

Planning Policy

Policies TRAN 1, TRAN 2, TRAN 4 and TRAN 6 of the Belfast LDP Plan Strategy

SPPS Par. 6.293-305

What is it?

Policy TRAN 1 of the Plan Strategy promotes active travel – walking and cycling. Policy TRAN 2 relates to creating an accessible environment. Policy TRAN 4 requires travel plans to be submitted for proposals for significant travel generating uses. Policy TRAN 6 relates to proposals involving access to public roads.

A **Transport Assessment Form** is a tool that applicants can use to screen out those applications where no further information on the transport impacts of the proposal is required. It helps the Council and DfI

SPG Transportation Supplementary Planning Guidance	Roads understand the transport impacts of the proposal and how those impacts may be mitigated. When is it required? A Transport Assessment Form (TAF) should be submitted with applications for the following proposals: • residential comprising 10 or more units; • non-residential with a gross floor area of 500 sqm or more; • likely to generate 30 or more vehicle movements per hour; • likely to generate 10 or more freight movements per day or 5 in any given hour. What should be included? Applicants should complete the Transport Assessment Form at Appendix A of the Department's Transport Assessment: Guidelines for Development Proposals in Northern Ireland (November 2006) (currently under review). Guidance Further guidance is provided by the Transportation Supplementary Planning Guidance. Further advice can be found on the Department of Infrastructure Roads website
47. Travel Plan Planning Policy Policy TRAN4 of the Belfast LDP Plan Strategy SPPS Par. 6.293-305 SPG Transportation Supplementary Planning Guidance Guidance Chapter 10 of the Developer Contributions Framework	What is it? Policy ENV4 of the Plan Strategy states that proposals for significant travel generating uses will require a travel plan. A Travel Plan sets out a package of complementary measures for the delivery of sustainable travel. The objective of a Travel Plan is to reduce single occupancy car travel. However, a Travel Plan should not be used to make a development acceptable. A Travel Plan is a long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed. As such, critical elements of all successful Travel Plans include setting targets to improve sustainable travel, monitoring and review. When is it required? The requirement for a Travel Plan will be informed by the criteria set out in paragraph 3.4.3 of the Transportation Supplementary Planning Guidance. What should be included? Further guidance is provided by the Transportation Supplementary Planning Guidance.
48. Tree Report Planning Policy Policies TRE1 and LC1 of the Belfast LDP Plan Strategy SPPS Para. 6.192 SPG Trees and Development Supplementary Planning Guidance Guidance Creating Places	What is it? Policy TRE1 of the Plan Strategy seeks to protect existing trees from new development, particularly those that are of visual, biodiversity or amenity quality and significance, and there will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity. The council will adopt the precautionary principle when considering the impacts of a proposed development on trees of visual, biodiversity or amenity quality and significance. A Tree Report assesses the likely impact of new development on existing trees within or adjacent to the site. It assesses the health, condition and amenity value of the affected trees and proposes mitigation where appropriate. The Tree Report should also set out measures to protect the trees during construction.

	When is it required? A Tree Report should be provided with applications for proposals that have the potential to impact on existing trees on or adjacent to the site (including street trees). What should be included? The Tree Report should include the information set out at paragraph 3.3.1 of the Trees and Development Supplementary Planning Guidance. Guidance Further guidance is contained in the Council's Trees and Development Supplementary Planning Guidance.
49. Viability Assessment Planning Policy Policies HOU5, BH1, BH2 and BH3 of the Belfast LDP Plan Strategy SPPS Para. 6.13 SPG Development Viability Supplementary Planning Guidance	What is it? A scheme is viability where, after taking account of all costs, the proposal provides a competitive return to the developer to ensure that development takes pace and generates a land value sufficient to persuade a land owner to sell the land for the development proposed. If these conditions are not met, a scheme will not be delivered. The Plan Strategy recognises that certain planning policy requirements may raise the issue of viability, such as the requirement to provide affordable housing under Policy HOU5, demolition of a building under Policy BH2 or loss of tourism leisure and cultural facilities and assets under Policy TLC2. The financial viability of proposals may therefore in some circumstances be a material planning consideration. A Viability Assessment assesses whether a development proposal is viable. When is it required? A Viability Assessment should be provided with applications where the normal planning policy requirement cannot be achieved on grounds of viability, such as: - the provision of affordable housing in accordance with Policy HOU5 of the Plan Strategy - demolition of a building that makes a material contribution to the character and appearance of a Conservation Area, having regard to Policy BH2 of the Plan Strategy - loss of existing tourism or cultural facilities in the context of Policy TLC2 of the Plan Strategy What should be included? The Viability Assessment should be based on the factors set out at paragraph 6.2.2 of the Development Viability Supplementary Planning Guidance. It should include an "Executive Summary" based on the template at Appendix 2 of the Supplementary Planning Guidance (Please note that the Executive Summary will be published on the NI Planning Portal alongside the other main application documents). Guidance A Viability Assessment should be carried out by a suitably qualified professional such as a quantity surveyor. The Council may choose to commission an independent review of the Viability Assessment the cost of which will be met by the applicant. The Viability Assessment will often contain sensitive commercial information and will not be published on the NI Planning Portal. However,

	the Executive Summary provided as part of the Viability Assessment will be published. Further guidance is provided by the Council's Development Viability Supplementary Planning Guidance.
50. Waste Management Plan Planning Policy Policy DES1 of the Belfast LDP Plan Strategy SPPS Para. 3.3, 4.2, 4.11, 4.12, 4.23-4.36 SPG Waste Infrastructure Supplementary Planning Guidance	What is it? Policy DES1 sets out principles for urban design including protection of amenity and effective placemaking. A Waste Management Plan ensures that appropriate provision is made for accommodating the total waste generated from a development; facilitating the segregation of waste as necessary; and allowing convenient and safe access and egress for the storage and collection of waste. When is it required? A Waste Management Plan should be provided with applications for: • new commercial or mixed use developments of 500 sqm or greater; or • development that proposes use of communal waste storage (such as apartments, flats, sheltered housing, HMOs and Purpose Built Managed Student Accommodation). What should be included? The Waste Management Plan should include the information contained in Table 2 (paragraph 4.3.1) of the Waste Infrastructure Supplementary Planning Guidance. Guidance Further guidance on waste management is contained in the Waste Infrastructure Supplementary Planning Guidance.
51. Wind Energy Statement Planning Policy Policy ITU 4 of the Belfast LDP Plan Strategy SPPS Para. 6.227, 6.230, 6.233 Guidance Wind Energy Developments in Northern Ireland's Landscapes Supplementary Planning Guidance	What is it? Policy ITU 4 of the Plan Strategy sets out the circumstances when planning permission will be granted for wind energy development. A Wind Energy Statement demonstrates how the proposal complies with the requirements of Policy ITU 4. When is it required? A Wind Energy Statement should be provided with applications for commercial wind energy development. What should be included? The Wind Energy Statement should set out how each of the policy criteria a. to l. inclusive in Policy ITU 4 of the Plan Strategy are addressed. Where a criterion is not satisfied, the statement should provide justification as to why this is the case. Guidance Further guidance is contained in the Department for Infrastructure's Wind Energy Development in Northern Ireland's Landscapes Supplementary Planning Guidance.

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Development Management Report Addendum Report 5	
Application ID: LA04/2019/0081/F	Date of Committee: 11 th February 2025
Proposal: Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	Location: Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Application previously considered by the Committee.	
Recommendation:	Approval subject to S76 planning agreement (refuse if the planning agreement is not completed by 21 st March 2025)
Applicant Name and Address: Latner 10 Developments Ltd Unit 983 Moat House 54 Bloomfield Avenue Belfast BT5 5AD	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Valid Date: 4 th October 2024	
Target Date (15 weeks): 17 th January 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background This report should be read in conjunction with the original Committee report to the June 2019 and subsequent addendum reports, appended. - At the 10th December Committee meeting, the Committee noted that should the Section 76 planning agreement not be completed by the end of January 2025, the application would be brought back to the Committee for redetermination. - Whilst progress is being made in respect of the Section 76 planning agreement, it is still not complete at the time of writing this report. Section 76 planning agreement - The Section 76 planning agreement remains outstanding after more than 5 years. It seeks to secure the following: - a financial developer contribution of £67,632 (index linked from the originally agreed sum) for enhancement works at the King George V playing fields; - securing the 12 apartments as affordable housing; - ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments; and	

- temporary treatment of the site should the development not be constructed within 3 years of Commencement of Development.

Recommendation

5. The application cannot remain undetermined indefinitely and the Council must be mindful of its statutory performance targets. In this regard, the Planning Service is seeking to progress by year end (31st March 2025) a number of long-standing applications previously approved by the Committee for which Section 76 planning agreements have still to be completed (these are listed in the separate report under item 6 relating to Committee decisions that have yet to issue).
6. Therefore, it is recommended that the application is approved subject to conditions and the Section 76 planning agreement, provided that the planning agreement is completed by 21st March 2025. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement.
7. Should the Section 76 planning agreement not be completed by 21st March 2025, it is recommended that the application is refused on grounds that the planning obligations necessary to make the development acceptable have not been adequate secured. In such circumstances, delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.

Development Management Report

Addendum Report 4

Application ID: LA04/2019/0081/F	Date of Committee: 10 th December 2024
Proposal: Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	Location: Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Application previously considered by the Committee.	
Recommendation:	Approval subject to S76 planning agreement
Applicant Name and Address: Latner 10 Developments Ltd Unit 983 Moat House 54 Bloomfield Avenue Belfast BT5 5AD	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Valid Date: 4 th October 2024	
Target Date (15 weeks): 17 th January 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background This application was first considered by the Committee in June 2019 and then resolved to be approved at the December 2019 Committee, subject to completion of a Section 76 planning agreement. The application was then reported to the March 2022 when the Committee again resolved to grant planning permission subject to a Section 76 planning agreement. The application remained undetermined at the point of adoption of the Belfast LDP: Plan Strategy in May 2023 because the Section 76 planning agreement had still not been completed. The application was therefore reported back to the Committee at its 20th June 2023 meeting so that it could be reconsidered against the new policies in the Plan Strategy. The Committee again approved the application subject to completion of the Section 76 planning agreement. The application is reported back to the Committee for a further time in view of the following: 1. Discovery that the applicant had completed the incorrect ownership certificate at the time of submission of the original application. During the process of preparing the Section 76 planning agreement, it transpired that a small area of land that comprised one of the proposed car parking spaces was not in the ownership of the applicant. The applicant has subsequently chosen to remove the small area of land from the application site, which has resulted in the loss of one of the 12 originally proposed parking spaces (11 parking spaces are now proposed).	

Whilst the omission of this land has meant that it is not necessary for the applicant to issue a new ownership certificate, it means that the application as originally submitted was technically invalid. The application is now valid following the change to the proposal. It has not been necessary to re-issue consultations or re-publicise the application.

2. The Section 76 planning agreement remains to be completed, some five years after the Committee's original resolution to grant planning permission subject to completion of the Section 76 planning agreement.

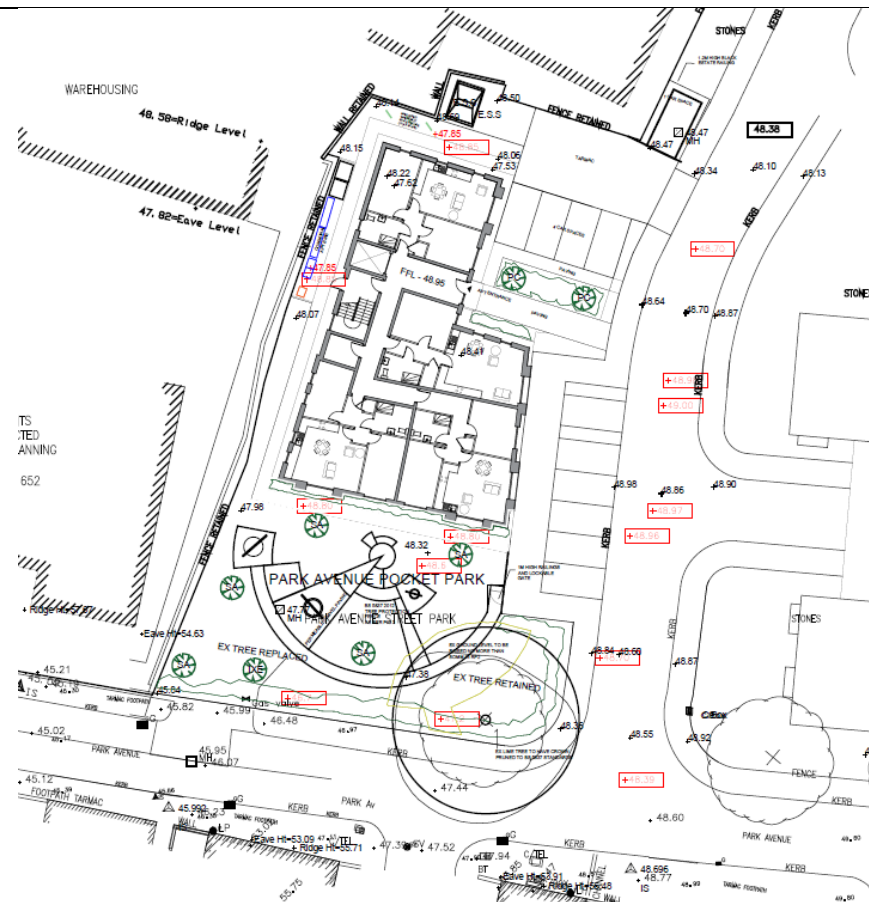
This addendum report should be read in conjunction with the previous Committee reports, appended.

Removal of one parking space from the proposed development

Through the Section 76 planning agreement process, it has been established that the applicant does not own a small part of the land, shown black in the plan below, in the original application site. This has necessitated the removal of one of originally proposed parking spaces.



3. The scheme has therefore been reduced from 12 parking spaces to 11 spaces. The revised parking layouts is shown below.



Above: Revised parking layout

4. DfI Roads was reconsulted on the application on 17th October 2024 and its response remains outstanding (and outside the 21-day consultation period). Officers have made various requests for the consultation reply but no response has been provided to date.
5. In any event, the removal of one parking space is considered acceptable. The parking ratio has reduced from 1 space per apartment to 0.92 spaces per apartment. The Department's Parking Standard guidance advises on average 1.5 unassigned spaces per apartment. Whilst the proposed scheme is less than that, regard is had to the sustainable location of the site which is with walking distances of shops, services and public transport, close to the Hollywood Road.
6. It is considered that it would be unreasonable to refuse planning permission on the basis of the loss of a single parking space and that it would not be in the public to do so. The proposal is considered to remain acceptable, having regard to Policy TRAN 8 of the Plan Strategy.

Section 76 planning agreement

7. The Section 76 planning agreement remains outstanding after 5 years. The delays have mainly been due to land ownership issues that still require to be resolved.
8. The application cannot remain undetermined indefinitely and the Council must be mindful of its statutory performance targets. It is therefore recommended that should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to the Committee in February 2025 for redetermination.

Other matters

9. Amongst other matters, the Section 76 planning agreement is to seek a Developer Contribution of £65,587 for enhancement works at the King George V playing fields. The value of the Developer Contribution should once again be subject to an inflationary uplift due to the passage of time. This should be based on CPI inflation since June 2023 when the application was last considered by the Committee.

Section 76 planning agreement – updated terms

10. The updated planning obligations to be secured through the Section 76 planning agreement are set out below.
 - a developer contribution of £65,587 (to be index linked from June 2023) for enhancement works at the King George V playing fields
 - securing the 12 apartments as affordable housing in perpetuity; and
 - ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Recommendation

11. Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable.
12. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement. Should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to Committee for redetermination.

Development Management Report

Addendum Report 3

Date of Committee: 20 June 2023

Location:

Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.

Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in December 2019 and March 2022

Approval subject to S76 planning agreement

Agent Name and Address:

TSA Planning
20 May Street
Belfast
BT1 4NL

Background

This application was considered at the March 2022 meeting of the Planning Committee. The Committee resolved to grant planning permission subject to a Section 76 Planning Agreement to secure the following:

- a developer contribution of £52,000 for enhancement works at the King George V playing fields – the value of the contribution would be subject to an inflationary uplift for the period from December 2019;
- securing the 12 apartments as affordable housing in perpetuity; and
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement. If the planning agreement was not signed and completed within 3 months, the application would be reported back to the Committee.

Since the Committee's decision, the Belfast Local Development Plan: Plan Strategy has been adopted (02 May 2023). Moreover, the application is required to be reported back to the Committee as the planning agreement, although at a very advanced stage of drafting, is yet to be signed.

The previous case officer reports to the Committee are appended. This includes the Lates items to the March 2022 Committee.

Updated Policy 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.

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.

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.

Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).

Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.

Relevant Planning Policies

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

- Policy SD2 – Settlement Areas
- Policy HOU1 – Accommodating new homes
- Policy HOU2 – Windfall housing
- Policy HOU4 – Density of residential development
- Policy HOU5 – Affordable housing
- Policy HOU6 – Housing mix
- Policy HOU7 – Adaptable and accessible accommodation
- Policy DES1 – Principles of urban design
- Policy RD1 – New residential developments
- Policy HC1 – Promoting healthy communities
- Policy TRAN6 – Access to public roads
- Policy TRAN8 – Car parking and servicing arrangements
- Policy TRAN10 – Design of car parking
- Policy ENV1 – Environmental quality
- Policy ENV2 – Mitigating environmental change
- Policy ENV3 – Adapting to environmental change
- Policy ENV5 – SuDS
- Policy GB1 – Green and blue infrastructure network
- Policy OS1 – Protection of Open Space
- Policy OS3 – Ancillary open space
- Policy NH1 – Protection of natural heritage resources
- Policy TRE1 – Trees

Supplementary Planning Guidance

- Affordable Housing and Housing Mix
- Residential Design
- Placemaking and Urban Design
- Sustainable Urban Drainage Systems
- Transportation

Trees and Development

Updated Assessment

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

Additional Information

Officers requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.

Consultation responses

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

Principle of development

The principle of development remains acceptable as set out in the previous case officer reports, appended. The site is located within the settlement limit, has good access to services, shops and public transport. The proposal would make effective use of land at a density of 60 units/ha, which is within the 25-125 units/ha range for outer Belfast. The proposal is considered compliant with Policies SD2, HOU1, HOU2 and HOU4 of the Plan Strategy.

Whilst the proposal would result in the loss of open space, this is considered off-set by the provision of the 12 apartments as affordable housing for which there is a significant local need. NIHE has previously confirmed its support for the application (see Late items report to the March 2022 Committee, appended). Combined with the provision of a commuted sum of £65k (including inflation) towards improvements to the local King George V playing fields, this is considered a substantial community benefit that would decisively outweigh the loss of the original open space, having regard to Policy OS1 of the Plan Strategy.

Affordable housing and housing mix

All 12 apartments would be provided as social or intermediate housing (100% provision) with the applicant noting that the Housing Association intends to sell properties through intermediate housing schemes or offering them to tenants through intermediate rent schemes within an area of housing need. The provision of affordable housing would help off-set the loss of the original Maple Leaf Club and open space from the site.

The proposal, in combination with the development of the adjacent site for 21 social homes (LA04/2020/2325/F), could result in mono-tenure social housing, which would be conflict with the Policy HOU5's objective of mixed and balanced communities. However, the Affordable Housing and Housing Mix SPG advises at paragraph 4.4.12 that whether proposals for mono-tenure social housing is deemed to deliver sustainable and balanced communities can be assessed on a case-by-case basis using three key factors:

- The level of social housing need in the vicinity of the site and the availability of land to address such needs;

- The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and
- Whether a scheme is proposed as 'shared housing'.

Given the need for social housing the area, NIHE's support for the proposal and tenure characteristics of nearby housing, the approach to tenure is considered, on balance, acceptable.

The proposal is therefore considered acceptable having regard to Policy HOU5 of the Plan Strategy and its associated SPG.

In terms of housing mix, the proposal comprises 9 x 2 bedroom units and 3 x 1 bedroom units, ranging from 50 sqm to 70 sqm, meeting the space standards in Appendix C of the Plan Strategy. Having regard to Policy HOU6, the housing mix is considered acceptable in this case, particularly when considered alongside the adjacent 3 and 2 bedroom social housing scheme (LA04/2020/2325/F).

Adaptable and accessible housing

Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible. The applicant has not provided evidence that the scheme will provide sufficient wheelchair accessible units.

The applicant states that the apartments will be built to Lifetime Homes standards which are proposed to be transferred to a Housing Association under the terms of the Section 76 planning agreement (the apartments to be delivered as affordable housing will be required to meet either Housing Association Guide (HAG) or Homes for Intermediate for Rent Design Standards)

Whilst this will ensure that all units will meet the adaptable home requirements of criteria a. to f. of Policy HOU7, the proposals would not fully satisfy the wheelchair accessibility provisions set out in criteria g. to o. of Policy HOU7 for 10% wheelchair accessible units. However, some of the apartments would exceed the minimum space standards and the full Lifetime Homes Standards meet some of the wheelchair adaptable standards. Regard is also had to the previous decisions of the Committee to approve the application in December 2019 and March 2022. Taking into account these factors, this contravention of Policy HOU7 is considered acceptable in the planning balance.

Climate Change

Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals (including changes of use) will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction and operation. The applicant states that the proposal is capable of meeting the BREEAM and energy efficiency standards of Housing Associations. Whilst no specific measures to mitigate climate change have been provided, given the requirement for the apartments to be constructed to Housing Association design standards which require a commitment to energy efficiency, it is considered that this matter can be appropriately addressed by condition.

Policy ENV3 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and

enduring development. In order to minimise the impact of extreme weather conditions, new developments should also embed resilience to current and future climates. The scope for accommodation of measures within the proposal is limited due to the nature of the site with physical constraints. The proposal does not lie within an area of risk and the integrated open space provides permeable surfaces that accommodate the retained tree and vegetation. Whilst no specific additional measures have been identified within this proposal, the proposed development in this area with the incorporation of SUDS (as detailed below) is considered to address the provisions of the policy.

Sustainable Urban Drainage Systems (SuDS)

Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. The proposed pocket park would provide a permeable grassed area. No additional SuDS measures have been identified by the applicant, however, this will be secured by means of a planning condition.

Promoting healthy communities

Policy HC1 of the Plan Strategy states that the council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. The scheme would provide a small pocket park to provide amenity and recreation space for residents. The site is within walking distance of King George V playing fields. It is within walking distance of shops and services and its location would promote healthy and active lifestyles. The proposal is considered acceptable having regard to Policy HC1 of the Plan Strategy.

Planning obligations

It is considered that the planning obligations previously agreed by the Committee remain necessary to make the proposal acceptable in the planning balance. These include:

- developer contribution of £65,587 for enhancement works at the King George V playing fields
- securing the 12 apartments as affordable housing
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments

Other considerations

Other aspects of the proposal are considered to remain acceptable, having regard to the policies in the Plan Strategy.

Regard is also had to the previous decisions of the Planning Committee which was to grant planning permission subject to completion of a Section 76 planning agreement.

Conclusion and Recommendation

Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement.

Late Items

Agenda Item	Application	Issues Raised	Action																				
7c	LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue	Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments. The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026. The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021. <table><tr><td></td><td>Singles</td><td>Families</td><td>Elderly</td><td>TOTAL</td></tr><tr><td>All Applicants</td><td>133</td><td>138</td><td>58</td><td>329</td></tr><tr><td>Housing Stress</td><td>86</td><td>79</td><td>42</td><td>207</td></tr><tr><td>Allocations to December 2021</td><td>30</td><td>13</td><td>30</td><td>73</td></tr></table> The proposal is currently on the 2024/25 Social Housing Development Programme as a second phase of development of the wider lands.		Singles	Families	Elderly	TOTAL	All Applicants	133	138	58	329	Housing Stress	86	79	42	207	Allocations to December 2021	30	13	30	73	For notation.
	Singles	Families	Elderly	TOTAL																			
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Housing Stress	86	79	42	207																			
Allocations to December 2021	30	13	30	73																			
7c	LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue	The applicant confirms their agreement to the inflationary uplift (Consumer Price Index linked) to the £52k Financial Developer Contribution	For notation.																				

Agenda Item	Application	Issues Raised	Action																				
		towards enhancements at the King George V playing fields.																					
7d, 7e & 7f	LA04/2019/0082/F, LA04/2019/0083/F (s54 applications) and LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue	Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments. NIHE confirms that the proposal is on the 2021/22 Social Housing Development Programme and the mix of housing has been agreed with the joint applicant, Choice Housing. NIHE is keen that the scheme commences in this financial year. The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026. The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021. <table><tr><th></th><th>Singles</th><th>Families</th><th>Elderly</th><th>TOTAL</th></tr><tr><td>All Applicants</td><td>133</td><td>138</td><td>58</td><td>329</td></tr><tr><td>Housing Stress</td><td>86</td><td>79</td><td>42</td><td>207</td></tr><tr><td>Allocations to December 2021</td><td>30</td><td>13</td><td>30</td><td>73</td></tr></table>		Singles	Families	Elderly	TOTAL	All Applicants	133	138	58	329	Housing Stress	86	79	42	207	Allocations to December 2021	30	13	30	73	For notation.
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Allocations to December 2021	30	13	30	73																			

7d & 7e	LA04/2019/0082/F and LA04/2019/0083/F s54 applications relating to site of the former Maple Leaf Club, Park Avenue	The applicant has withdrawn both applications as the s54 applications are no longer needed.	For notation.
7f	LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue	Further to the officer recommendation, the applicant has confirmed their agreement to the following planning obligations to be secured by way of a Section 76 planning agreement: • Single payment of £52k plus inflationary uplift (Consumer Price Index linked); and • Delivery of the 21 dwellings as social/affordable housing. However, for logistical reasons, the applicant is unable to agree to the requirement that the pocket park is delivered prior to occupation. The main difficulties are summarised below: • Underneath the site of the pocket park is the main sewer and electrical cable. Access will be required until full adoption of sewers; • Access for gas connection; • Construction of the apartment block will require access for scaffold, plant and piling rig; • This is the only area left for welfare facilities; • It would be the last part of construction on the overall site from a practical view. In practice, the applicant states that they are confident that they will be able to deliver the 12 apartments within this period and at the same	Officers accept that it would be impracticable to deliver the pocket park prior to occupation of the 21 dwellings for the reasons set out by the applicant. The officer recommendation is therefore modified to require that the pocket park is delivered no later than two years from the date of first occupation. A planning obligation should also be required to secure its future management.

		time complete the pocket park. However, should this not be possible, it proposes a clause in the Section 76 planning agreement to require delivery of the pocket park within 24 months from occupation of the first dwelling within the 21 dwelling scheme. The pocket park would be managed by Choice Housing Association. For information, the applicant provides the following indicative timeline for delivery of the scheme: • March/April 2022 – onsite start of 21 dwellings. • March/April 2023 – first handover • March/April 2023 – hope to commence works on 12 apartments • March/April 2024 – complete 12 apartments and pocket park • Worst case scenario is that pocket park will be delivered 24 months from first handover i.e. by March/April 2025	
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Development Management Report

Addendum Report 2

Application ID: LA04/2019/0081/F	Date of Committee: 15 March 2022
Proposal: Erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.	Location: Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: Previously considered by the Planning Committee in December 2019	
Recommendation:	Approval subject to S76 planning agreement
Applicant Name and Address: Latner 10 Developments Ltd Unit 983 Moat House 54 Bloomfield Avenue Belfast BT5 5AD	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Addendum Report: <u>Background</u> This application, along with associated applications LA04/2019/0082/F and LA04/2019/0083/F, were considered by the Planning Committee in December 2019. The Committee resolved to approve all three applications subject to conditions and a Section 76 planning agreement. The planning agreement was intended to secure the following: • a developer contribution of £52k for enhancement works at the King George V playing fields • securing the 12 apartments as affordable housing • ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments The Planning Committee should consider this Addendum Report 2 in conjunction with the original Development Management Officer Report of June 2019 and Addendum Report 1 of December 2019, both appended to this report. Since the applications were approved by the Planning Committee, both the Planning Service and Legal Services have been making significant efforts to finalise the planning agreement. However, it has not been possible to progress the planning agreement with the applicant. Firstly, it was disputed that the 12 apartments should be delivered as affordable housing despite it being central to the consideration of the planning balance and justification for the grant of planning permission, the proposal being contrary to Policy OS 1 of PPS 8 through the loss of Open Space. Secondly, and more recently, by failure to commit to the delivery of the pocket park, which is essential recreation space to off-set the lack of amenity space within the proposed development as well as to help compensate for the loss and limited provision of Open Space overall. Officers consider the terms of the planning agreement originally agreed by the Committee to be wholly reasonable. The three applications (LA04/2019/0081/F, LA04/2019/0082/F and LA04/2019/0083/F) are linked as explained in the previous reports, attached. Officers advise that the three applications cannot be separated out from the agreement as they are intrinsically connected.	

Recap of the planning history

In June 2011, planning permission was granted on the site and adjacent land to the east where the Maple Leaf Club was originally located for mixed use development comprising 21 dwellings and replacement social club (Z/2010/0434/F). The social club is to be located on the current application site where 12 apartments are now proposed with the 21 dwellings to the east. The original planning permission included conditions requiring the provision of social housing and build out of the replacement social club, required to offset the loss of open space. These conditions were subsequently varied under applications Z/2011/0827/F and Z/2011/0829/F.

Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. Condition 2 prevents occupation of the residential units until the replacement Maple Leaf Club has been erected in accordance with the new approved plans. Condition 3 requires the development to be delivered as social / affordable housing. It appears the main site access and part of the access road between Blocks A and C have been constructed and this serves the development of 13 houses to the north of the site (LA04/2015/0052/F). Therefore, it is considered that the development has commenced and represents a fall-back for the developer, albeit it would require the construction of the replacement social club.

In 2019, the applicant applied for planning permission for 12 apartments on the land where the replacement social club was to be built (LA04/2019/0081/F). Two associated applications were submitted at the same time seeking removal of the conditions requiring the construction of the replacement social club attached to planning permissions Z/2010/0434/F and LA04/2015/0075/F (LA04/2019/0082/F and LA04/2019/0083/F respectively).

All three applications were approved by the Planning Committee in December 2019 subject to conditions and completion of a Section 76 planning agreement as explained above.

In terms of the original planning permission for the erection of 21 dwellings and replacement social club on the application site and adjacent land (Z/2010/0434/F) and subsequent modifications (planning permissions Z/2011/0827/F, Z/2011/0829/F and LA04/2015/0075), these are considered to have commenced by virtue of the formation of the access and road. Therefore, the applicant has a fall-back position, albeit the housing development cannot be occupied without the delivery of the community building as previously granted. The granting of the variation of condition applications (LA04/2019/0082/F and LA04/2019/0083/F) would permit the housing development to proceed and being occupied **without** the replacement club having to be delivered.

New application for 21 dwellings on land to the east

A further, more recent application for 21 dwellings on the adjacent land has been submitted by the landowner and Housing Association (LA04/2020/2325/F). That application is being considered by the Planning Committee at this same meeting due to the linked nature of the applications. That application is also for affordable housing and is being brought forward by a Housing Association with funding support from NIHE. NIHE has advised that in order to secure the funding from this year's housing programme, planning permission will need to be granted by 31 March 2022 although it might still be possible to progress the scheme with a resolution from the Council to grant permission.

The Committee will note from the case officer report to application LA04/2020/2325/F that the recommendation to approve the 21 dwellings is reliant on applications LA04/2019/0081/F, LA04/2019/0082/F and LA04/2019/0083/F being progressed to approval as it is reliant on the pocket

park being granted planning permission – this would serve not only the proposed 12 apartments but also the proposed 21 dwellings (as well as other surrounding housing).

Assessment

As set out in the previous reports, the proposed development of the site for 12 apartments would result in the loss of Open Space. Moreover, it would no longer be possible to bring forward the new social club to replace the original Maple Leaf Club, which was otherwise critical to the off-set of loss of Open Space from the wider site resulting from development of the 21 dwellings.

The Planning Committee accepted that in the planning balance, the loss of the original off-set (i.e. the dropping of the replacement social club) was justified providing that the following is achieved:

- a developer contribution of £52k for enhancement works at the King George V playing fields
- securing the 12 apartments as affordable housing
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments

These obligations were to be secured by a Section 76 planning agreement, which the applicant has not signed. Officers provide an update on each of the above obligations as follows.

Developer Contribution of £52k for off-site Open Space – officers advise that the value of the Contribution should be subject to an inflationary uplift due to the passage of time since the Committee's original decision to grant planning permission in December 2019. In effect, the £52k Developer Contribution has devalued over time.

Provision of affordable housing – at the time of the Planning Committee's original decision in December 2019, NIHE had confirmed that there was a housing need and that they were supportive scheme coming forward as social housing. However, in a recent meeting with officers, NIHE confirmed that they cannot currently support the 12 apartments as social housing. This is because of the change in circumstances since December 2019 including the bringing forward of other affordable housing schemes in the area such as the redevelopment of the Park Avenue Hotel site for an affordable housing led housing scheme (LA04/2021/0493/F) and NIHE's commitment to delivery of the 21 dwellings on the adjacent site (LA04/2020/2325/F). It is understood that it is concerned about over saturation. However, NIHE verbally advised that it is very likely that the proposed 12 apartments on the application site would be supported within the 5 year live span of the planning permission if granted. It is therefore considered that the Committee can still proceed to secure the 12 apartments as affordable housing through the Section 76 planning agreement.

Delivery and ongoing maintenance of the pocket park – as set out in the previous reports, this is essential to off-set the substandard level of amenity within the proposed 12 apartments as well as to help off-set the loss of open space and lack of open space within the wider development. Officers advise that it remains essential for the pocket park to be delivered and maintained. The Committee will note that officers are advising that the pocket park is delivered prior to occupation of the 21 dwellings on the adjacent site as part of the recommendation for application LA04/2020/2325/F. Therefore, if planning permission is not granted for the 12 apartments and pocket park under application LA04/2019/0081/F, it will not be possible to secure the Section 76 planning agreement proposed by officers for application LA04/2020/2325/F.

Recommendation

It is recommended that planning permission is granted with conditions and subject to a Section 76 planning agreement which secures the following:

- a developer contribution of £52k for enhancement works at the King George V playing fields – the value of the contribution to be subject to an inflationary uplift for the period from December 2019 to when the planning agreement is signed;
- Securing the 12 apartments as affordable housing in perpetuity; and
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the planning agreement.

If the Section 76 planning agreement is not signed and completed within 3 months, the application shall be reported back to the Planning Committee.

Development Management Report

Addendum Report 1

Application ID: LA04/2019/0081/F	Date of Committee: December 2019
Proposal: Erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.	Location: Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: At the request of the Director of Planning and Building Control	
Recommendation:	Approval
Applicant Name and Address: Dixon Contractors 89 Broughshane Street Ballymena	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Addendum Report: This application was previously scheduled for Planning Committee on the 11th June 2019 with a recommendation for refusal. However, was not presented as a legal Agreement under Section 76 was submitted setting out mitigation against the proposed loss of open space. The application was withdrawn from committee to enable the consideration of the proposed terms of the Section 76 Agreement. Members should read this Addendum Report in conjunction with the original Development Management Officer Report of June 2019, attached below. The Case officer report attached below sets out two reasons for refusal in relation to 1. The loss of open space 2. The under provision of amenity space for the proposed development There were no other reasons for refusal. Notwithstanding the issue of principle the scheme was considered acceptable in terms of its design, height, scale, and mass; and access and parking. Therefore, this addendum deals only with the two matters set out above, all other considerations are set out in the case officer report. <u>Principle of development</u> Historically the site was in use as a substantial area of open space, a bowling green and club house / social club. Residential development was granted on the site subject to a replacement recreational social club being provided to off-set the loss of open space. The provision of the recreational social club in combination with the social housing to be provided was the justification for setting aside Policy OS1 of PPS 8 – Open Space, Sport and Recreation and granting the proposal. This current application proposes to build an apartment block in place of the social recreation club. In these particular circumstances, given the history of this site, the principle of the development on this site, was initially considered to be unacceptable as it will result in the almost total loss to the community of the open space and recreation use, in addition to providing minimal amenity space for residents. Therefore, refusal was originally recommended.	

Following the publication of the officer report, the applicant submitted a Section 76 Agreement, setting out terms to offset the loss and under provision of open space / recreation facility by offering to provide a financial contribution towards improvements to a local park. Policy OS1 allows developers to offer an alternative provision, which is as accessible to current users, at least equivalent in terms of its size, usefulness, attractiveness, safety and quality. In this case, the offer is to provide an upgrade to an existing Council owned park rather than 'new' or additional open space, however, the offer must be considered alongside the community benefits of the provision of the 12 social and affordable apartments themselves. The developer has agreed to provide a financial contribution of over £52K to be used to enhance existing open space in the area. The combination of the associated community benefits are considered on balance to decisively outweigh the loss of the provision of the recreation club and the shortage in the amenity provision.

Terms of the Section 76 Agreement

In respect of the proposed off set, the applicant has agreed to a developer contribution through a Section 76 Agreement. In broad terms, monies (£52k) will be used by the Council to enhance existing open space at King George V Playing Fields, which is an 8 minute walk away from the site and serves the local community. As set out above, this in part is considered, in this case, to adequately address Policy OS1 of PPS8 to off-set the loss of existing open space.

The following works are proposed for the King George V playing fields;

Improve Parkgate site boundary

Remove exiting concrete boundary fencing/walling
 Install new 250 x 125 x 905mm road kerb edge
 New hedge planting along boundary to kerb edge
 Supply & install new vehicular access barrier
 Construct low brick piers with existing concrete crest
 Pedestrian road crossing markings

Trim Trail

New 1.2m wide bitmac path to site boundary
 Form new mounds with excavated material
 Remedial landscape works/seeding

Screen planting

Screen planting to western boundary

Provision of private amenity space

In terms of private amenity space only 3 of the proposed 12 apartments has their own private amenity space. Creating Places recommends a minimum of between 10m²- 30m² per unit. Apartments 11 and 12 meet the recommended minimum however apartments 1-10 do not. Policy OS 2 states that an exception to this will only be permitted in the case of apartment developments or specialised housing where a reasonable level of private communal open space is being provided or where it will make use of adjoining public open space. It is considered that insufficient private amenity space is proposed for the individual apartments. In respect of the communal amenity space provided this is in the form of a pocket park which will provide 450 square metres of amenity space. The provision of the pocket park between the proposed apartments and Park Avenue with landscaping and play equipment with access from Park Avenue so other residents can benefit and; the proposed developer contribution of over £52K to enhance 2.88ha of existing open space at the King George V playing fields, provides a wider community benefit to the existing and proposed residents and is considered to make an otherwise unacceptable scheme acceptable in these particular circumstances.

Linked Applications

Planning permission LA04/2015/0075/F was a modification to the original planning permission Z/2010/0434/F. This included the reduction in the size of the social club to be constructed. Whilst this was a reduction and was considered to be of a scale more in keeping with the established residential area, the community benefit to be gained remained an integral part of the proposal and was appropriately conditioned to reflect this. The condition in relation to the provision of the social club was attached to the permission and was worded that the residential dwellings would not be occupied. The same reason as per planning permission Z/2010/0434/F for the condition was given to ensure the orderly development of the site and to ensure the community benefits of the development are fully implemented.

The applicant also seeks the removal of condition no.2 of planning permissions Z/2010/0434/F and LA04/2015/0075/F, which are attached to the original permissions and relate to the provision of the recreational club and to ensure the orderly development of the site and community benefits of the development are fully implemented. This proposal would replace the social club with 12 social/affordable apartments.

Consultees

DFI Roads were consulted and have advised of no objection in principle with amendments sought to address clarification in terms of bicycle parking and visibility splays for previous approvals within the wider proposal site and Private Streets Determination drawings.

Further Representations

No further objections or information has been received in respect of the proposal itself. A draft Section 76 Agreement was submitted and BCC Legal Services and City and Neighbourhoods have been consulted in respect of the Section 76 Agreement and the enhancement of open space through the developers contribution.

Summary

In conclusion, the recommendation has changed for the reasons as set out in this addendum. The proposal on balance is considered to be acceptable and contributes to the delivery of the Belfast Agenda aims and objectives - Living Here and City Development and the Local Development Plan Strategic Aims – Shaping a liveable place, a green and active place and a smart connected and resilient place.

Recommendation

Approval subject to the signing and delivery of the Section 76 Agreement and conditions.

It is requested that committee delegate authority to the Director of Planning and Building Control to finalise the Section 76 and the wording of conditions. Draft Conditions below:

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

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

2. The residential development hereby approved shall be allocated for social housing use and shall be managed by a registered Housing Association.

Reason: To ensure the orderly development of the site and community benefits of the development are fully implemented.

3. Double glazed float units 4-12-4 (or similar) with a sound reduction of 26dB R_{tra} / 31dB R_w must be installed in bedroom and living room windows to the Park Avenue façade of the proposed apartments and to any habitable rooms situated on either side elevation. Alternative means of acoustic ventilation capable of meeting the same sound reduction value of the windows must also be installed in all bedroom and living room windows to the Park Avenue façade and side elevations and be in accordance with building control regulations.

Reason: Protection of Residential Amenity

4. Double glazed float units 4-12-4 (or similar) with a sound reduction of 26 dB R_{tra} / 31 dB R_w must be installed in bedroom and living room windows of the rear façade of the proposed apartments.

Reason: Protection of Residential Amenity

5. All soft landscaping works shall be carried out in accordance with the approved details on drawing no 13C, dated 3rd June 2019. The works shall be carried out prior to the occupation of the first apartment / dwelling unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

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

Reason: In the interests of visual amenity

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

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

8. If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing tree hedging.

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

Reason: To avoid compaction within the RPA.

DFI Roads conditions to follow.

ANNEX 1

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 11 June 2019	
Application ID: LA04/2019/0081/F	
Proposal: Erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.	Location: Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: At the request of the Director of Planning and Building Control	
Recommendation:	Refusal
Applicant Name and Address: Dixon Contractors 89 Broughshane Street Ballymena	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Executive Summary: The proposal is for full planning permission for the erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works. This application is linked to two further applications (LA04/2019/0082/F and LA04/2019/0083/F) both of which are Section 54 applications and seek to remove a planning condition from the original approvals. Condition no.2 of these planning permissions relate to the provision of a recreational social club under planning permissions Z/2010/0434/F and LA04/2015/0075/F. The key issues in the assessment of the proposed development include; - Principle of development and use; - Height, scale, massing, layout and design; - Provision of private amenity space and Provision of open space; - Parking and access; - Impact on residential amenity of neighbours; - Impact on protected trees; - Other environmental factors. The applicant proposes a building containing 12 apartments on a site which has been secured by planning condition to be used for recreational open space in lieu of the loss of an extensive area of open space, bowling green and a club house / social club. The original approval set aside OS1 of PPS 8 Open space Sport and Recreation and allowed the loss of the space to provide 21 social dwelling units and the construction of a new Recreation	

Social Club. The applicant makes a case that the occupier of the social club, the Maple Leaf Club is no longer in existence. The applicant states that they have sought an alternative occupier, however they have not provided sufficient evidence to demonstrate that a new occupier has been sought and all avenues explored.

The principle of the development therefore, is considered to be unacceptable and would if permitted result in the permanent loss of the open space by failing to provide the social club to the community. Which is contrary to policy OS 1 of Planning Policy Statement 8: Open space and recreation.

The proposed development fails to meet criterion (c) of policy QD1 of Planning Policy Statement 7 – Quality Residential Environments. In that the loss will impact the amenity for those prospective new residents of the approved housing as there will be insufficient amenity space provided for the combined development and will therefore also be contrary to Policy OS 2 of PPS8.

Consultees: Environmental Health, Rivers Agency, BCC Tree Officer and NIHE offer no objection to the proposal.

DFI Roads advised the applicant has failed to demonstrate acceptable parking arrangements.

There have been no third party objections received.

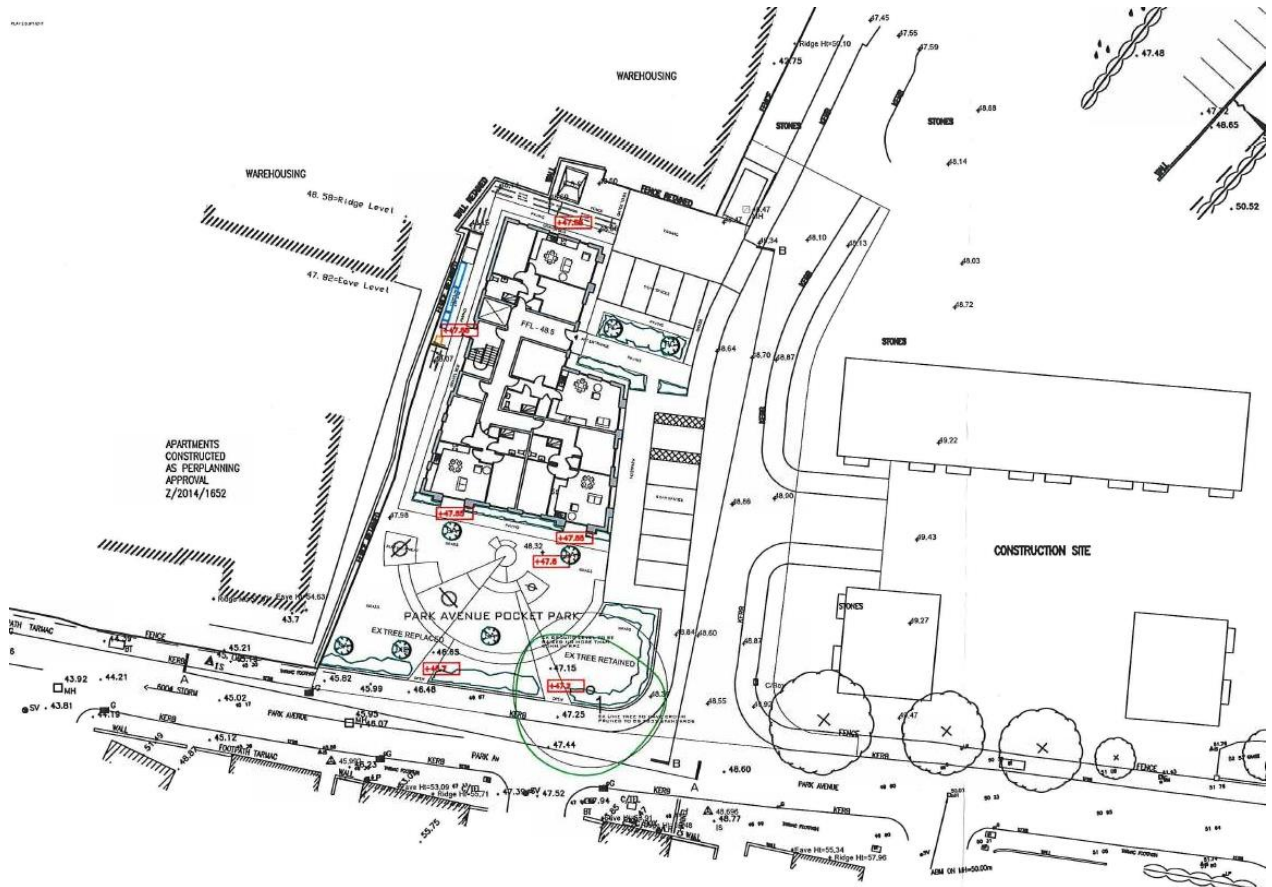
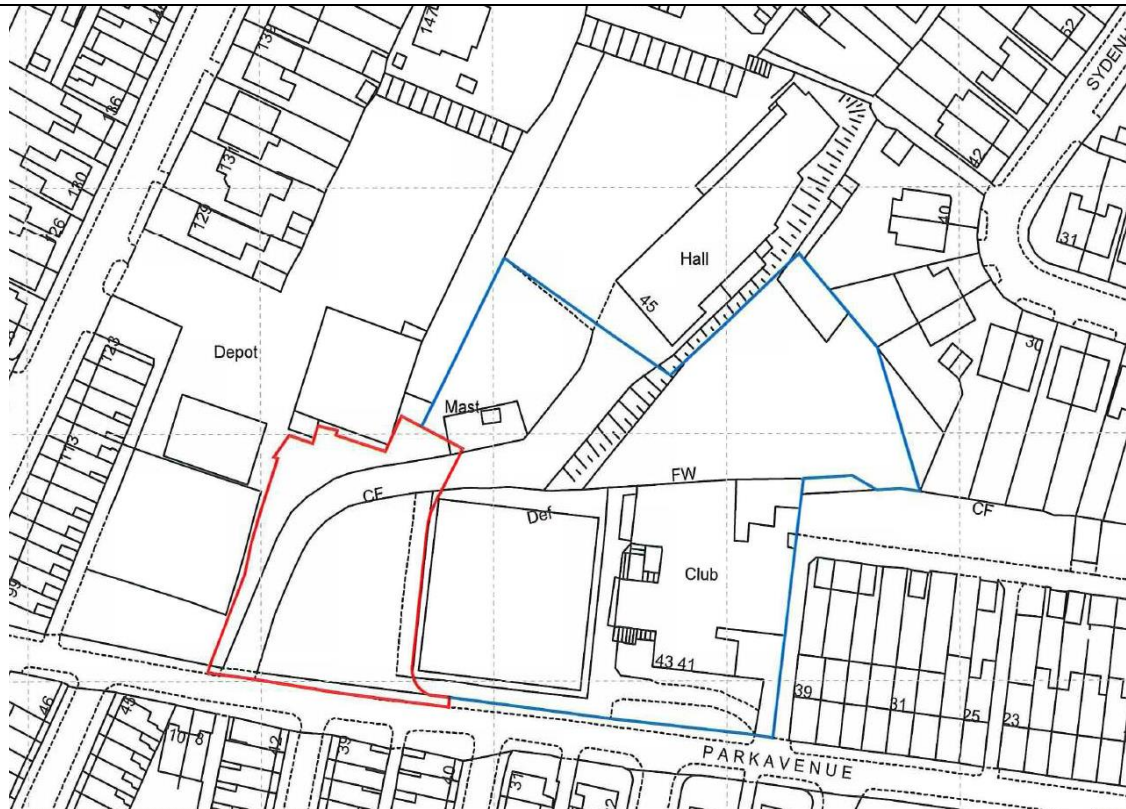
Recommendation:

Refuse

Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and refusal of planning permission is recommended and delegated authority is sought for the final wording of refusal reasons from the Director of Planning and Building Control.

Case Officer Report

Site Location Plan



Consultations:		
Consultation Type	Consultee	Response
Non Statutory	Environmental Health Belfast City Council	No objection subject to conditions
Statutory	Rivers Agency	No objection
Advice and Guidance	NIHE - Corporate Planning	No objection - support
Statutory	DFI Roads - Hydebank	Unacceptable
Statutory	NI Water - Multi Units East - Planning Consultations	No Response
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for full planning permission for the erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.
1.2	This application is linked to LA04/2019/0082/F and LA04/2019/0083/F both of which are Section 54 application to remove condition no.2 of planning permission Z/2010/0434/F and LA04/2015/0075/F. Both of these conditions also relate to the implementation of the social club element of planning permissions Z/2010/0434/F and LA04/2015/0075/F.
2.0	Description of Site
2.1	The site is located at lands at the former Maple Leaf Club, 41-43 Park Avenue, Belfast. The site has been cleared and is currently under construction. Formerly on the site was a bowling green and car park and the now derelict Maple Leaf Club building. The site is accessed from Park Avenue which slopes steeply from Holywood Road to Connsbrook Avenue. The area is characterised by two storey terrace dwellings and two storey semi-detached dwellings. Adjacent to the site and accessed from Connsbrook Avenue is a fuel and oil distribution depot. The site bounded by existing mature vegetation. Seven of the previously approved dwellings (10-22 Park Avenue Heights) have been constructed and are now occupied.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2019/0083/F - Section 54 application to remove condition 2 of LA04/2015/0075/F. The condition reads as follows "No part of the residential development hereby permitted shall be occupied until the social club hereby approved is constructed and operational in accordance with drawing 06A date stamped 20th August 2016, drawing 07B date stamped 03 February 2016 and drawing 08 stamped 01 April 2015". The removal of the condition is necessary to allow for the construction and occupation of the social/affordable housing – Pending
3.2	LA04/2019/0082/F - Section 54 application to remove condition 2 of Z/2010/0434/F. The condition reads as follows, "No part of the residential development hereby permitted shall be commenced until the social club hereby approved is constructed and operational in accordance with the approved plans." The removal of the condition is necessary to allow the construction of the social/affordable housing - Pending
3.3	LA04/2015/0075/F - Modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots 14-21 - Granted
3.4	Z/2011/0829/F - Article 28 application to vary condition 2 of permission Z/2010/0434/F to allow simultaneous commencement of development of the residential development and the social club – Granted
3.5	Z/2011/0827/F - Article 28 application to vary condition 3 of permission Z/2010/0434/F to include social/affordable housing within the residential development and the social club - Granted

3.6	Z/2010/0434/F - Mixed use development to include the relocation and replacement of the Ulster Maple Leaf Club premises and residential development comprising 21 dwellings (3no. 2 bed, 18no. 3 bed dwellings), landscaping and associated site works - Granted
3.7	Z/1999/0307 - Proposed bowling green in part of existing car park including new access arrangements - Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	Draft Belfast Metropolitan Area Plan 2004
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 7: Quality Residential Environments 4.4.4 Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas 4.4.5 Planning Policy Statement 8: Open Space and Recreation 4.4.6 Planning Policy Statement 12: Housing in Settlements 4.4.7 Planning Policy Statement 15: Planning & Flood Risk 4.4.8 Creating Places 4.4.9 Development Control Advice Note 15: Vehicular Access Standards
5.0	Statutory Consultees Responses
5.1	Rivers Agency has no objection.
5.2	DFI Roads advised the proposal was unacceptable and failed to demonstrate acceptable parking arrangements.
6.0	Non Statutory Consultees Responses
6.1	Environmental Health has no objection subject to conditions.
6.2	BCC Tree Officer has no objection subject to conditions.
6.3	Northern Ireland Housing Executive – Corporate Planning provided advice and guidance. NIHE advised there is currently unmet social housing need in this part of East Belfast and the site has previously been registered by a housing association for the provision of social housing. NIHE supports the current proposal for the site.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 designates the site as white land.

8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2015 plan the site is designated as white land.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2004 plan the site is designated as white land.
8.4	The site is the subject of a Tree Preservation Order – TPO/2006/0081
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include; • Principle of development and use; • Height, scale, massing, layout and design; • Provision of private amenity space; • Provision of open space; • Provision of parking and access; • Impact on residential amenity of neighbours; • Impact on protected trees; • Other environmental factors.
9.2	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.
9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.
9.5	The site is located within the settlement development limit for Belfast. However given that the Belfast Metropolitan Area Plan 2015 version was adopted and subsequently quashed weight is afforded to it as it had reached the most advanced stage a draft plan could having been through public inquiry. The site was designated as white land.
9.6	Draft BMAP 2004 version also designated the site as white land.
9.7	The adopted Belfast Urban Area Plan 2001 designates the site as white land.
9.8	<u>Principle of development</u> In other circumstances the construction of apartments within the development limits within a residential area would be acceptable however, the circumstances and history of this site is such that the principle of the development in this case, on this site, is considered to be unacceptable. This proposal site was granted as a recreational social club under application references Z/2010/0434/F and LA04/2015/0075/F in which the replacement social club was to be provided to off-set the loss of a substantial area of open space, a bowling green and club house / social club. The provision of the recreational social club in combination with the social housing to be provided was the rational for setting aside OS1 of PPS 8 – Open Space, Sport and Recreation.
9.9	The supporting statement submitted by the applicant states that the Maple Leaf Club has been permanently closed and evidence has been provided at Annex 2 in the supporting statement. It is on this basis that the applicant seeks the removal of condition no.2 of

	planning permissions Z/2010/0434/F and LA04/2015/0075/F, which related to the social club and to ensure the orderly development of the site and community benefits of the development are fully implemented. This proposal would replace the social club with 12 social/affordable apartments.
9.10	Linked applications LA04/2019/0082/F and LA04/2019/0083/F both of which are Section 54 application to remove condition no.2 of planning permission Z/2010/0434/F and LA04/2015/0075/F. Both of these conditions also relate to the implementation of the social club aspect of planning permissions Z/2010/0434/F and LA04/2015/0075/F are also under consideration.
9.11	The applicant submitted a supporting statement. Paragraphs 6.15-6.18 refer to the search for an alternative operator. It is stated that the applicant has no viable option for delivering the club building and the social housing due to the 'winding up' of the Maple Leaf Club and no club interested in relocating and therefore the removal of the club from the proposal is required. However, whilst this has been stated in the supporting statement, no evidence has been provided by the applicant to demonstrate and marketing or tendering for an alternative occupier and therefore have failed to demonstrate that all avenues to secure an occupier have been investigated.
9.12	The group report of the original planning permission Z/2010/0434/F, stated that <i>'the main benefits are the provision of much needed social housing and provision of a new social facility to serve the local area'</i> . The two conditions that attached to the permission, condition no.2 which the applicant seeks to remove and condition no.3 in relation to the allocation of the residential development for social housing were both attached and the same reason <i>'To ensure the orderly development of the site and community benefits of the development are fully implemented'</i> . Therefore it is considered that the construction of the social club was equally required to be provided to ensure the community benefits.
9.13	Application Z/2011/0829/F, was an Article 28 application to vary condition 2 of permission Z/2010/0434/F to allow simultaneous commencement of development of the residential development and the social club.
9.14	Planning permission LA04/2015/0075/F was a modification to the original planning permission Z/2010/0434/F. This included the reduction in the size of the social club to be constructed. Whilst this was a reduction and was considered to be of a scale more in keeping with the established residential area, the community benefit to be gained remained an integral part of the proposal and was appropriately conditioned to reflect this. The condition in relation to the provision of the social club was attached to the permission and was worded that the residential dwellings would not be occupied. The same reason as per planning permission Z/2010/0434/F for the condition was given to ensure the orderly development of the site and to ensure the community benefits of the development are fully implemented.
9.15	Therefore, considering the previous use of the site, the protection afforded under PPS8 and the planning history of the site the principle of the development is unacceptable and would result in the loss of the replacement social club which was to provide the off set for the loss of open space for the whole development. It is considered that the supporting statement from the applicant does not provide a compelling case that would outweigh the loss to the community.
9.16	<u>Height, scale, massing, layout and design</u> The proposed building is to be 'L' shaped and 8.4m in height from finished floor level (FFL), 27.3m long along the western elevation and 18m wide along the southern (Park Road) elevation. In terms of the footprint of the proposed apartments is be approximately 392m ² . This is an increase in the footprint from the previously reduced social club at

	387m ² which was reduced by 49m ² from the original approval. The difference in the increase in the footprint is considered to be marginal. The proposed height of the building is similar to that granted for the social club under LA04/2015/0075/F. The height, scale and massing of the proposed apartments is considered to be acceptable.
9.17	In terms of layout all apartments outlook either on to Park Avenue of the entrance to the whole development. It is considered this outlook on to public realm in acceptable.
9.18	In terms of the proposed design this is not dissimilar from that previously approved for the social club building. The proposed finished of smooth red facing brick and grey mortar, dark grey framed windows, glazed balcony and grey zinc cladding on the roof and pent houses are considered to be acceptable. The architectural approach is modern yet sympathetic to its context. The proposed design and architectural treatment and materials are acceptable.
9.19	Policy LC 1 – Protecting Local Character, Environmental Quality and Residential Amenity of the Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas applies. The proposed density of the development and pattern of development is considered to be acceptable and not out of keeping with the character of the area. The size of each of the proposed apartments are outlined below;
9.20	Apartment 1 - 2 bed 3 person: 65m ² Apartment 2 - 1 bed 2 person: 57 m ² Apartment 3 - 2 bed 3 person: 70 m ² Apartment 4 - 2 bed 3 person: 65 m ² Apartment 5 - 2 bed 3 person: 65 m ² Apartment 6 - 2 bed 3 person: 68 m ² Apartment 7 - 2 bed 3 person: 70 m ² Apartment 8 - 2 bed 3 person: 65 m ² Apartment 9 - 2 bed 3 person: 65 m ² Apartment 10 - 2 bed 3 person: 63 m ² Apartment 11 - 1 bed 2 person: 50 m ² Apartment 12 - 1 bed 2 person: 50 m ²
9.21	The proposed apartments meet the minimum space standards as set out in Annex A of the Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas.
9.22	Therefore it is considered that the proposal complies with the criterion set out in policy LC 1 of the Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas.
9.23	<u>Provision of private amenity space</u> In terms of private amenity space only 3 of the proposed 12 apartments has their own private amenity space. They do all however share communal bin storage and secure bicycle parking. The following private amenity space provision is as below for 3 apartments on the second floor;
9.24	Apartment 10 - 63.3 m ² Apartment 11 - 22.3 m ² Apartment 12 - 10.98 m ²
9.25	Creating Places recommends a minimum of between 10m ² - 30m ² . Apartments 11 and 12 meet this recommended minimum however apartments 1-10 do not. . Whilst the applicant refers to other facilities in the locality including Victoria Park, this is 0.7mile away

	from the site. Considering this and the recent EIA Street planning appeal decision 2018/A0070 it was considered that existing other public spaces were not an acceptable substitute for the deficit of communal space in quantitative and qualitative terms. Therefore it is considered that insufficient private amenity space has been provided for prospective residents. The site on which the apartments are proposed was to provide the off set for loss of open space through the construction of a social club and was conditioned as so to ensure the community benefit of the existing club would continue to be provided. Linked applications LA04/2019/0082/F and LA04/2019/0083/F both of which are Section 54 applications to remove condition no.2 of planning permission Z/2010/0434/F and LA04/2015/0075/F. Both of these conditions also relate to the implementation of the social club aspect of planning permissions Z/2010/0434/F and LA04/2015/0075/F. The provision of open space is discussed below.
9.26	<u>Provision of open space</u> The proposal includes the provision of a pocket park which will provide 0.045ha of public amenity space. Planning permission Z/2010/0434/F for the residential development and replacement of the social club and LA04/2015/0075/F for a change of house type at plots 14 to 21 and included the reduction in the proposed replacement social club were both granted on the basis of provision of the social club to offset the loss of open space, in line with policy OS 1 of Planning Policy Statement 8: Outdoor space and recreation. Whilst the social club was to be reduced under planning permission LA04/2015/0075/F it still provided the off set for the loss of open space in line with policy OS 1 of Planning Policy Statement 8: Outdoor space and recreation.
9.27	However the applicants statement of case states at paragraph 6.26 the delivery of 12 apartments in lieu of the social club yields a substantially greater benefit to the community and that as the case officer acknowledged the proximity of similar bowling facilities in close proximity to the site which were equally accessible in their view. The applicant states that in this context, the total loss of the facility is therefore negligible to the local community and its loss therefore will have no significant detrimental impact and states this is consistent with para. 6.025, of the Strategic Planning Policy Statement for Northern Ireland (SPPS). It is considered that the loss of the social club which was the off set for the loss of all quality open space is not negligible to the local community as stated. Particularly as the private amenity provision is below recommended requirements. Whilst the applicant refers to other facilities in the locality including Victoria Park, this is 0.7mile away from the site. As per recent appeal decision 2018/A0070, it was considered that existing of other public spaces were not an acceptable substitute for the deficit of communal space in quantitative and qualitative terms.
9.28	This acknowledged the community benefit the club itself provided and while the open space was to be lost, the offset to this was through the provision of a new social facility, albeit reduced but would continue to provide community benefit as was provided by the existing club. Therefore it is considered that in order to comply with policy OS 1 of Planning Policy Statement 8 – Open Space and Recreation to ensure adequate alternative provision that the social facility must be implemented and form part of the overall development of the site.
9.29	It is also noted that the original development comprised of 21 dwelling units. The applicant proposed the construction of an additional 12 apartments. This would provide a total of 33no. social/ affordable housing units. However, the additional units would exceed the threshold of 25 units as set out in policy OS 2 of Planning Policy Statement 8. Policy OS 2 states that an exception to this will only be permitted in the case of apartment developments or specialised housing where a reasonable level of private communal open space is being provided or where it will make use of adjoining public open space.
9.30	As stated in the original case officers report for Z/2010/0434/F, the proposal did not provide sufficient amenity space for the majority of the proposed dwellings and would be limited in its

	usability. Nor is it located adjacent to existing public open space. Therefore it would be considered that it would not be an exception to Policy OS 2 and therefore it would be expected that at least 10% of the site would be for the provision of public open space. The proposal would not be able to facilitate this and the addition of 12 no. apartments was add extra pressure to the demand for amenity space in the whole development. Although this application proposes the provision of a pocket park between the proposed apartments and Park Avenue providing an area of 0.045ha with landscaping and play equipment with access from Park Avenue so other residents can benefit. It is considered to be insufficient to warrant the loss of the social facility and the wider community benefit which it would provide.
9.31	On balance with the provision of private amenity for the approved apartments being below the requirements as per Creating Places, it is considered that the social facility is essential to address the loss of the open space and the club facility, particularly as private amenity space is insufficient to meet requirements. The proposal to not provide the social facility is considered to be contrary to policy OS 1 of Planning Policy Statement 8: Open Space and Recreation.
9.32	<u>Provision of parking and access</u> DFI Roads were consulted and responded stating that the applicant had failed to demonstrate acceptable parking arrangements and required a number of issues to be addressed and the submission of Private Streets Determination drawings. This information was not requested as to have done so would have put the applicant to unnecessary expense when Planning Service had fundamental concerns with the proposal and the two (LA04/2019/0082/F and LA04/2019/0083/F) associated Section 54 applications for the removal of conditions.
9.33	<u>Impact on residential amenity of neighbours</u> In terms of residential amenity the proposed apartments will be located to the east of the existing apartments on Park Avenue. In terms of overshadowing considering the sun path it is considered that some overshadowing will result to the apartments adjacent to the west in the morning, however this will travel from east to west from midday on it is considered that no unacceptable overshadowing will result to the apartments located to the west of the site. It is also considered that an unacceptable level of overlooking will not result from the proposed apartments to the existing apartments to the west due to sufficient separation distance and existing boundary treatment. To the north of the site is an existing depot and to the east whilst currently no under construction dwelling with extant permission are to be located. However it is considered that sufficient separation distances will ensure no unacceptable overshadowing or overlooking will result to these dwellings form the proposed apartments. This is also considered to be the same for those dwellings located on the opposite of Park Avenue.
9.34	<u>Impact on protected trees</u> Belfast City Council's Tree Officer was consulted and following the submission of a tree survey and amended plans the Tree Officer has no objections to the proposal subject to conditions. The proposal includes the retention of an existing protected Lime tree along the Park Avenue boundary, which is to be crown cleaned. Protective root barriers in the form of Geocells has been shown at specific locations to ensure root and soil compaction is avoided during and after construction. The proposal includes the removal of x1 Chestnut tree a protected tree and replacement planting of x8 extra heavy standard Rowan and Ornamental Pear trees to compensate for its loss. A new hawthorn boundary hedge is proposed. The tree officer commented that the proposed tree choice, was considered appropriate in terms of species to complement the proposed pocket park. Tree officer has no objection to the proposal subject to conditions.
9.35	<u>Other environmental factors</u> Environmental Health were consulted and considered the Noise Impact Assessment and an updated contaminated land report. Environmental Health has no objection subject to

9.36	conditions. Rivers Agency were consulted with a Drainage Assessment and responded stating that the proposal was acceptable and that the proposal was deemed to provide a robust drainage solution. <u>Recommendation</u> The proposal is considerable to be unacceptable and refusal is recommended asset out in paragraph 11 below.
9.37	Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and refusal of planning permission is recommended and delegated authority is sought for the final wording of refusal reasons from the Director of Planning and Building Control.
10.0	Summary of Recommendation: Refusal
11.0	Refusal Reasons 1. The proposal is contrary to OS1 of PPS 8 in that it will result in a loss of open space and the applicant has failed to demonstrate that the redevelopment will bring substantial community benefits that decisively outweigh its permanent loss. 2. The proposal is contrary to OS2 of PPS 8 Open Space Sport and Recreation QD1 of PPS7 Quality Residential Environments in that it fails to provide adequate or quality private amenity space or sufficient communal open space for prospective residents of this development or the overall development.
Notification to Department (if relevant) N/A	
Representations from Elected members: Cllr Newton	

ANNEX	
Date Valid	3rd January 2019
Date First Advertised	25th January 2019
Date Last Advertised	25th January 2019
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 10 Park Avenue,Belfast,Down,BT4 1PU The Owner/Occupier, 12 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 125 Connsbrook Avenue,Belfast,Down,BT4 1JX The Owner/Occupier, 14 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 16 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 18 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 20 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 22 Park Avenue Heights, Belfast, BT4 The Owner/Occupier, 31 Sefton Park, Belfast, BT4 1PN The Owner/Occupier, 31 Shaw Street,Belfast,Down,BT4 1PT The Owner/Occupier, 32 Sefton Park, Belfast, BT4 1PN The Owner/Occupier, 36 Sefton Drive, Belfast, BT4 1PL The Owner/Occupier, 39 Colvil Street,Belfast,Down,BT4 1PS The Owner/Occupier, 39 Park Avenue, Belfast, BT4 1PU The Owner/Occupier, 40 Shaw Street,Belfast,Down,BT4 1PT The Owner/Occupier, 42 Colvil Street,Belfast,Down,BT4 1PS The Owner/Occupier, 45 Park Avenue, Belfast, BT4 1PU The Owner/Occupier, 8 Park Avenue,Belfast,Down,BT4 1PU The Owner/Occupier, Apartment 1,47 Park Avenue,BELFAST,BT4 1PU	

The Owner/Occupier,
 Apartment 10,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 11,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 12,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 13,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 14,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 15,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 2,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 3,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 4,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 5,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 6,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 7,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 8,47 Park Avenue,BELFAST,BT4 1PU
 The Owner/Occupier,
 Apartment 9,47 Park Avenue,BELFAST,BT4 1PU

Date of Last Neighbour Notification	12th February 2019 Additional neighbours consulted 24 th May 2019 due to new dwellings now being occupied.
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Date of EIA Determination	N/A
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ES Requested	No
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Drawing Numbers and Title

Drawing No. Type:

Development Management Report Addendum Report 3	
Application ID: LA04/2020/2325/F	Date of Committee: 11 th February 2025
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	Location: Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in March 2022 and June 2023.	
Recommendation: Approval subject to conditions and Section 76 planning agreement (refuse if the planning agreement is not completed by 21 st March 2025).	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	Agent Name and Address: TSA Planning, 20 May Street, Belfast, BT1 4NL
Date valid: 6 th November 2020	
Target date: 18 th February 2021	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background This report should be read in conjunction with the original Committee report to the March 2022 and subsequent addendum reports, appended. - At the 10th December Committee meeting, the Committee noted that should the Section 76 planning agreement not be completed by the end of January 2025, the application would be brought back to the Committee for redetermination. - Whilst progress is being made in respect of the Section 76 planning agreement, it is still not complete at the time of writing this report.	
Section 76 planning agreement - The Section 76 planning agreement remains outstanding after more than 5 years. It seeks to secure the following: - provision of the 21 units as affordable housing (social / intermediate housing); - the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units; - the future management of the pocket park;	

- temporary treatment of the site for 12 apartments if those were delayed or not built out; and
- a financial developer contribution of £67,632 (index linked from the originally agreed sum) for enhancement works at the King George V playing fields.

Recommendation

5. The application cannot remain undetermined indefinitely and the Council must be mindful of its statutory performance targets. In this regard, the Planning Service is seeking to progress by year end (31st March 2025) a number of long-standing applications previously approved by the Committee for which Section 76 planning agreements have still to be completed (these are listed in the separate report under item 6 relating to Committee decisions that have yet to issue).
6. Therefore, it is recommended that the application is approved subject to conditions and the Section 76 planning agreement, provided that the planning agreement is completed by 21st March 2025. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement.
7. Should the Section 76 planning agreement not be completed by 21st March 2025, it is recommended that the application is refused on grounds that the planning obligations necessary to make the development acceptable have not been adequate secured. In such circumstances, delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.

Development Management Report Addendum Report 2	
Application ID: LA04/2020/2325/F	Date of Committee: 10 th December 2024
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	Location: Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in March 2022 and June 2023.	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	Agent Name and Address: TSA Planning, 20 May Street, Belfast, BT1 4NL
Date valid: 6 th November 2020	
Target date: 18 th February 2021	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background This application was first considered by the Committee in March 2022 when the Committee resolved to approve the application subject to completion of a Section 76 planning agreement. The application remained undetermined at the point of adoption of the Belfast LDP: Plan Strategy in May 2023 because the Section 76 planning agreement had not been completed. The application was therefore reported back to the Committee at its 20 th June 2023 meeting so that it could be reconsidered against the new policies in the Plan Strategy. The Committee again approved the application subject to completion of the Section 76 planning agreement, The application is reported back to the Committee for a further time in view of the following: 1. The Section 76 planning agreement remains to be completed, over 2.5 years after the Committee's original resolution to grant planning permission subject to completion of the Section 76 planning agreement. This addendum report should be read in conjunction with the previous Committee reports, appended.	

Section 76 planning agreement

2. The Section 76 planning agreement remains outstanding after more than 2.5 years. The delays have mainly been due to land ownership issues that still require to be resolved.
3. The application cannot remain undetermined indefinitely and the Council must be mindful of its statutory performance targets. It is therefore recommended that should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to the Committee in February 2025 for redetermination.

Other matters

4. Amongst other matters, the Section 76 planning agreement is to seek a Developer Contribution of £65,587 for enhancement works at the King George V playing fields. The value of the Developer Contribution should once again be subject to an inflationary uplift due to the passage of time. This should be based on CPI inflation since June 2023 when the application was last considered by the Committee.

Section 76 planning agreement – updated terms

5. The updated planning obligations to be secured through the Section 76 planning agreement are set out below.
 - provision of the 21 units as affordable housing (social / intermediate housing);
 - the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units;
 - the future management of the pocket park;
 - temporary treatment of the site for 12 apartments if those were delayed or not built out; and
 - developer contribution of £65,587 for enhancement works at the King George V playing fields (to be index linked from June 2023) for enhancement works at the King George V playing fields.

Recommendation

6. Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable.
7. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement. Should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to Committee for redetermination.

Development Management Report

Addendum Report 1

Application ID: LA04/2020/2325/F	Date of Committee: 20 th June 2023
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	Location: Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in March 2022.	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	Agent Name and Address: TSA Planning, 20 May Street, Belfast, BT1 4NL
Background This application was considered at the March 2022 meeting of the Planning Committee. The Committee resolved to grant planning permission subject to a Section 76 Planning Agreement to secure the following: • provision of the 21 units as affordable housing (social / intermediate housing); • the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units; • the future management of the pocket park; • temporary treatment of the site for 12 apartments if those were delayed or not built out; • securing of the £52,000 with inflationary uplift since December 2019 (if it had already been paid in relation to application LA04/2019/0081 then it would not have to be paid twice). The Committee gave delegated authority to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement. Since the Committee's decision, the Belfast Local Development Plan: Plan Strategy has been adopted (02 May 2023). At its April 2023 meeting, the Committee gave delegated authority to re-evaluate the application following adoption of the Plan Strategy. However, the application is reported back to Committee for re-evaluation as it is connected to application for 12 apartments on the adjacent land (LA04/2019/0081F), which is also being reported to the Committee. The previous case officer report to the Committee is appended. This includes the Lates items to the March 2022 Committee.	

Updated Policy 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.

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.

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.

Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).

Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.

Relevant Planning Policies

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

- Policy SD2 – Settlement Areas
- Policy HOU1 – Accommodating new homes
- Policy HOU2 – Windfall housing
- Policy HOU4 – Density of residential development
- Policy HOU5 – Affordable housing
- Policy HOU6 – Housing mix
- Policy HOU7 – Adaptable and accessible accommodation
- Policy DES1 – Principles of urban design
- Policy RD1 – New residential developments
- Policy HC1 – Promoting healthy communities
- Policy TRAN6 – Access to public roads
- Policy TRAN8 – Car parking and servicing arrangements
- Policy TRAN10 – Design of car parking
- Policy ENV1 – Environmental quality
- Policy ENV2 – Mitigating environmental change
- Policy ENV3 – Adapting to environmental change
- Policy ENV5 – SuDS
- Policy GB1 – Green and blue infrastructure network

Policy OS1 – Protection of Open Space
Policy OS3 – Ancillary open space
Policy NH1 – Protection of natural heritage resources
Policy TRE1 – Trees

Supplementary Planning Guidance

Affordable Housing and Housing Mix
Residential Design
Placemaking and Urban Design
Sustainable Urban Drainage Systems
Transportation
Trees and Development

Updated Assessment

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

Additional Information

Officers requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.

Consultation responses

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

Principle of development

The principle of development remains acceptable as set out in the previous case officer report, appended. The site is located within the settlement limit, has good access to services, shops and public transport. The proposal would make effective use of land at a density of 42 units/ha, which is within the 25-125 units/ha range for outer Belfast. The proposal is considered compliant with Policies SD2, HOU1, HOU2 and HOU4 of the Plan Strategy.

Whilst the proposal would result in the loss of open space, this is considered off-set by the provision of the 21 dwellings as social housing for which there is a significant local need. NIHE has previously confirmed its support for the application and that the scheme was on the 2021/22 social housing programme (see Late items report to the March 2022 Committee, appended). Combined with the provision of a commuted sum of £65k (including inflation) towards improvements to the local King George V playing fields, this is considered a substantial community benefit that would decisively outweigh the loss of the original open space, having regard to Policy OS1 of the Plan Strategy.

Affordable housing and housing mix

All 21 dwellings would be provided as affordable housing (100% provision) to help off-set the loss of the original Maple Leaf Club and open space from the site.

The proposal, in combination with the development of the adjacent site for 12 apartments (LA04/2019/0081/F), could result in mono-tenure social housing, which would be conflict with the

Policy HOU5's objective of mixed and balanced communities. However, the Affordable Housing and Housing Mix SPG advises at paragraph 4.4.12 that whether proposals for mono-tenure social housing is deemed to deliver sustainable and balanced communities can be assessed on a case-by-case basis using three key factors:

- The level of social housing need in the vicinity of the site and the availability of land to address such needs;
- The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and
- Whether a scheme is proposed as 'shared housing'.

Given the need for social housing the area, NIHE's support for the proposal and tenure characteristics of nearby housing, the approach to tenure is considered, on balance, acceptable.

The proposal is therefore considered acceptable having regard to Policy HOU5 of the Plan Strategy and its associated SPG.

The proposed 5 person 3 bedroom units are 103-104 sqm; and the 3 person 2 bedroom units are 80 sqm, meeting the space standards in Appendix C of the Plan Strategy. The housing mix is considered acceptable, having regard to Policy HOU6.

Adaptable and accessible housing

Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible. The applicant has not provided evidence that the scheme will provide sufficient wheelchair accessible units and argues that 'there is an inherent difficulty in designing a small percentage of units to a different standard'.

The applicant states that the proposed dwellings have been specifically designed to meet the requirements of the Housing Association, taking account of increased space requirements requested by them, and that no wheelchair housing units have been provided as a result of no need being identified by NIHE with respect to the social housing waiting list. Similarly, the applicant notes that there is in-built flexibility for all units already designed to Lifetime Homes standards.

Whilst building to Lifetime Homes standards and Housing Association Guide (HAG) standards will ensure that all dwellings will meet the adaptable home requirements of criteria a. to f. of Policy HOU7, the proposals does not fully satisfy the wheelchair accessibility provisions set out in criteria g. to o. Policy HOU7 requires a minimum of 10% of the dwellings to be wheelchair accessible units. However, some of the proposed dwellings exceed the minimum space standards and the full Lifetime Homes standards meet some of the wheelchair adaptable standards. Regard is also had to the previous decision of the Committee in March 2022 to grant planning permission. Taking into account these factors, this contravention of Policy HOU7 is considered acceptable in the planning balance.

Climate Change

Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals (including changes of use) will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction and

operation. The applicant states that the proposal is capable of meeting the BREEAM and energy efficiency standards of Housing Associations. Whilst no specific measures to mitigate climate change have been provided, given the requirement for the apartments to be constructed to Housing Association design standards which require a commitment to energy efficiency, it is considered that this matter can be appropriately addressed by condition.

Policy ENV3 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development. In order to minimise the impact of extreme weather conditions, new developments should also embed resilience to current and future climates. The proposed layout includes permeable grassed areas. No additional resilience measures have been identified, however, this can be secured by an appropriate planning condition.

Sustainable Urban Drainage Systems (SuDS)

Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. Whilst no specific measures are identified, the proposed layout includes permeable grassed areas. No additional specific SuDS measures have been identified by the applicant, however, this will be secured by means of a planning condition.

Promoting healthy communities

Policy HC1 of the Plan Strategy states that the council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. The scheme involves the provision of a small pocket park on the adjacent development of 12 apartments to provide amenity and recreation space for residents. The site is within walking distance of King George V playing fields. It is within walking distance of shops and services and its location would promote healthy and active lifestyles. The proposal is considered acceptable having regard to Policy HC1 of the Plan Strategy.

Planning obligations

It is considered that the planning obligations previously agreed by the Committee remain necessary to make the proposal acceptable in the planning balance. These include:

- provision of the 21 units as affordable housing (social / intermediate housing);
- the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units;
- the future management of the pocket park;
- temporary treatment of the site for 12 apartments if those were delayed or not built out; and
- developer contribution of £65,587 for enhancement works at the King George V playing fields

Other considerations

Other aspects of the proposal are considered to remain acceptable, having regard to the policies in the Plan Strategy.

Regard is also had to the previous decision of the Planning Committee which was to grant planning permission subject to completion of a Section 76 planning agreement.

Conclusion and Recommendation

Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement. Additional conditions are required in respect of mitigation and adaptation to climate change, including SuDS.

Late Items

Agenda Item	Application	Issues Raised	Action																				
7c	LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue	Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments. The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026. The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021. <table><tr><td></td><td>Singles</td><td>Families</td><td>Elderly</td><td>TOTAL</td></tr><tr><td>All Applicants</td><td>133</td><td>138</td><td>58</td><td>329</td></tr><tr><td>Housing Stress</td><td>86</td><td>79</td><td>42</td><td>207</td></tr><tr><td>Allocations to December 2021</td><td>30</td><td>13</td><td>30</td><td>73</td></tr></table> The proposal is currently on the 2024/25 Social Housing Development Programme as a second phase of development of the wider lands.		Singles	Families	Elderly	TOTAL	All Applicants	133	138	58	329	Housing Stress	86	79	42	207	Allocations to December 2021	30	13	30	73	For notation.
	Singles	Families	Elderly	TOTAL																			
All Applicants	133	138	58	329																			
Housing Stress	86	79	42	207																			
Allocations to December 2021	30	13	30	73																			
7c	LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue	The applicant confirms their agreement to the inflationary uplift (Consumer Price Index linked) to the £52k Financial Developer Contribution towards enhancements at the King George V playing fields.	For notation.																				

Agenda Item	Application	Issues Raised	Action																				
7d, 7e & 7f	LA04/2019/0082/F, LA04/2019/0083/F (s54 applications) and LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue	Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments. NIHE confirms that the proposal is on the 2021/22 Social Housing Development Programme and the mix of housing has been agreed with the joint applicant, Choice Housing. NIHE is keen that the scheme commences in this financial year. The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026. The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021. <table><tr><td></td><td>Singles</td><td>Families</td><td>Elderly</td><td>TOTAL</td></tr><tr><td>All Applicants</td><td>133</td><td>138</td><td>58</td><td>329</td></tr><tr><td>Housing Stress</td><td>86</td><td>79</td><td>42</td><td>207</td></tr><tr><td>Allocations to December 2021</td><td>30</td><td>13</td><td>30</td><td>73</td></tr></table>		Singles	Families	Elderly	TOTAL	All Applicants	133	138	58	329	Housing Stress	86	79	42	207	Allocations to December 2021	30	13	30	73	For notation.
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Housing Stress	86	79	42	207																			
Allocations to December 2021	30	13	30	73																			
7d & 7e	LA04/2019/0082/F and LA04/2019/0083/F s54 applications relating to site of the former Maple Leaf Club, Park Avenue	The applicant has withdrawn both applications as the s54 applications are no longer needed.	For notation.																				

Agenda Item	Application	Issues Raised	Action
7f	LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue	Further to the officer recommendation, the applicant has confirmed their agreement to the following planning obligations to be secured by way of a Section 76 planning agreement: • Single payment of £52k plus inflationary uplift (Consumer Price Index linked); and • Delivery of the 21 dwellings as social/affordable housing. However, for logistical reasons, the applicant is unable to agree to the requirement that the pocket park is delivered prior to occupation. The main difficulties are summarised below: • Underneath the site of the pocket park is the main sewer and electrical cable. Access will be required until full adoption of sewers; • Access for gas connection; • Construction of the apartment block will require access for scaffold, plant and piling rig; • This is the only area left for welfare facilities; • It would be the last part of construction on the overall site from a practical view. In practice, the applicant states that they are confident that they will be able to deliver the 12 apartments within this period and at the same time complete the pocket park. However, should this not be possible, it proposes a clause in the Section 76 planning agreement to	Officers accept that it would be impracticable to deliver the pocket park prior to occupation of the 21 dwellings for the reasons set out by the applicant. The officer recommendation is therefore modified to require that the pocket park is delivered no later than two years from the date of first occupation. A planning obligation should also be required to secure its future management.

Agenda Item	Application	Issues Raised	Action
		require delivery of the pocket park within 24 months from occupation of the first dwelling within the 21 dwelling scheme. The pocket park would be managed by Choice Housing Association. For information, the applicant provides the following indicative timeline for delivery of the scheme: • March/April 2022 – onsite start of 21 dwellings. • March/April 2023 – first handover • March/April 2023 – hope to commence works on 12 apartments • March/April 2024 – complete 12 apartments and pocket park • Worst case scenario is that pocket park will be delivered 24 months from first handover i.e. by March/April 2025	

Committee Application

Development Management Report	
Application ID: LA04/2020/2325/F	Date of Committee: 15 March 2022
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	Location: Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Application also in association with applications LA04/2019/0081/F, LA04/2019/0082/F and LA04/2019/0083/F, previously considered by the Planning Committee and on the same agenda.	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	Agent Name and Address: TSA Planning, 20 May Street, Belfast, BT1 4NL
Executive Summary: The application seeks full planning permission for the erection of 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4 no. semi-detached), car parking, landscaping and all associated site and access works. The key issues to consider are: - Principle of development - Loss of open space - Provision of public and private amenity space - Impact on the character and appearance of the area - Impact on residential amenity - Impact on existing trees / proposed landscaping - Access and parking - Drainage and flood risk - Waste-water infrastructure The site is un-zoned 'whiteland' within the BUAP 2001 and draft BMAP 2015. The proposed development would result in the loss of open space (including the bowling green previously located on the site) protected by Policy OS1 of PPS 8. By way of background, planning application Z/2010/0434/F was granted planning permission in June 2011 on essentially the same site, but also including land to the west, for a mixed use development including replacement of the original Maple Leaf club and 21 dwellings. That planning permission	

included conditions requiring the provision of social housing and build out of the replacement social club, required to offset the loss of open space. These conditions were subsequently varied under applications Z/2011/0827/F and Z/2011/0829/F.

Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. Condition 2 prevents occupation of the residential units until the replacement Maple Leaf Club has been erected in accordance with the new approved plans. Condition 3 requires the development to be delivered as social / affordable housing. It appears the main site access and part of the access road between Blocks A and C have been constructed and this serves the development of 13 houses to the north of the site (LA04/2015/0052/F). Therefore, it is considered that the development has commenced and represents a fall-back for the developer, albeit it would require the construction of the replacement social club.

The current application for 21 dwellings (social / affordable) is a standalone application for residential development, i.e. the developer does not wish to construct the social club as previously approved.

The Planning Committee has previously resolved to approve application LA04/2019/0081/F for 12 apartments (social/affordable housing) on the part of the site previously approved for the replacement social club. It also approved associated applications LA04/2019/0082/F and LA04/2019/0083/F to vary the previous permissions for 21 dwellings and replacement Maple Leaf Club in order to relax the requirement to construct and operate the new social club.

Policy OS2 requires public open space to be provided as an integral part of new housing schemes of 25 units or more and states that at least 10% of the total site area should be open space in normal circumstances. Whilst the proposal is for 21 dwellings – being less than the 25 unit threshold – it is being brought forward in combination with the development of the immediately surrounding lands of 13 units built to the north and the proposed 12 apartments to the west (i.e. 46 units in total). The proposal includes some minor areas of maintained open space, however, these areas do not amount to 10% and offer limited amenity value. The proposal is therefore contrary to Policy OS 2 of PPS 8.

Policy OS1 of PPS 8 states that development resulting in the loss of existing open space will not be permitted, however, an exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. It is considered that the provision of affordable housing does not by itself outweigh the loss of the open space in this instance.

In resolving to grant planning permission for the 12 apartments to the west (LA04/2019/0081/F), the Planning Committee took the view that the relaxation of the requirement to provide a new club to replace the Maple Leaf Club and off-set the loss of open space from the site would be justified provided that 1) the 12 apartments were delivered as affordable housing; 2) a Financial Developer Contribution of £52k is paid to improve off-site open space facilities, and 3) that the proposed pocket park in front of the apartments is delivered to provide valuable open space to serve not only the proposed 12 apartments but also the surrounding houses including the extant permissions for 21 dwellings on the application site.

Therefore, consistent with the Committee's previous decisions in December 2019 in respect of the 12 apartments on the adjacent site, it is also necessary that the pocket park is delivered as part of the scheme for 21 dwellings. Otherwise, it would have insufficient open space and there would be insufficient off-set for the loss of the original open space on the site. Moreover, the £52k should also be secured as part of any permission for the 21 dwellings. This amount was agreed by the Planning Committee in December 2019 but should be increased to allow for inflation. An obligation should also secure temporary treatment of the site if the construction of the 12 apartments are delayed or not

built. Subject to these obligations to be secured by means of a Section 76 planning agreement, the proposal is considered acceptable having regard to Policies OS 1 and OS 2 of PPS 8. On balance, it is considered the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings and landscaped and hard surfaced areas. Furthermore, whilst there are concerns regarding the design of the proposed development, given the extant approval on the site and the similar design, it is considered acceptable.

Minor concerns regarding overlooking between Blocks C and D have been raised, however, given the extant approval on the site and the similar layout, it is considered acceptable. There are no concerns regarding natural light, outlook or shadow.

BCC Environmental Health Service has raised concerns regarding the level of noise within the external amenity areas of the 4 semi-detached dwellings. However, they conclude that if the development is desirable and given its urban location, it should not be prohibited on the basis of high external noise levels in some garden areas. Consequently, they have not offered any objections to the proposal.

Each dwelling enjoys access to private amenity space, ranging from 33 sq m to 100 sq m, with the average provision approx. 50 sq m. There are slight concerns regarding the amenity space provision of some proposed dwellings. However, given there is an extant approval on the site for a similar layout, the arrangement is considered acceptable.

The proposed development is accessed via Park Avenue. No in-curtilage parking is proposed, however, communal car parking space are proposed within the development. DFI Roads have provided comments on the proposal and offered no objection, subject to conditions.

The proposal involves the removal of trees along the Park Avenue boundary, however, a tree survey has been submitted and the Council's Tree Officer has no objection. Furthermore, additional compensatory planting has been proposed which helps to soften the proposal and assist its integration.

Recommendation

Having regard to the development plan and the other material planning considerations, including planning history of the site and adjacent land, it is considered that, on balance, the proposed development is acceptable. It is therefore recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement to secure the following:

- provision of the 21 units as affordable housing (social / intermediate housing)
- delivery of the pocket park proposed under LA04/2019/0081/F prior to occupation of any of the 21 dwellings
- temporary treatment of the site for 12 apartments if these are delayed or not built out
- securing of the £52k with inflationary uplift since December 2019 (if this already been paid in relation to applications LA04/2019/0081, LA04/2019/0082 or LA04/2019/0083 then it will not have to be paid twice).

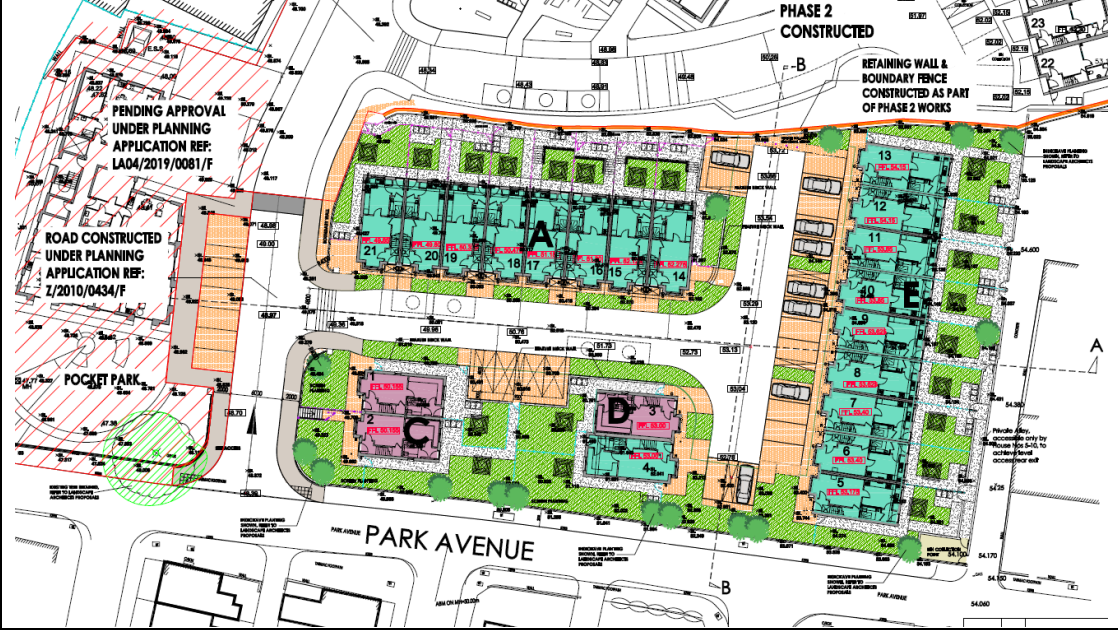
It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement.

Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 The application seeks full planning permission for the erection of 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4 no. semi-detached), car parking, landscaping and all associated site and access works.
- 1.2 It follows previous planning permissions being granted on the site and adjacent land for 21 dwellings including the erection of a new club to replace the original Maple Leaf Club, which has since been demolished.



	
2.0 2.1 2.2 2.3	Description of Site The application site is located to the north side of Park Avenue on lands at the former Maple Leaf social club. The site has been cleared and is currently secured from public access. Previously, the Maple Leaf social club, a bowling green and a car park were located on the site, however, the bowling green appears to have been removed circa 2015/16 and the Maple Leaf club demolished circa 2018/19. The site is accessed from Park Avenue which slopes steeply in a westerly direction from Hollywood Road towards Connsbrook Avenue. There is an existing access road through the site, which currently serves 13 residential units and a Masonic Hall to the north. The same access is proposed to serve the development. The surrounding area is characterised primarily by residential development, however, there is a Masonic Hall in close proximity and a commercial vehicle sales yard to the west (accessed off Connsbrook Avenue). The surrounding residential development is relatively high density, in the form of terraced housing and apartments.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Application site Z/2010/0434/F – Mixed use development to include the relocation and replacement of the Maple Leaf Club premises and residential development comprising 21 dwellings (3no. 2 bed, 18no. 3 bed dwellings), landscaping and associated site works – Granted 9/6/11 Z/2011/0827/F – Article 28 application to vary condition 3 of permission Z/2010/0434/F to include social/affordable housing within the residential development and the social club – Granted 30/3/12

	Z/2011/0829/F – Article 28 application to vary condition 2 of permission Z/2010/0434/F to allow simultaneous commencement of development of the residential development and the social club – Granted 30/3/12 LA04/2015/0075/F – Modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots 14-21 – Granted 25/2/16 Z/2002/2542/A41 – Conversion of existing offices to bowling viewing lounge – Permitted Development Z/1999/0307 - Proposed bowling green in part of existing car park including new access arrangements – Granted 10/4/01 Land to West (Currently under consideration) LA04/2019/0081/F – Erection of 12 apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works. <i>The Planning Committee resolved to grant planning permission subject to a Section 76 planning agreement at its meeting in December 2019</i> LA04/2019/0082/F – Section 54 application to remove condition 2 of Z/2010/0434/F. The condition reads as follows, 'No part of the residential development hereby permitted shall be commenced until the social club hereby approved is constructed and operational in accordance with the approved plans.' The removal of the condition is necessary to allow the construction of the social/affordable housing. <i>The Planning Committee resolved to grant planning permission subject to a Section 76 planning agreement at its meeting in December 2019</i> LA04/2019/0083/F – Section 54 application to remove condition 2 of LA04/2015/0075/F. The condition reads as follows 'No part of the residential development hereby permitted shall be occupied until the social club hereby approved is constructed and operational in accordance with drawing 06A date stamped 20th August 2016, drawing 07B date stamped 03 February 2016 and drawing 08 stamped 01 April 2015'. The removal of the condition is necessary to allow for the construction and occupation of the social/affordable housing. <i>The Planning Committee resolved to grant planning permission subject to a Section 76 planning agreement at its meeting in December 2019</i> Wider lands LA04/2015/0052/F - Lands to the north of 41-43 Park Avenue , Belfast, and to the south of 45 Park Avenue, Belfast - Erection of 13 No. social/affordable housing units (7No, 2 bed townhouses & 6No. 2 bed apartments) with associated parking, landscaping and road works, with access from Park Avenue via adjacent approval Z/2010/1434/F including provision for revised access/parking to masonic hall – Granted 22/9/16.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (v2004) (dBMAP 2015 v2004)
4.3	Draft Belfast Metropolitan Plan 2015 (v2014) (dBMAP 2015 v2014)

4.3	Strategic Planning Policy Statement (SPPS) PPS 2 Natural Heritage PPS 3 Access, Movement and Parking PPS 7 Quality Residential Environments PPS 7 Addendum - Safeguarding the character of established residential areas PPS 8 Open Space, Sport and Outdoor Recreation PPS 12 Housing in Settlements PPS 15 Planning and Flood Risk Creating Places Developer Contribution Framework (adopted 2020)
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection, subject to conditions
5.2	NIEA – No objection, subject to conditions
5.3	NI Water – No objection
5.4	DFI Rivers – No objection
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection, subject to conditions
6.2	BCC Tree and Landscaping officer – No objection, subject to conditions
7.0	Representations
7.1	37 neighbours have been notified of the proposed development. No representations were received.
8.0	Assessment
8.1	<u>Development Plan context</u> Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP 2015 remaining a material consideration. Given the advanced stage at which dBMAP 2015 (v2014) pre-adoption including modification following the Planning Appeals Commission's report on the Examination in Public, it is considered that it holds significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.
8.2	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in

	relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
8.3	<u>SPPS</u> The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.
8.4	The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. The SPPS advises that the use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings. The SPPS also seeks to protect Open Space.
8.5	<u>Principle of development including loss of Open Space</u> The site is un-zoned 'whiteland' within the BUAP and draft BMAP.
8.6	The proposed development would result in the loss of open space including the bowling green previously located on the site, protected by Policy OS1 of PPS 8.
8.7	Planning application Z/2010/0434/F was granted planning permission in June 2011 for a mixed use development of the site and adjacent land to include the relocation and replacement of the Maple Leaf club premises and 21 dwellings, landscaping and associated site works. This planning permission included conditions requiring the provision of social housing and a new social club. Condition 2 prevents commencement of the construction of the houses until the replacement Maple Leaf Club has been erected in accordance with the approved plans and is operational. Condition 3 requires the development to be delivered as social housing. These conditions were imposed to offset the loss of open space.
8.8	Planning application Z/2011/0829/F was granted in March 2012 to vary condition 2 to allow simultaneous construction of the Maple Leaf Club and 21 dwellings approved under application Z/2010/0434/F. The condition was varied to prevent <u>occupation</u> of the residential units until the replacement Maple leaf Club had been erected in accordance with the approved plans and is operational.
8.9	Planning application Z/2011/0827/F was granted in March 2012 to vary condition 3 to include the term affordable in addition to social housing, in order to be less restrictive for the applicant as it would allow the sale of dwellings in the future under the 'right to buy' scheme.
8.10	Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. Condition 2 prevents occupation of the residential units until the replacement Maple leaf Club has been erected in accordance with the new approved plans and is operational. Condition 3 requires the development to be delivered as social / affordable housing. Conditions 2 and 3

	of this approval replicate the previous variation of condition approvals under Z/2011/0827/F and Z/2011/0829/F.
8.11	It appears that the main site access and part of the access road between Blocks A and C have been constructed. Google Earth images appear to show this in place in June 2016. The only pre-commencement condition of LA04/2015/0075/F relates to the provision of the site access onto Park Avenue. As this access appears to have been constructed within 5 years of the date of the permission, it is considered that this development has likely commenced and this represents a fall back.
8.12	The current application for 21 dwellings is a standalone application for residential development, i.e. the developer does not wish to construct the social club as previously approved. In December 2019, the Planning Committee resolved to approve application LA04/2019/0081/F for 12 apartments (social/affordable housing) on the part of the site previously approved for the social club. In addition, it resolved to approve applications LA04/2019/0082/F and LA04/2019/0083/F to remove the conditions requiring construction and operation of the social club from the previous 2010 and 2015 approvals.
8.13	As previously noted, the principle of development on the current application site was considered acceptable as the original proposal included both the provision of affordable housing and a replacement social club. The current proposal includes the provision of social / affordable housing, however, the social club has now been removed entirely from the proposal. Since the provision of a replacement social club was to form part of the original off-set for the loss of Open Space, this now needs to be reconsidered.
8.14	Policy OS1 of PPS 8 states that development resulting in the loss of existing open space will not be permitted, however, an exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. It is considered that the provision of affordable housing does not by itself outweigh the loss of the open space in this instance.
8.15	In resolving to grant planning permission for the 12 apartments to the west (LA04/2019/0081/F), the Planning Committee took the view that the relaxation of the requirement to provide a new club on the site to replace the Maple Leaf Club and loss of Open Space from the site would be justified provided that the 12 apartments were delivered as affordable housing, that a Financial Developer Contribution of £52k be paid to improve off-site Open Space facilities, and that the proposed pocket park in front of the apartments is delivered to provide value Open Space to serve not only the 12 apartments but also the surrounding houses including the extant permissions for 21 dwellings on the application site.
8.16	Therefore, consistent with the Committee's previous decisions in respect of the 12 apartments on the adjacent site, it is also necessary that the pocket park is delivered as part of the scheme for 21 dwellings. Otherwise, it would have insufficient Open Space and there would be insufficient off-set for the loss of the original Open Space on the site. It is conceivable that only the pocket park element of the adjacent scheme for 12 apartments comes forward and in these circumstances there should be an additional obligation requiring temporary treatment of the location of the 12 apartments. Moreover, the £52k should also be secured as part of any permission for the 21 dwellings (although it would not need to be paid twice – it should be secured from whichever of the two permissions comes forward first). This amount was agreed by the Committee in December 2019

	but should be increased to allow for inflation. Subject to these obligations to be secured by means of a Section 76 planning agreement, the proposal is considered acceptable having regard to Policies OS 1 and OS 2 of PPS 8. <u>Impact on the character and appearance of the area</u> <i>Layout</i> 8.17 The proposal includes 17 terraced dwellings and 4 semi detached dwellings. Block C is a pair of semi-detached dwellings located directly facing the site access. Block A includes 8 terraced dwellings located perpendicular to the existing access road. The terraced dwellings are 3 storey (10.1 m to ridge), with a heavier roof at the rear giving the appearance of 2 storeys. The proposal includes an internal access road between Blocks A and C in an easterly direction. To the south of the access road and to the north of the existing Park Avenue is Block D, another pair of semi detached dwellings. Block D includes one 2 storey dwelling and one 3 storey dwelling. At the end of the access road and arranged perpendicular to Park Avenue is Block E, a row of 9 terraced dwellings with a similar 3 storey / 2 storey design to Block C. The proposed dwellings are orientated gable ended towards Park Avenue, similar to the residential developments directly opposite the site. No in curtilage parking is provided, which is generally characteristic of the surrounding area. <i>Materials</i> 8.18 The proposed materials include a mix of red brick and smooth render external walls, grey concrete roof tiles, grey uPVC windows, timber hardwood doors and black uPVC rainwater goods. The proposed materials are considered in keeping with the site and surrounding area and are acceptable. 8.19 There are concerns regarding the form of the proposed dwellings, e.g. Block D is a pair of semi detached dwellings, one two storey and one three storey in height. However, given the extant approval on the site which included an almost identical arrangement, it is considered acceptable in this case. <i>Residential density</i> 8.20 The proposed residential density equates to approximately 42 dwellings per hectare. Densities within the immediate surrounding areas range from approximately 40 dwellings per Ha (Phase 1 and development along Park Avenue) up to 120 dwellings per Ha (terraced dwellings along Colvil Street, Shaw Street, Sefton Park etc). It is considered the proposed density is in keeping with the area. 8.21 On balance, it is considered the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings and landscaped and hard surfaced areas, having regard to the previous permission which was for a similar layout and design. <u>Residential amenity</u> 8.22 It is not considered that the proposed development will create conflict with adjacent land uses. 8.23 As already noted, Blocks C and D are two pairs of semi-detached dwellings arranged back to back within the proposed development. The separation distance between the two blocks is approximately 17 metres, which is below the guidelines as detailed in Creating Places. However, given the extant approval on the site which
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	included a similar arrangement, it is considered acceptable in this case. There are no other concerns regarding overlooking, natural light, shadow or outlook.
8.24	The application site is located close to the busy Park Avenue road and will therefore potentially be impacted by noise. A Noise Impact Assessment (NIA) was submitted in support of the proposal. BCC Environmental Health (EHO) has raised concerns regarding the level of noise within the external amenity areas of the 4 semi-detached dwellings. The British Standard guidance advises that <i>'the acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50-55dB_{L_{Aeq,16hr}}'</i>. The standard continues... <i>'these guideline values may not be achievable in all circumstances where development might be desirable. In such a situation development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited.'</i>
8.25	Consequently, EHO have advised that if the development is desirable and given its urban location, it should not be prohibited on the basis of high external noise levels in some garden areas. Furthermore, EHO also acknowledge the previous approval granted for a similar layout on the site. In conclusion, Environmental Health Has requested conditions in the event that planning permission is granted.
8.26	An updated Generic Quantitative Risk Assessment (GQRA) and further clarifications document were submitted in support of the proposal in relation to contaminated land. Following review of this information, EHO advise they have no objection, subject to conditions.
8.27	<u>Space standards</u> The proposed development includes a mix of 5 person 3 bedroom dwellings and 3 person 2 bedroom dwellings. The 5P3B dwellings measure approximately 103-104 sq metres and the 3P2B dwellings measure approximately 80 sq metres. Consequently, the proposed dwellings comply with the space standards, as per Policy LC1 of PPS 7 Addendum.
8.28	<u>Amenity space</u> Creating Places (CP) states that 'a variety of different garden sizes should be provided and back garden provision should therefore be calculated as an average space standard for the development as a whole, and should be around 70 sq m per house or greater'. CP also states that a private amenity area of less than around 40 sqm would generally be unacceptable. Each dwelling enjoys access to private amenity space, ranging from 33 sq m to 100 sq m, with the average provision approx. 50 sq m. There are slight concerns regarding the amenity space provision of a number of proposed dwellings, e.g. House No's 6, 7 and 8 have relatively small rear gardens measuring approx. 33 sqm. However, given there is an extant approval on the site for a similar layout, the arrangement is considered acceptable.
8.29	As previously noted, Policy OS2 of PPS 8 is relevant to the proposed development. Policy OS2 requires public open space to be provided as an integral part of new housing schemes of 25 units or more and states that at least 10% of the total site area should be open space in normal circumstances. Whilst the proposal is for 21 dwellings – being less than the 25 unit threshold – it is being brought forward in combination with the development of the immediately surrounding lands of 13 units built to the north and the proposed 12 apartments to the west (i.e. 46 units in total). The proposal includes some minor areas of maintained open space, however, these areas do not amount to 10% and offer limited amenity value. The proposal is therefore contrary to Policy OS 2 of PPS 8. This was also true of the extant

	schemes, however, these were to provide a replacement social club to provide off-set. Linking the proposed development to provision of the pocket park (as proposed under ref. LA04/2019/0081/F) on land directly adjacent to the site would help offset the reduced provision of public open space within the site.
8.30	<u>Access and Parking</u> The proposed development is accessed via Park Avenue. As noted previously, no in-curtilage parking is proposed, however 28 communal car parking spaces are proposed within the development (1.33 spaces per dwelling). It is noted that one additional space is now proposed on the western portion of the site, however the proposal has been amended to remove the social club and apartments are now proposed on this part of the site (ref. LA04/2019/0081/F). DFI Roads have provided comments on the proposal and offered no objection, subject to conditions.
8.31	The proposed development incorporates an acceptable movement pattern that supports walking and cycling and offers convenient access to public transport, along Hollywood Road and Connsbrook Avenue. The proposal incorporates traffic calming measures and assists in meeting the needs of people whose mobility is impaired (level access, tactile paving, accessible parking bays etc.).
8.32	The proposed development is not large enough for provision of local neighbourhood facilities, however, local amenities are located in close proximity on Connsbrook Avenue, Hollywood Road and Belmont Road.
8.33	<u>Trees and Landscaping</u> Trees along the front boundary of the site were originally proposed for retention but are now proposed for removal. The tree survey that has assessed 9 trees in total, two of which are outside the redline boundary of the application site. Out of the 7 remaining trees, 4 were found to be in poor condition, 3 of which are recommended for felling. The other 3 trees were found to be in fair condition but that 2 of these (No's 5 and 6) have evidence of root disturbance, most likely from demolition works to remove old structures. Updated arborist details have been provided in regard to tree no. 4. The report states that the current situation adjacent to the tree and construction measures is likely to result in the future stress and strain of the tree. Given the location of the tree adjacent to the public footpath, the Council's Tree Officer advises that the most appropriate long-term approach would be to remove and replace the tree with a suitable species.
8.34	Compensatory planting is proposed for the loss of the trees along the front boundary. These will be 16 x extra heavy standard size at the time of planting. The proposed planting has been revised to include a mix of species, including birch, sweetgum, cherry, rowan and apple. The Tree Officer is content with the proposed landscaping and the long term management plan relating to same. Consequently, it is considered that the proposed landscaping helps to soften the visual impact of the development and assists in integration with the surrounding area.
8.35	<u>Drainage and Flood Risk</u> A Drainage assessment (DA) was submitted in accordance with Policy FLD 3 of PPS 15. DFI Rivers accepts the logic of the DA and have no reason to disagree with the conclusions. Furthermore, a copy of the Schedule 6 consent to discharge has been submitted. Consequently, DFI Rivers has no objection to the proposal.

8.35	<u>Waste water infrastructure</u> NI Water (NIW) has confirmed that there is available capacity at the receiving waste water treatment works and offers no objection to the proposal.
8.36	<u>Other issues</u> There are no concerns regarding impact on features of archaeological or built heritage. Furthermore, the proposal is designed to deter crime and promote personal safety, meeting Secure By Design standards.
9.0	Summary of Recommendation: Approve subject to conditions and S76
9.1	Having regard to the development plan and the other material planning considerations, including planning history of the site and adjacent land, it is considered that, on balance, the proposed development is acceptable. It is therefore recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement to secure the following: • provision of the 21 units as affordable housing (social / intermediate) • delivery of the pocket park proposed under LA04/2019/0081/F prior to occupation of any of the 21 dwellings • temporary treatment of the site for 12 apartments if delayed or not built out • securing of the £52k with inflationary uplift since December 2019 (if this already been paid in relation to applications LA04/2019/0081, LA04/2019/0082 or LA04/2019/0083 then it will not have to be paid twice).
9.2	It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement.
10.0	Draft Conditions
10.1	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.
10.2	The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.201001-C100 Rev.B uploaded to the Planning Portal 10th February 2022, prior to the occupation of any other works or other development hereby permitted. REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
10.3	The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter. REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

10.4	The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No.201001-C100 Rev.B bearing the Department for Infrastructure Determination date stamp 3rd March 2022.
10.5	REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course. The final wearing course shall be applied on the completion of each phase of the development. REASON: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.
10.6	Notwithstanding the provisions of the Planning (General Permitted Development) (Northern Ireland) Order 2015, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in service strips determined for adoption. REASON: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage to or obstruction of services within the service strip.
10.7	Notwithstanding the provisions of the Planning (General Permitted Development) (Northern Ireland) Order 2015, no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 0.5m shall be carried out in service strips determined for adoption. REASON: To prevent damage to or obstruction of services within the service strip.
10.8	The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.201001-C100 Rev.B uploaded to the Planning Portal 10th February 2022 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles. REASON: To ensure adequate provision has been made for parking within the site.
10.9	The development hereby permitted shall not be occupied until any retaining structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges. REASON: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.
10.10	No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until tree protection measures have been put in place in accordance with recommendations in the Andrew Boe BS5837 Tree Survey and Arb Impact Assessment Report, dated the 20

10.11	January 2021 and approved Drawing No.15A, uploaded to the planning portal on 20th December 2021. These protection measures shall remain in place until the construction works hereby approved are complete and all plant and machinery has been removed from the site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered. Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development works to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.
10.12	All soft landscaping works shall be carried out in accordance with the approved details on approved Drawing No.15A, uploaded to the planning portal on 20th December 2021. The works shall be carried out prior to the occupation of the development hereby approved or within the first available planting season after occupation, whatever is the sooner or unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.
10.13	Once completed, all soft landscaping shall be maintained in accordance with the B. Moore ‘Landscape Management Plan’ titled ‘Proposed Housing at Park Avenue Belfast’, uploaded to the planning portal on 20th December 2021. Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.
10.14	No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. Reason: To ensure the continuity of the biodiversity value afforded by existing trees.
10.15	The Proposed drainage Strategy, as set out in section 5.0 of <i>Drainage Assessment</i>, produced by Civil Design Services (Doc Ref: 201001/DA/10-20LJW), dated October 2020 and uploaded to the Planning Portal on 16th November 2020, shall be implemented in full. Reason: To protect the water environment.

10.16	If during the development works, new contamination or risks are encountered which have not previously been identified, works must cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use.
10.17	After completing the remediation works under Condition 16; and prior to occupation of the development, a verification report shall be submitted to and approved in writing and agreed by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use.
10.18	Prior to the occupation of the proposed development, 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 PM Ltd report entitled: 'Updated Contamination Assessment - New Housing at Park Avenue Phase 1, Belfast' for Latner Developments Ltd (dated October 2020 and referenced PM20-1141) and as updated in the PM Ltd 'Contamination Assessment Clarifications' letter dated 11th February 2021, referenced PM20-1141_Let1 have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential with home-grown produce). It must demonstrate that the identified potential contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that: a. the final site layout is as per the proposed development plan within Appendix I of the PM Ltd report entitled: 'Updated Contamination Assessment - New Housing at Park Avenue Phase 1, Belfast' for Latner Developments Ltd (dated October 2020 and referenced PM20-1141); b. Soils of private garden areas as shown in Figure A of the PM Ltd 'Contamination Assessment clarifications letter', dated February 2021, referenced PM20-1141_Let1, drawing titled: 'Updated areas of gardens requiring remediation', have been encapsulated with a 1m depth capping layer comprising 300mm of granular material, overlain by 700mm of demonstrably clean subsoils and topsoil. Any imported and /or site won material for this cover system must be demonstrably fit for end use (residential with home-grown produce); c. Soils of landscaped areas as shown in Figure A of the PM Ltd: 'Contamination Assessment clarifications letter', dated February 2021, referenced PM20-1141_Let1 drawing titled: 'Updated areas of gardens/landscaping requiring remediation' have

	been encapsulated with a physical capping layer comprising a minimum of 500mm of gravel and subsoil / topsoil demonstrably fit for the end use (Residential with homegrown produce); d. Any imported soils for use on site in all other remaining private gardens and/or landscaped areas is demonstrably fit for the end (Residential with homegrown produce); e. The Verification Report must include the necessary appropriate documentary evidence as outlined in section 6.3 'Validation' in the October 2020 PM Ltd Report referenced PM20-1141. Reason for condition: Protection of human health.
10.19	Prior to installation within the hereby permitted development, the final window schedule confirming the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of Blocks C and D and to the first two houses of Block E shall be submitted to and approved in writing by the Council. The window specification for habitable rooms shall be in line with recommendations of the FR Mark & associates Noise Impact Assessment dated February 2021, planning referenced LA04/2020/2325/F. The windows shall not be installed unless in accordance with the approved details. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.20	Prior to installation, details of the specification of alternative mechanical means of ventilation proposed to be installed within Blocks C and D and the first two houses of Block E shall be submitted to and approved in writing by the Council. The specification for the alternative means of ventilation shall be in line with the recommendations as per table 2 pages 13 and 14 of the FR Mark & associates NIA dated February 2021, planning referenced: LA04/2020/2325/F. The details shall demonstrate that the specification selected for the alternative means of ventilation will not compromise the recommended internal noise levels specified for habitable rooms outlined in British Standard BS8233:2014. Blocks C and D and the first two houses of Block E shall not be occupied unless the approved details have been installed and shall be permanently retained as such. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.21	Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided in compliance with building control requirements Reason for conditions: Protection of residential amenity against adverse noise impact.

10.22	Prior to occupation of the hereby permitted development, the applicant shall verify that the window schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation, a copy of which shall be submitted to the Council in writing. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.23	Prior to occupation of the hereby permitted development, a boundary wall to a minimum height of 2m and at least 2225mm thick shall be constructed to the rear boundary of Block E and a 1m high wall at the boundary of blocks C and D along Park Avenue as shown on approved Drawing No. 03A uploaded to the planning portal on 11th May 2021. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.24	Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extensions or enlargements, buildings, walls, gate pillars, fences or other structures shall be constructed without the grant of a separate planning permission from the Council. Reason: Construction of further extensions or buildings requires detailed consideration to safeguard the amenities of the surrounding area.

Notification to Department (if relevant)

Not applicable.

Representations from Elected members:

None

Details of Neighbour Notification (all addresses)

The Owner/Occupier,
10 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
12 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
125 Connsbrook Avenue,Belfast,Down,BT4 1JX
The Owner/Occupier,
14 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
16 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
18 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
31 Sefton Park,Belfast,Down,BT4 1PN
The Owner/Occupier,
31 Shaw Street,Belfast,Down,BT4 1PT
The Owner/Occupier,

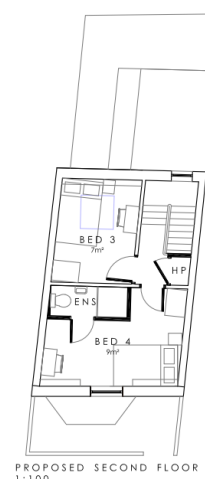
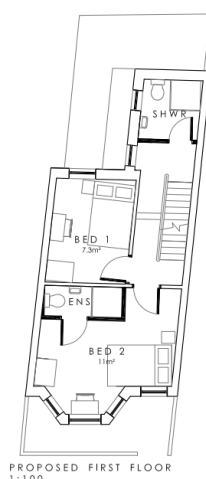
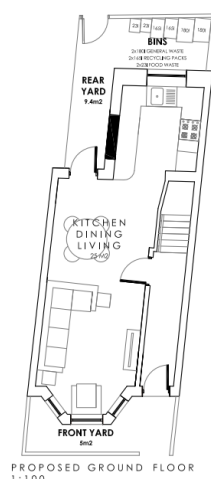
32 Sefton Park,Belfast,Down,BT4 1PN
 The Owner/Occupier,
 36 Sefton Drive,Belfast,Down,BT4 1PL
 The Owner/Occupier,
 39 Colvil Street,Belfast,Down,BT4 1PS
 The Owner/Occupier,
 39 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 40 Shaw Street,Belfast,Down,BT4 1PT
 The Owner/Occupier,
 42 Colvil Street,Belfast,Down,BT4 1PS
 The Owner/Occupier,
 6 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 8 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 1,4 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 1,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 10,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 11,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 12,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 13,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 14,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 15,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 2,4 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 2,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 3,4 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 3,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 4,4 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 4,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 5,4 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 5,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 6,4 Park Avenue Heights,Belfast,Down,BT4 1SH
 The Owner/Occupier,
 Apartment 6,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 7,47 Park Avenue,Belfast,Down,BT4 1PU
 The Owner/Occupier,
 Apartment 8,47 Park Avenue,Belfast,Down,BT4 1PU

The Owner/Occupier,
Apartment 9,47 Park Avenue,Belfast,Down,BT4 1PU

Addendum Report 2	
Committee Date: 11 th February 2025	
Application ID: LA04/2024/1623/F	
Proposal: Change of use from 4-bed dwelling (C1) to 4- bed House of Multiple Occupancy (Sui Generis)	Location: 49 Woodcot Avenue, Belfast, BT5 5JB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas).	
Recommendation: Approval	
Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB
Date Valid: 26/09/2024	
Target Date: 09/01/2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	
Background: This application was due to be considered at the 12th November Planning Committee with officer recommendation of approval but was deferred by the Committee for a site visit. Following the site visit on 4th December 2024, amended drawings were received. The original drawings accompanying the application indicated that the rear amenity space of the property measured 12.9sqm. Following the site visit the applicant was requested to confirm the size of the rear amenity space and an amended plan (see amended Proposed Floorplans below) was submitted indicating the rear amenity area as 9.4sqm. Clarification was also requested regarding the dimensions of the property. The agent has stated that the neighbouring extension and boundary wall appear to have been partially built on the applicant's property. The original drawings submitted were based on Ordnance Survey Map boundaries, however, after a more accurate survey of the rear yard (following the site visit) the drawings were updated to represent the actual size of the yard. The revised drawings indicate a reduction in the rear amenity space from 12.9sqm to 9.4sqm, a difference of 3.5sqm. This size of yard space does not provide enough space for bin storage for a 5-bed house of multiple occupancy. The application was therefore withdrawn from the December 2024 Committee agenda. Given the reduced level of amenity space, the officer recommendation was changed to refusal and the application was scheduled for consideration at the January Committee. However, new drawings were received on 16th January 2025, removing the proposed HMO bedroom on the ground floor to create a larger kitchen / dining / living room. The description of the proposal was therefore amended to: "Change of use from 4-bed dwelling (C1) to 4-bed House in Multiple Occupancy (Sui Generis)" (previously a 5 bed House in Multiple Occupancy).	

This application now seeks full permission for a change of use from a 4-bed dwelling to a 4-bed HMO. The bin storage requirements for a 4 bed HMO include 2 set of bins (one set = one black bin, one recycling pack (3x 55l boxes) and one food caddy) as advised by the Waste Infrastructure SPG. The SPG also sets out the minimum storage area dimensions for waste. In this case for each set of 3 bins in an enclosed yard 2.0 x 1.8m is required in a single row layout requiring a total area of 7.2sqm (2.0 x 1.8m = 3.6sqm x 2 = 7.2 sqm). The revised plan, below, demonstrates that there is sufficient space to adequately accommodate the bins required.

Amended Proposed Floor Plans (Drawing No. 01D):



According to the calculations, 2.2 sqm would remain for amenity space for prospective occupants. This is broadly similar to the 2.1 sqm remaining amenity space when the application was originally recommended for approval at the November 2024 Committee. It is acknowledged that this amenity space would be of limited practical use given that it largely comprises the access route from the rear door of the building to the rear yard.

However, it is material that there is public amenity space at Flora Street Walkway which is a 500 metres – 7 minute walk from the application site. On balance, given the proximity to public amenity space and benefits of the proposal in contributing to the variety of available housing stock, this low level of amenity is considered acceptable.

As the drawings were received after the report to the January Committee was published, the officer recommendation of refusal in the report could not be updated. Officers had proposed to deal with the revised recommendation to approval by way of a verbal update. However, the Committee deferred the application so that a full report could be prepared and put before it.

The application is now recommended for approval as there is deemed sufficient bin storage and amenity space for a 4-bedroom HMO. Drawing 01D shows the ground floor bedroom removed and increased living space. Recommended conditions are drafted below.

A Parking Survey was previously submitted demonstrating available parking within a 150m radius of the site. DfI Roads was consulted on the application and considered the Parking Survey. DfI Roads consider the proposal acceptable and have no objection to the proposed development.

Recommendation:

Having regard to the Local Development Plan and other material considerations, on balance, the proposal is acceptable. It is recommended that planning permission is granted.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the condition(s).

DRAFT CONDITIONS

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

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

2. The House in Multiple Occupancy hereby approved permitted shall not comprise more than four bedrooms as shown in the approved plans.

Reason: Any additional bedrooms would mean that the property would have insufficient bin storage and amenity space to serve the development. Bins could then overspill into the street to the detriment of the amenities of the area.

3. The bin storage area shown on the approved plans shall be retained for that use at all times.

Reason: To ensure adequate management of waste and in the interests of the amenities of the area.

Addendum Report 1	
Committee Date: 21 st January 2025	
Application ID: LA04/2024/1623/F	
Proposal: Change of use from 4-bed dwelling (C1) to 5- bed House of Multiple Occupancy (Sui Generis)	Location: 49 Woodcot Avenue, Belfast, BT5 5JB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas).	
Recommendation: Refusal (Change of opinion)	
Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB
Date Valid: 26/09/2024	
Target Date: 09/01/2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	
Background: This application was due to be considered at the 12th November Planning Committee but was deferred for a site visit. Following the site visit which took place on 4th December 2024, amended drawings were received. The original drawings accompanying the application indicated that the rear amenity space of the property measured 12.9sqm. Following the site visit the applicant was requested to confirm the size of the rear amenity space and an amended plan (see amended Proposed Floorplans below) was submitted indicating the rear amenity area as 9.4sqm. Clarification was also requested regarding the dimensions of the property. The agent has stated that the neighbouring extension and boundary wall appear to have been partially built on the applicant's property. The original drawings submitted were based on Ordnance Survey Map boundaries however after a more accurate survey of the rear yard (following the site visit) the drawings were updated to represent the actual size of the yard. The revised drawings indicate a reduction in the rear amenity space from 12.9sqm to 9.4sqm, a difference of 3.5sqm. This application seeks full permission for a change of use from a 4-bed dwelling to a 5-bed HMO. The Bin storage requirements for a 5 bed HMO include 3 set of bins (one set = one black bin, one recycling pack (3x 55l boxes) and one food caddy) as determined by the Waste Infrastructure SPG. The SPG also sets out the minimum storage area dimensions for waste. In this case for each set of 3 bins in an enclosed yard 2.0 x 1.8m is required in a single row layout requiring a total area of 10.8sqm (2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm). The revised plan demonstrates that there is insufficient space to adequately accommodate the bins required. In addition, no space would be available for amenity provision for use by prospective occupants.	

The initial report (appended), recommended that the application be approved on the basis that the proposal satisfied the requirements of the Waste Infrastructure SPG and provided amenity space for prospective occupants. However, the reduction in the amount of rear amenity space available to serve the development has resulted in a change of opinion to refuse. A draft reason for refusal is set out below.

A Parking Survey was submitted demonstrating available parking within a 150m radius of the site. DfI Roads was consulted on the application and considered the Parking Survey. DfI Roads consider the proposal acceptable and have no objections to the proposed development.

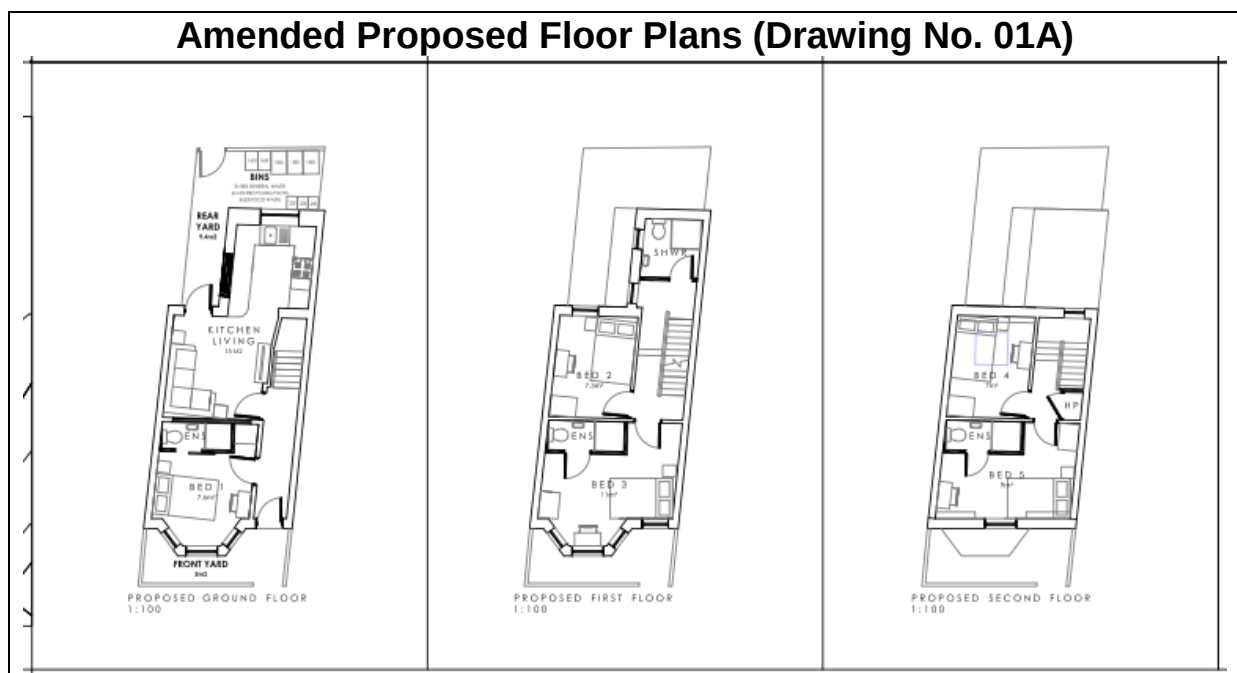
Draft Reason for Refusal:-

1. The proposed development is unacceptable as there is insufficient space within the site for accommodating the increased waste storage requirements for a 5-bedroom HMO whilst maintaining sufficient amenity space for occupants of the development. This would increase the likelihood of bins being stored in the rear alleyway (or elsewhere) to the detriment of the amenity of neighbouring residents and the wider area. The proposal fails to accord with Policies DES1, RD1 and ENV1 of the Belfast Local Development Plan: Plan Strategy 2035, the Residential Design and Waste Infrastructure Supplementary Planning Guidance, and paragraphs 3.3, 4.2, 4.4, 4.11, 4.12, 4.23, 4.24 and 4.26 of the Strategic Planning Policy Statement for Northern Ireland (2015).

Recommendation

Having regard to the development plan the Plan Strategy 2035 and other material considerations, the proposal is unacceptable. It is recommended that planning permission is refused.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reason(s).



Development Management Report

Summary	
Committee Date: 12 th November 2024	
Application ID: LA04/2024/1623/F	
Proposal: Change of use from 4-bed dwelling (C1) to 5-bed House of Multiple Occupancy (Sui Generis)	Location: 49 Woodcot Avenue, Belfast, BT5 5JB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas).	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB
Date Valid: 26/09/2024	
Target Date: 09/01/2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	
Executive Summary: This application seeks full planning permission for Change of use from a 4-bed dwelling (use class C1) to a 5-bedr House of Multiple Occupancy (Sui Generis use class). The site is located at 49 Woodcot Avenue. The key issues are: • The principle of an HMO at this location • Impact on the character • Impact on residential amenity • Traffic, parking and access • Waste and refuse collection 9 objections have been received with the issues raised addressed within the main report. The application has been called in for the following reasons: 1. Significant public interest. 2. Concerns relating to amenity, parking and precedent for other HMOs in the area. The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on this stretch of the Woodcot Avenue has not yet been reached. The applicant has demonstrated that there is	

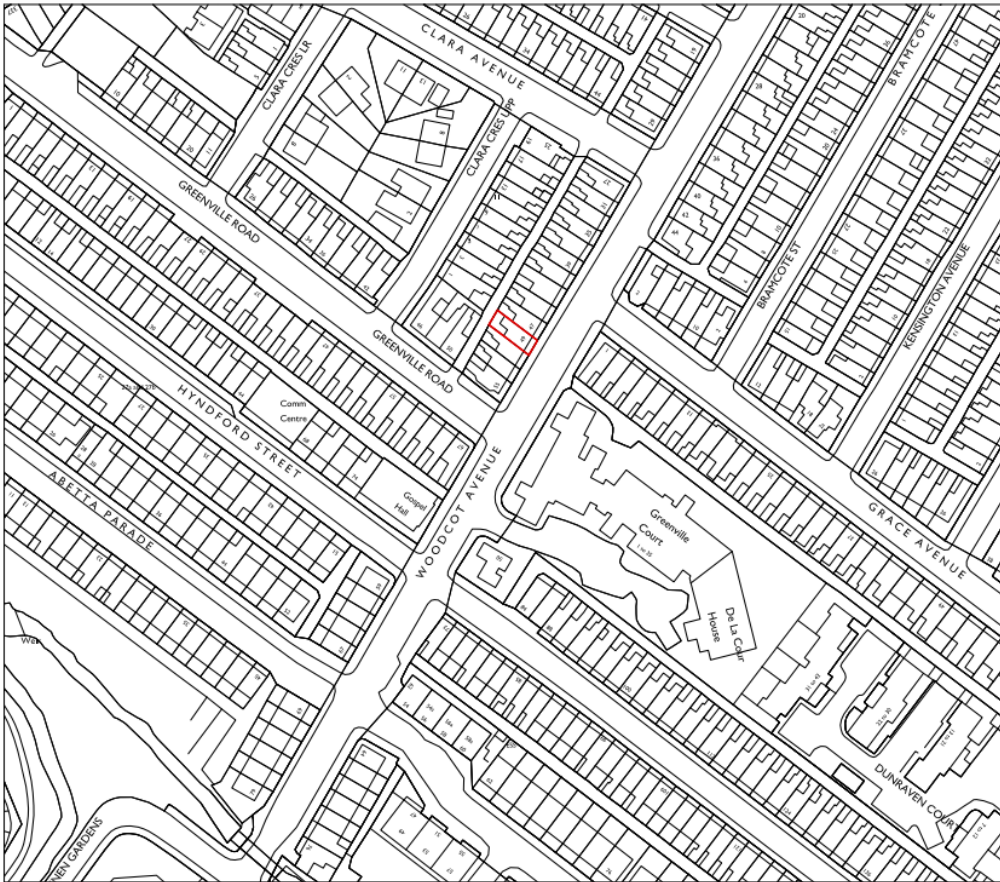
sufficient provision for bin storage whilst retaining adequate amenity space. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area.

Recommendation

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

DRAWINGS AND IMAGERY

Site Location Plan:



Existing and Proposed Site Plan:



Proposed Floor Plans:



Proposed Elevations:



1.0	Characteristics of the Site and Area
1.1	The application site is located at 49 Woodcot Avenue. The property is a 3-storey residential terraced property with a two-storey rear return. There is a small, enclosed amenity space to the rear of the building. The immediate area is predominantly residential.
1.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
	Description of Proposed Development
1.3	The application is seeking full planning permission to change the of use from a dwelling (class C1) to a 6-bed HMO (suis generis).
2.0	PLANNING HISTORY
2.1	There is no relevant planning history pertaining to the site.
3.0	PLANNING POLICY
3.1	Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies</i> • Policy SP1A – managing growth and supporting infrastructure delivery • Policy SP2 – sustainable development • Policy SP3 – improving health and wellbeing • Policy SP5 – positive placemaking • Policy SP6 – environmental resilience • Policy SP7 – connectivity <i>Operational Policies</i> • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space <u>Supplementary Planning Guidance</u> • Residential Design • Placemaking and Urban Design • Transportation 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) Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<u>Statutory Consultees</u> DfI Roads – No objections
4.2	<u>Non-Statutory Consultees</u> No non-statutory consultations required.
4.3	<u>Representations</u> The application has been advertised and neighbours notified. The Council has received 9 letters of objection. The issues raised in the objections are summarised as follows: 1. Waste management 2. Parking and traffic 3. Impact on the character of the area 4. Inadequate living space 5. Safety and security issues 6. Effect on property value 7. Precedent for other HMOs 8. Noise and Anti-social behaviour Issues 1-4 are addressed in the main body of the report. The additional points are considered as follows: 5. Safety and security issues This is not a material consideration. Any issues regarding safety and security issues and is outside the remit of planning and relevant bodies such as the PSNI should be contacted if these issues escalate. 6. Effect on property value This is not a material consideration and is outside the remit of planning. 7. Precedent for other HMOs Each application is considered on its own merits. Officers consider that this scheme is compliant with relevant policy for the reasons stated in the report and any further applications for HMOs will be assessed in accordance with the relevant planning policy.

	8. Noise and Anti-social behaviour The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties. The Northern Ireland House of Multiple Occupancy Unit (NIHMO) within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties. Environmental Health and the PSNI are the appropriate bodies to deal with noise issues and antisocial behaviour.
5.0	PLANNING ASSESSMENT
5.1	Main Issues The main issues relevant to consideration of the application are set out below: • The principle of an HMO at this location • Impact on the character • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection.
5.2	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.
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	<u>Operational Policies</u> The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan

	Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
5.6	<u>Proposals Maps</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals 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 located within the settlement development limit and is not zoned for any use.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the settlement development limits of Belfast.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is also located within the settlement development limits of Belfast. The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
5.10	<u>The principle of an HMO at this location</u> The site is outside both Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that: <i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i>
5.11	The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together: 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.
5.12	According to the LPS Pointer Address database, there are 111 domestic properties on Woodcot Avenue. This would allow for 11 HMO properties on Woodcot Avenue before the 10% threshold would be exceeded. According to our records there is two existing HMOs on Woodcot Avenue and one application currently being processed. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.

5.13	Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
5.14	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
5.15	<u>Impact on residential amenity</u> The property is a 3-storey dwelling and is of sufficient size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.
5.16	Policy RD1 applies as set out above and states that <i>'planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</i> <i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas -</i> Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.
5.17	<i>b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance -</i> Officers consider that the scheme will not give rise to any of the issues listed in criterion b. The rear elevation has a velux window which is increasing in size but overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.
5.18	<i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure -</i> There is sufficient space for cycle parking. Metro services are available along the Beersbridge Road, a 3-minute walk from the property.
5.19	<i>d) Provides appropriate open space -</i> The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.
5.20	<i>e) Keeps hard surfacing to a minimum -</i> No hard standing is proposed as part of this application.
5.21	<i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C -</i> The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 5 bedrooms. The proposal therefore complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035.
5.22	<i>g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street -</i> All units have safe and secure access from the front door of the dwelling.

5.23	h) <i>Ensures that living rooms, kitchens and bedrooms have access to natural light</i> – All habitable rooms in the dwelling have access to natural light.
5.24	The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 5 bedrooms and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.
5.25	As indicated above, the HMO will further require to be licensed with Belfast City Council which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.
5.26	The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.
5.27	Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:
5.28	a) <i>Any units are self-contained</i> - This criterion is not applicable. b) <i>Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm</i> - Officers consider that this criterion is met (refer to sections 5.34-5.39 below) c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal. d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.
5.29	Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.
5.30	<u>Traffic, Parking and Access</u> Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.
5.31	Policy TRAN8 – Car parking and servicing arrangements states that, ‘ <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> ’. Existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development.

5.32	The site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.
5.33	DfI Roads were consulted and have no objection to the proposal. In other applications, officers have requested a parking survey where there are objections on the grounds of parking. The agent for this application submitted a parking survey under application LA04/2023/4521/F for 4 Woodcot Avenue in February 2024. This demonstrated sufficient parking capacity on the same street.
5.34	<u>Waste and Refuse Collection</u> Objectors have alluded to previous issues with waste management on Woodcot Avenue and the alleyway behind.
5.35	Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.
5.36	The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI sets out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 5-bed HMO this would equate to the typical production of 560L of waste per week. The total waste production is broken down into the following types of waste: 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3 collected weekly).
5.37	The Council's Waste Management Unit has advised that the following waste containers would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI. 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste 2. Recycling – 2 x recycling packs (6 x 55L) – collected weekly 3. Food waste – 3 x food bins (3 x 23L) – collected weekly
5.38	Officers consider that this policy is complied with. The disposal of waste is the responsibility of tenants and the landlord.
5.39	The rear amenity space of the property is 12.9 sqm. For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout 2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm. The provision of 3 sets of bins would leave approximately 2.1sqm for amenity provision. The premises will therefore be served by the correct amount for a 5-bed HMO as set out in the Supplementary Planning Guidance whilst maintaining sufficient amenity space. Bin storage is also a licensing requirement and the Council's website states that <i>"during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland"</i> . A condition is recommended to ensure bin storage is provided within the curtilage of the property.

5.40	<u>Impact on the sewage network</u> There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.
6.0	Recommendation
6.1	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.
6.2	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.
7.0	DRAFT CONDITIONS 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the dwelling has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times. Reason: To ensure adequate management of waste and in the interests of the amenities of the area. DRAFT INFORMATIVES: 1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

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Development Management Report

Summary	
Application ID: LA04/2024/1458/f	Committee Date: 11 th February 2024
Proposal: Alterations to the site include refurbishing and repurposing of 3no existing vernacular buildings and replacing 1 shed, a small garage and an agricultural structure with a new amenity building. Enhancements to the existing pond network, introduction of signage interpretation and a suite of site-appropriate furniture. Wider site improvement works are proposed including path enhancements and new routes, installation of site furniture and interpretation signage.	Location: Divis and The Black Mountain National Trust Site, Divis Road, Hannahstown, Belfast, BT17 0NG.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and a satisfactory response from DAERA	
Applicant Name and Address: Andrew Corkill The National Trust Rowallane Stableyard Saintfield BT24 7LH	Agent Name and Address: Eleanor Fuller The Paul Hogarth Company Potters Quay 5 Ravenhill Road Belfast BT6 8DN
Date Valid: 20 th September 2024	
Target Date: 18 th April 2025	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
Executive Summary: The application relates to the Divis and Black Mountain National Trust Site which is comprised of 6.5 hectares of land. The site is accessed from the Divis Road and is comprised of a central access road which leads to a transmission station. There are a number of walking trails within the site. Along the access road is a car park which contains a traditional single storey building containing a café and two further traditional buildings which are in a state of disrepair. The application seeks full planning permission for the refurbishing and repurposing of 3 existing vernacular buildings to provide visitor facilities such as a kiosk area, exhibition space, an accessible toilet and the relocation of the existing café. A new building is to be constructed to provide amenity facilities. The proposal includes enhancements to the existing pond network located at the visitor hub and wider improvements to the site such as path improvements, new routes, signage and appropriate furniture. The application follows Pre-Application Discussions with officers. The key issues for consideration of the application are set out below. • Principle of development in the Countryside	

- Layout, Scale, Massing and Design and Impact on the Belfast Hills and Area of High Scenic Value
- Impact on Natural Heritage
- Impact on the Archaeological Assets
- Flood Risk
- Climate change
- Proposed Access and Car Parking
- Pre-application Community Consultation

The site is located outside the development limits and within an Area of High Scenic Value and the Belfast Hills Operational Area as designated within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).

The proposal is considered to enhance the existing National Trust Site by enhancing the existing walking trails and the addition of new walking trails, the proposal will also provide signage and appropriate furniture to aid the visitor experience. The existing visitor hub will be upgraded with the restoration of the two buildings in disrepair which will facilitate the relocation of the existing café and the provision of an accessible toilet. The existing café will become a visitor kiosk and exhibition space. In addition the proposal will include the construction of a new amenity building for employees and volunteers.

The proposed building is sympathetic to the rural character of the surrounding area and the refurbishment of existing buildings is welcomed and will contribute to enhancing the character of the area. The proposals are not considered to have significant impacts to the Belfast Hills Area or the Area of High Scenic Value.

There is one outstanding consultation from DAERA. DAERA's Natural Environment Division and Water Management Unit requested further information which has been submitted and have been reconsulted. There was a significant delay in the response with the consultation issued on the 4th October 2024 and not received until the 17th January 2025 despite a previously successful PAD. Given the time funding pressures associated with the application and the delays in the initial response from DAERA, delegated authority is requested to deal with the outstanding consultation provided it raises no substantive issues.

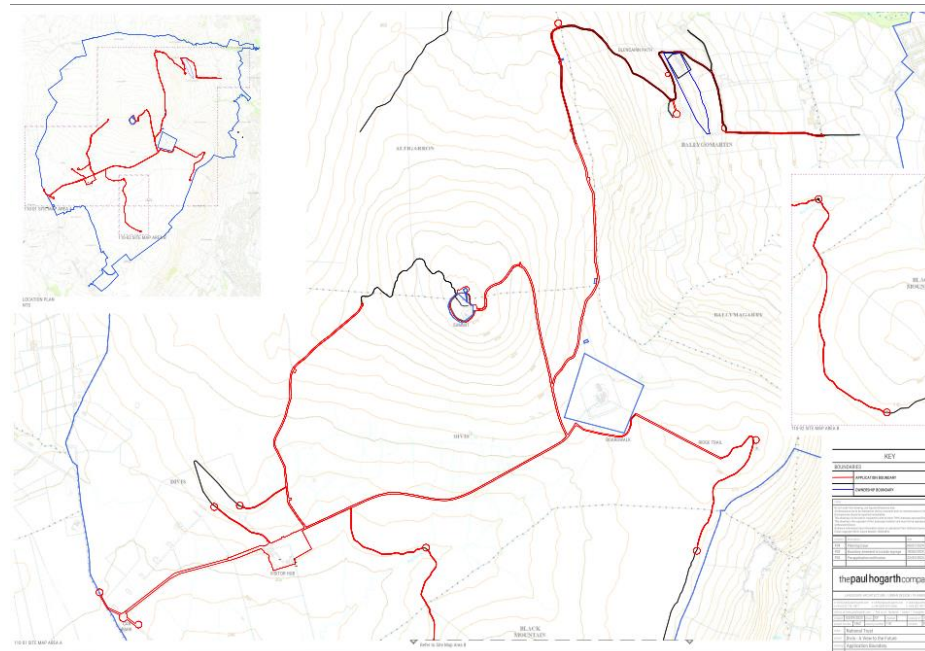
Recommendation

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

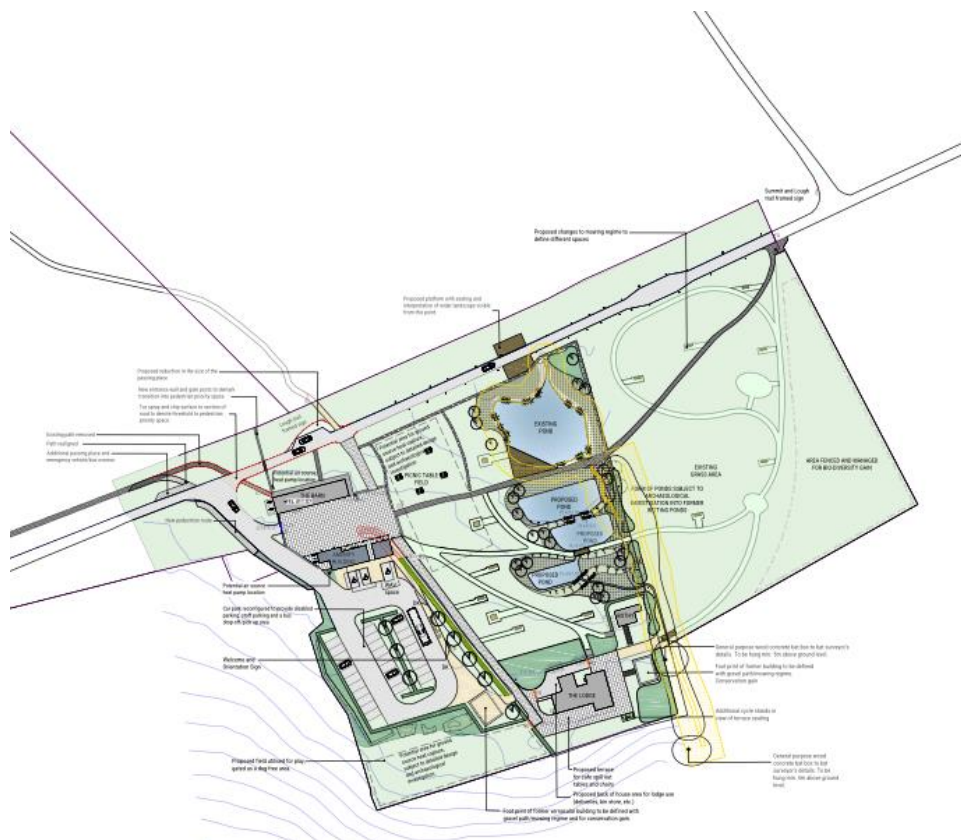
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding DAERA consultation response provided that no substantive matters are raised.

DRAWINGS AND IMAGERY

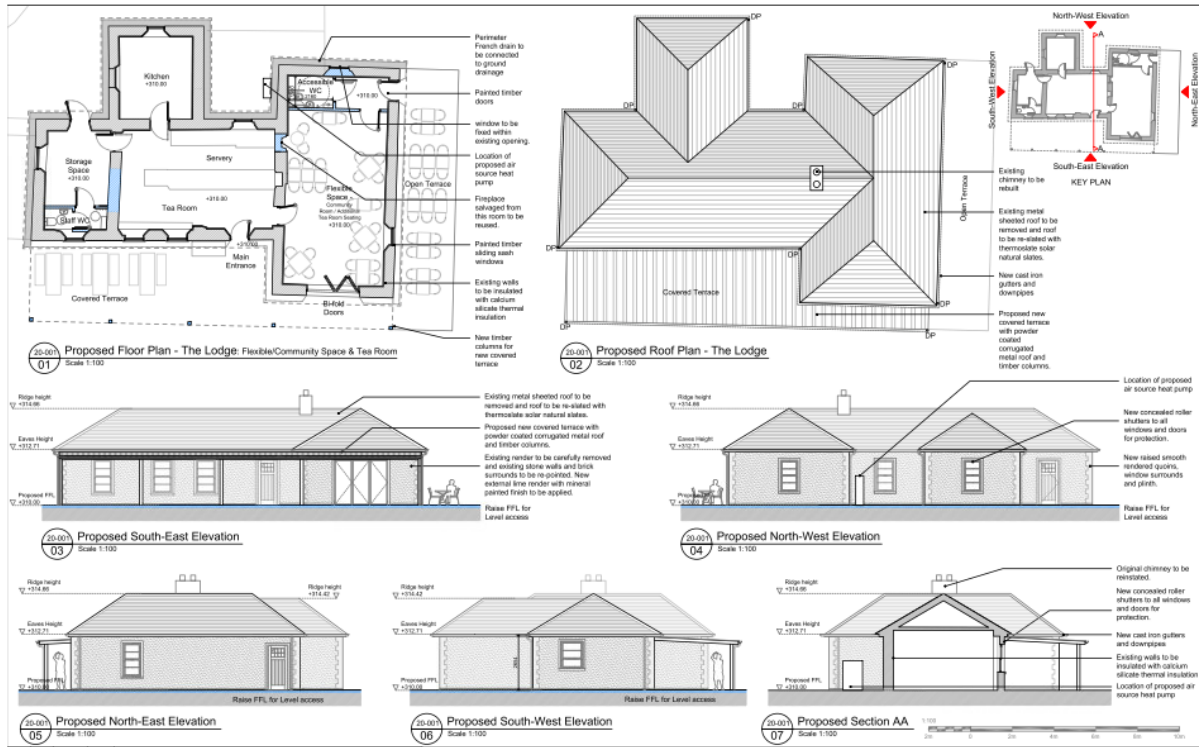
Site Location Plan:



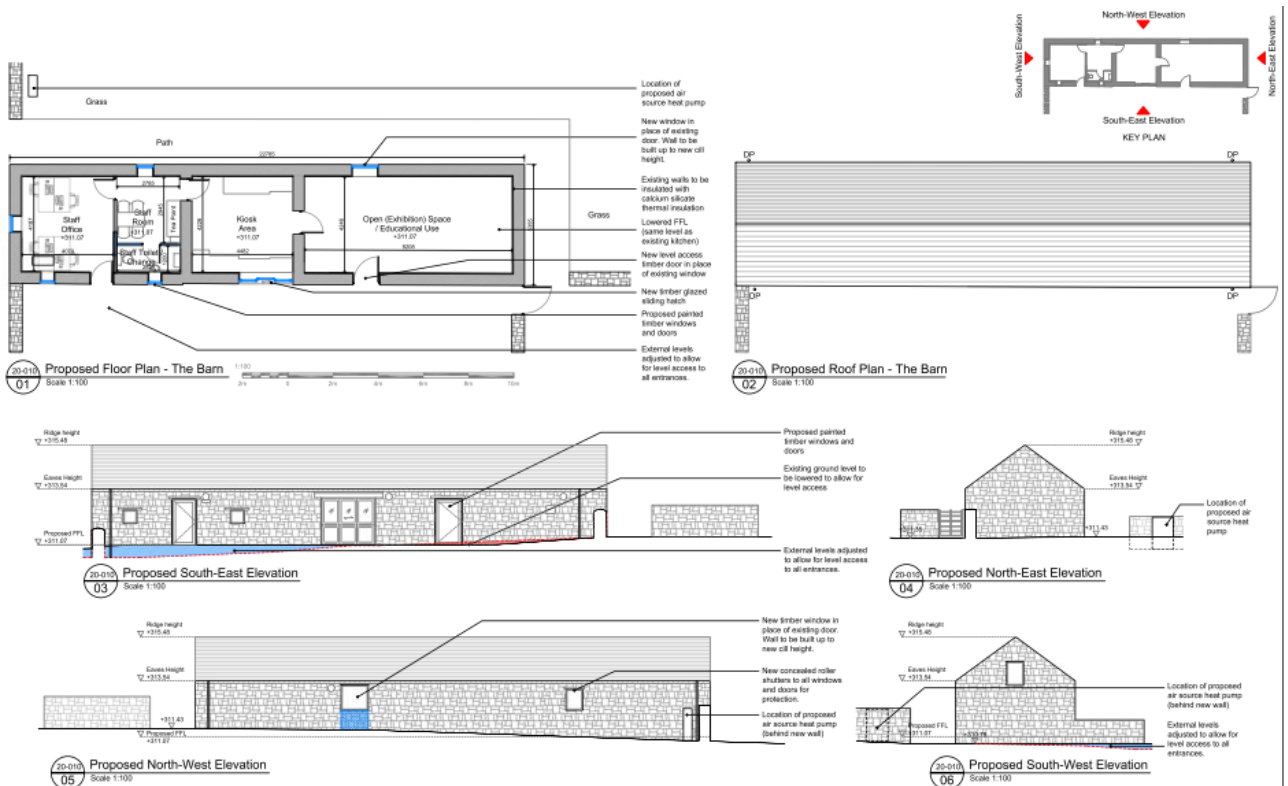
Proposed Visitor Centre Layout:



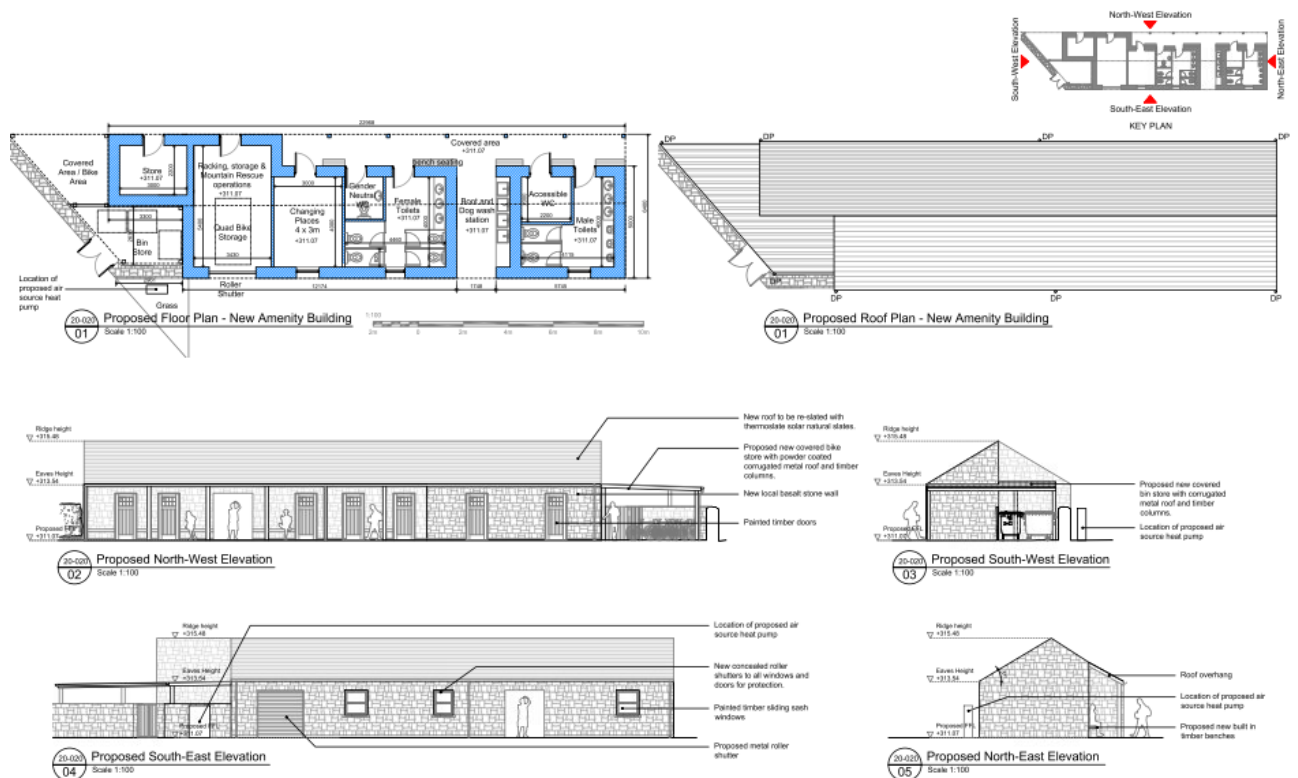
Proposed Lodge Building:



Proposed Barn Building:



Proposed Amenity Building



1.0

Characteristics of the Site and Area

1.1

The application relates to the Divis and Black Mountain National Trust Site which is comprised of 6.5 hectares of land. The site is accessed from the Divis Road and is comprised of a central access road which leads to a transmission station. There are a number of walking trails within the site. Along the access road is a car park which contains a traditional single storey building containing a café and two further traditional buildings which are in a state of disrepair.

1.2

Description of Proposed Development

The application seeks full planning permission for the refurbishing and repurposing of 3 existing vernacular buildings to provide visitor facilities such as a kiosk area, exhibition space, an accessible toilet and the relocation of the existing café. A new building is to be constructed to provide amenity facilities. The proposal includes enhancements to the existing pond network located at the visitor hub and wider improvements to the site such as path improvements, new routes, signage and appropriate furniture,

1.4

The application follows Pre-Application Discussions with officers.

2.0

PLANNING HISTORY

2.1

- Z/2014/1237/F- Upgrade of the public carpark and creation of a new footpath along the existing road. Permission Granted 3rd February 2024.

3.0	PLANNING POLICY
3.1	Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies:</i> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas <i>Operational Policies:</i> Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy BH5 – Archaeology Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources Policy DC1- All Countryside Proposals- General Policy Principles Policy DC4- The Conversion and Reuse of Existing Buildings Policy LC1- Landscape Policy LC1B- AHSVs Policy LC3- Belfast Hills <u>Supplementary Planning Guidance</u> Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Planning and Flood Risk 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) Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Other Material Considerations <u>Belfast Agenda (Community Plan)</u>

4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<u>Statutory Consultees</u> DfI Roads – No objections DfC HED – No objections with conditions DAERA – Initial response requested further information for Natural Environment Division and Water Management Unit. This information has been submitted and DAERA have been reconsulted. DFI Rivers- No objections but comments raised on the proposed artificial modification of the ponds.
4.2	<u>Non-Statutory Consultees</u> BCC Tree Officer- No objections BCC Landscape and Development team – No objections Shared Environmental Services (SES) – No objections Belfast Hills Partnership- Supports the proposals. <u>Representations</u> The application has been advertised in the newspaper and neighbours notified. No representations have been received.
5.0	PLANNING ASSESSMENT
	Main Issues
5.1	The main issues relevant to consideration of the application are set out below. • Principle of development in the Countryside • Layout, Scale, Massing and Design and Impact on the Belfast Hills and Area of High Scenic Value • Impact on Natural Heritage • Impact on the Archaeological Assets • Flood Risk • Climate change • Proposed Access and Car Parking • Pre-application Community Consultation
	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. <u>Operational Policies</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above. <u>Proposals Maps</u>
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 located within an Area of High Scenic Value
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is located within an Area of High Scenic Value and the Belfast Hills Operational Area.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within an Area of High Scenic Value and the Belfast Hills Operational Area.
	<u>Principle of Development in the Countryside</u>
5.10	Policy DC1 provides general policy principles for all countryside development and states that all proposals should be supported by a justification of rural locational need and site-specific need and must demonstrate that there is no significant detrimental impact on rural amenity and environmental quality. The submitted Design and Access Statement provides the aims of the proposal which are below: • Development of trails, routes and connections that support accessible, enjoyable experiences, including a green corridor providing walking access from the city • Provision of buildings and infrastructure to support visitors, staff and volunteers, • The implementation of a landscape scale interpretation plan • Increased opportunities for communities to engage with heritage, nature and place

5.11	The proposals are to enhance the existing offering on the site by developing the existing visitor hub through the restoration of existing buildings, the construction of one new building and the alteration to the existing pond network. Within the wider site the proposal includes the provision of new walking trails, signage and appropriate furniture. Given the proposals are to enhance the existing visitor offering and infrastructure on site, it is considered acceptable in principle provided there is no significant detrimental impact on rural amenity, environmental quality or loss or erosion of rural character which will be assessed further in this report.
5.12	<u>Layout, Scale, Massing and Design and Impact on the Belfast Hills and Area of High Scenic Value</u>
5.13	The existing visitor hub contains three existing buildings of which only one is in use as a café. The proposal involves the restoration of the two buildings in disrepair which will facilitate the relocation of the existing café and the provision of an accessible toilet. The existing café will become a visitor kiosk and exhibition space. In addition the proposal will include the construction of a new amenity building for employees and volunteers.
5.14	Policy DC4 states that planning permission will only be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a locally important building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.
5.15	The conversion and reuse of the existing buildings accords with policy DC4. The proposal restores the buildings which are in disrepair with minimal intervention to the existing architectural features such as the original stonework. The proposal will enhance the existing buildings and the rural character of the site. The nature of the uses is ancillary to the use of the National Trust site and will aid in providing accessibility to visitors.
5.16	Likewise the new building to be constructed will utilise traditional stonework to ensure it is sympathetic to the existing character. The proposed site layout integrates the buildings within the wider site and utilises proposed ponds, seating areas and proposed areas promoting biodiversity to ensure the buildings and layout will not harm the rural character of the area.
5.17	The proposed signage, furniture and walking trails will enhance the visitor experience and accessibility without harming the character of the rural area.
5.18	The proposed site is in a highly sensitive location designated as the Belfast Hills and an Area of High Scenic Value. Policies LC1, LC1B and LC3 provide criteria to be met to ensure that proposals will not have a significant adverse impact on the landscape character. For the reasons previously stated it is considered that the proposal will protect and enhance the landscape and visual character by works such as utilising existing buildings in disrepair, enhancing the existing network of trails, providing a net gain of trees, enhancing the biodiversity surrounding the existing visitor hub and integrating the proposed new building sensitively within the site.
5.19	The proposals are considered to enhance the existing National Trust Site, improving accessibility and the visitor experience. Belfast Hills Partnership were consulted and supported the proposals.

	<u>Impact on Natural Heritage</u>
5.20	The proposed site is in a highly sensitive location designated as the Belfast Hills and an Area of High Scenic Value. Policy NH1 states the Council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international heritage resources, including designated sites, protected species and other important interests of biodiversity and geodiversity.
5.21	The applicant has submitted a number of documents in order to support that the application will protect heritage resources including Tree Surveys/Protection Plans, a Habitats Regulation Assessment, an Outline Construction Environmental Management Plan and Preliminary Ecological, Appraisal and Habitat Enhancement Report. Natural Environment Division within DAERA were consulted on the 4th October 2025 on the submitted information and responded on the 17th January 2025 requesting a Lizard, Bat and Newt Survey which have been submitted and NED have been reconsulted. Due to funding pressures a decision is required prior to the end of March 2025. Given the delay in DAERA's response the application is being presented to committee members and delegated authority is sought to deal with the further outstanding DEARA response. Given the information requested has been provided officers are satisfied that Policy NH1 can be adhered to and that the proposal will protect on site habitats, species, ecosystems and networks. However delegated authority is requested to deal with any matters arising from the final DERA response so long as they are not substantive, In regards to Trees the BCC Tree Officer was consulted and welcomed the net gain in trees within the site, there were no objections with conditions. The BCC Landscape Planning and Development Team were consulted and stated the proposals would enhance the local and wider landscape character.
5.22	<u>Impact on the Archaeological Assets</u> Policy BH5 states that the Council will seek to conserve and protect and where possible enhance archaeological assets. An Archaeological Impact Assessment was submitted with the application. DfC Historic Environment Division were consulted and had no objections to the proposal subject to the agreement and implementation of a developer-funded programme of archaeological works. The proposal therefore satisfies Policy BH5.
5.23	<u>Flood Risk and Proposed Drainage</u> The proposal includes a Drainage Assessment and DFI Rivers were consulted. DFI Rivers acknowledge that flood risk to and from a portion of the development was to be managed using SuDS which is outside the Rivers Directorate area of knowledge and expertise. Officers have no reason to disagree with the submitted Drainage Assessment and the use of SuDS is welcomed as per Policy ENV5. DFI Rivers also stated that the submitted Pond Layout proposes a minor diversion of an undesignated watercourse which is not normally permitted unless necessary to provide access to a development site or for engineering reasons. The response refers to section 4.9 of the Planning and Flood Risk SPG. In response the applicant has submitted further information stating that the existing grassland between the existing pond and the lodge prevents access due to the ground

	being saturated. The proposed three ponds are designed to manage the water in this area by SuDS in a better manner which will increase biodiversity and use by the public. It is noted that no formal objection was received from DFI Rivers and officers have no reason to disagree with the conclusions of the Drainage Assessment or further submitted information. The Council accept that the small culvert referred to by DFI Rivers is required for access purposes in accordance with section 4.9 of the Planning and Flood Risk SPG. Water Management Unit within DAERA have been consulted and have requested further information in regards to the proposed ponds and associated watercourse to determine if the development has the potential to adversely affect the surface water environment. The further information has been submitted and WMU have been reconsulted. Given the delay in DAERA's response the application is being presented to committee members and delegated authority is sought to deal with the further outstanding response. Officers' are content that the submitted information will allow WMU to make an assessment on the impacts to the surface water environment.
5.24	<u>Proposed Access and Car Park</u> The proposal formalises the existing car park to provide disabled parking, bus parking and staff parking. DFI Roads were consulted and had no objections. The proposed parking is considered to comply with Policy TRAN8.
5.25	<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. The proposal complies with both policies. The development seeks to avoid demolition by reusing the existing buildings within the site. The proposal incorporates sustainable design measures with the use of an air source heat pump, potential locations are indicated on the proposed site layout and the details of such will be conditioned. Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include SuDS measures by proposing three new linkage ponds to effectively manage surface run off.
5.26	<u>Pre-application Community Consultation</u> The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. 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. The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:

	• Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted four public exhibition events with members of the project team to assist in any questions and to allow for further feedback; • Set up a consultation website live throughout the consultation period (19th February 2024 to 24th May 2024) • Issued a press notice to two newspapers with highlight information about the proposals and provide notification of the public information event; The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered. A total of 85.5% of respondents were very supportive or supportive of the proposals. 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.
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. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding DAERA consultation response provided that no substantive matters are raised.
7.0	DRAFT CONDITIONS
7.1	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.
7.2	Notwithstanding the submitted details, no development shall commence unless details of climate change measures to mitigate and/or adapt to climate change have been submitted to and approved in writing by the Council. The development shall not be occupied unless the climate change measures have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times. Reason: To mitigate and/or adapt to climate change.
7.3	No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition.

	Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.
7.4	No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition (INSERT). Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.
7.5	A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition (INSERT). These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council. Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.
7.6	All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity.
7.7	All landscaping works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: In the interests of the character and appearance of the area
7.8	Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site & on along the public streetscape and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site. Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.
7.9	No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site during the construction period. Reason: To avoid compaction within the RPA.

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2024/1837/F	Committee Meeting Date: 11 th February 2025
Proposal: Variation of condition No. 20 of planning permission LA04/2022/0129/F to amend trigger point for implementation of approved foul and surface water drainage programme, from prior to commencement to prior to occupation.	Location: Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerard's Manor, Ballymurphy, Belfast, Co. Antrim.
Referral Route: Variation of Condition on previously approved Major approval	
Recommendation:	Approval
Applicant Name and Address: Eglantine Developments Ltd 1 Campsie Business Park Eglinton BT47 3XX	Agent Name and Address: Clyde Shanks Ltd 7 Exchange Place Belfast BT1 2NA
Date Valid: 17 th November 2024	
Target Date: 15 th June 2025	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
Executive Summary: This application seeks planning permission for the variation of condition 20 on planning approval LA04/2020/0804/F to alter when the details of the foul and surface water drainage are to be submitted, approved and implemented on site. The trigger point of the original condition, required the details to be submitted, approved and implemented prior to commencement of development. The proposal is to amend this trigger point to prior to occupation (of the first residential unit). The original planning permission granted 27th September 2023, for social housing led mixed tenure residential development comprising 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary treatments, parking, access (provision of a right turn lane) and ancillary site works. The key issues for the assessment of the application are: - Acceptability of revised trigger point for implementation of foul and surface water drainage solutions - Impact on water environment and protected sites NI Water has offered no objection to the rewording of the condition and revised trigger. None of the approved drawings, stated in original conditions, have been amended as a result of the changes. Non-Statutory consultees: NI Water – No objection	

Recommendation

Having regard to the development plan, planning history on the site, response from NI Water and other material considerations, the proposed variation to condition 20 is considered acceptable.

It is therefore recommended that planning permission is granted and the condition is varied as proposed.

All other conditions of planning approval LA04/2022/0129/F, which have not already been discharged, still apply. Similarly, the original Section 76 Agreement remains in place, the proposed amendment to condition does not have any impact on the agreement or the clauses therein.

Case Officer Report

Site Location Plan and approved layout



1.0 Description of Proposed Development

1.1 Variation of condition No. 20 of planning permission LA04/2022/0129/F to amend trigger point for implementation of approved foul and surface water drainage programme, from prior to commencement to prior to occupation.

1.2 Condition No: 20

Original condition:

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

1.3	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. Proposed amended condition: None of the residential units hereby approved shall be occupied 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 and fully implemented in accordance with the approved details. Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.
2.0 2.1 2.2 2.3 2.4 2.5	Description of Site The site is located on the north-western edge of the Belfast Urban Area and just within the settlement limits as defined the Belfast Urban Area Plan and Belfast Metropolitan Area Plan 2015. The site has an area of approximately 5Ha and is bound by housing to the south-east and south-west, and an industrial estate to the east, with the Upper Springfield Road and Belfast Hills to the south-west and west respectively. The site itself is well defined with mature low-level planting and sporadic trees along eastern and western boundaries boundaries, and within the site itself. The site rises steeply from the eastern boundary to a flat area to the west. The location of a former school (now demolished). The frontage is limited to the Upper Springfield Road and is defined by an existing access point and laneway with an embankment and planting to either side of this access. The site itself is predominantly made ground given its former use. The site has two distinct areas. The northern half forms the remains of the former St Gerard's Educational Resource Centre which has now been demolished. This section of the site consists of a mixture of hard surfaced areas and the crushed demolition material of the former buildings. The remainder of the site consists of a raised platform located to the immediate west of the access lane. The top of this platform is uniformly level and under rough pasture. The slopes of the platform are covered with some mature and semi-mature planting. The following zonings apply to the site: The site is located on unzoned whiteland in the Belfast Urban Area Plan, BMAP 2015 (published September 2014) and within draft BMAP (published November 2004), as shown below.
3.0 3.1	Planning History of the application site LA04/2022/0129/F - Proposed social housing residential development comprising 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary

	treatments, parking, access (provision of a right turn lane) and ancillary site works. Approved 27 th September 2023.
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. 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. Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below: SP1a Managing growth and supporting infrastructure delivery SP2 Sustainable development SP5 Positive placemaking SP6 Environmental resilience RD1 New Residential Developments ENV1 Environmental Quality ENV2 Mitigating Environmental Change ENV3 Adapting to Environmental Change ENV5 Sustainable Drainage System 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. The site is located on unzoned whiteland in the Belfast Urban Area Plan, BMAP 2015 (published September 2014) and within draft BMAP (published November 2004), as shown below. <u>Regional planning policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Creating Places

	<u>Other Relevant Policies</u> Developer Contribution Framework
5.0	Statutory Consultees NI Water – No objection
6.0	Non-Statutory Consultees N/A
7.0	Representations
7.1	No representations were received.
8.0	ASSESSMENT
8.1	The key issues for the assessment of the application are: - Acceptability of revised trigger point for implementation of foul and surface water drainage solutions - Impact on water environment and protected sites
8.2	It is proposed to amend the trigger point of the original condition, to agree and implement foul and surface water drainage solutions, from commencement to occupation. This will allow additional time to address wastewater infrastructure capacity issues in the area, and ensure agreed foul and surface water drainage solutions are put in place prior to occupation of any of the approved residential units.
8.3	The revised condition, with a later trigger point, will still ensure that a solution is identified and implemented before any of the houses are occupied.
8.4	As a result, no additional pressure will be placed on the existing network until increased network capacity has been provided or an alternative engineering solution has been agreed with NI Water and the Council. Subsequently there will be no potential impacts upon the water environment or on any protected sites that may be hydrologically connected.
8.5	NI Water were consulted and offer no objection to the rewording of the condition.
10.0	Recommendation
10.1	This application was submitted under Section 54 of the Planning Act (Northern Ireland) 2011. This applies to applications for planning permission of land without complying with conditions subject to which a previous planning permission was granted.
10.2	Having regard to the development plan and other material considerations, the proposed variation of condition 20 is considered acceptable.
10.3	Condition 20 of the original decision notice states: 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.
10.4	Variation of the condition: None of the residential units hereby approved shall be occupied unless details of foul and surface water drainage, including a programme for implementation of these works, have

10.5	been submitted to and approved in writing by the Council and fully implemented in accordance with the approved details. Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability. Conditions from LA04/2022/0129/F which have not been discharged at this stage have been repeated in this report.
11.0	Draft Conditions
11.1	The planning permission has effect from the date which the development hereby approved was carried out. <i>Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.</i>
11.2	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>
11.3	Prior to the commencement of any site works, all existing trees shown on Drawing Number 4737-P-10 E as being retained shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations. Such tree protection measures shall remain in situ during the duration of the build. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Council. <i>Reason: To protect existing trees indicated to be retained.</i>
11.4	The existing trees outlined in green on approved plan No. 4737-P-10 E shall be retained in accordance with this plan unless necessary to prevent danger to the public in accordance with details that shall have first been submitted to and approved in writing by the Council. Any retained trees or plants indicated on the approved plans which, within a period of five years from the completion of the development, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. <i>Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.</i>
11.5	All hard and soft landscaping works shall be carried out in accordance with the approved plan No. L0-01 K. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

	<i>Reason: In the interests of the character and appearance of the area, to promote sustainable drainage and to ensure the provision, establishment and maintenance of a high standard of landscape.</i>
11.6	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. <i>Reason: In the interests of amenity.</i>
11.7	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. <i>Reason: In the interests of amenity.</i>
11.8	Prior to the occupation of the proposed development, a Human Health Verification Report shall be submitted to and approved in writing by the Council. The Human Health Verification Report must demonstrate that the remediation measures outlined in the Pentland Macdonald Ltd report entitled 'Contamination Assessment and Remediation Strategy, Former Gort na Mona Educational Resource Centre, Springfield Road, Belfast, for McGinnis Group' (referenced PM21-1065 and dated October 2021) and the Pentland Macdonald letter dated 24th February 2022 regarding 'Residential development at former Gort Na Mona Educational Resource Centre, Belfast (LA04/2022/0129/F) - Contaminated Land Clarifications' (PM21-1065_Let1) have been implemented. The Human Health Verification Report should also demonstrate that the agreed Materials Management Plan has been implemented during construction. The Human Health Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified potential contaminant linkages are effectively broken. The Human Health Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, the Human Health Verification Report must demonstrate that: a) A 300mm thick capping layer has been emplaced in the grassed public open space area shown on Figure 4 of the Contamination Assessment and Remediation Strategy report, composed of material that is suitable for a public open space in a residential setting end use and with a maximum nickel concentration of 78.3 mg/kg. b) The gardens of units 13-20 have a clean capping layer measuring 1m thick, composed of material that is suitable for a residential with homegrown produce end use. c) The properties shown on Figure 4 of the Contamination Assessment and Remediation Strategy report as requiring gas protection measures have been provided with gas protection in accordance with their Characteristic Situation 2 classification (as per the requirements of BS 8485:2015+A1:2019). Gas protection measures must be verified in line with the requirements of CIRIA C735. d) Any soils excavated from within the delineated area of gas risk (as shown on Figure 4, the quadrilateral defined by 2020 BH3, BH22, BH32 and BH34) have only been reused across parts of the site where no buildings are located. <i>Reason: Protection of human health.</i>

11.9	After completing any remediation works required and prior to occupation of the development, an Environmental Receptors Verification Report shall be submitted to and agreed in writing by the Council. The Environmental Receptors Verification Report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. The Environmental Receptors Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives. <i>Reason: Protection of environmental receptors to ensure the site is suitable for use.</i>
11.10	A buffer of at least 8m, as depicted on Drawing Nos.4737-P-10 and L0-01 K must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil and the watercourse located along the western boundary of the application site. <i>Reason: To negate any potential pollution issues to European Site features in Belfast Lough connected via the adjacent watercourse and to protect NI Priority Habitat and to prevent likely significant effects on the Belfast Lough SPA and Ramsar, and Inner Belfast Lough ASSI.</i>
11.11	If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use. <i>Reason: Protection of human health.</i>
11.12	Prior to installation, a final window schedule shall be submitted to and approved in writing by the Council. The final window scheme shall detail the glazing configuration and sound reduction performance of the proposed windows to first floor habitable rooms on the eastern facade of dwellings numbered 1 to 26 as well as the windows of the ground and first floor habitable rooms of both the south and east façades of dwelling no. 69 and habitable rooms on the ground and first floor southern façade of dwelling number 70 of the hereby permitted development as shown on the JNP Architects 'Proposed site plan', dated 11/05/2021, drawing no. 4737-P-10, revision E. The window specification for habitable rooms shall be capable of achieving a sound reduction value of 33dBRw/27dBRtra in line with recommendations of the Acoustic Design Statement in appendix C of the Irwin Carr Consulting Noise Impact Assessment (dated 8th March 2022, referenced Rp002N 2021193).
11.13	The windows shall not be installed unless in accordance with the approved details. <i>Reason: To protect the amenity of prospective residents.</i> Prior to occupation, a Window Verification Report confirming that the Final Window Schedule has been implemented in accordance with condition 12 shall be submitted to and approved in writing by the Council.
11.14	

11.15	<i>Reason: To protect the amenity of prospective residents.</i> Prior to occupation of the dwellings, the final window schedule and alternative means of ventilation schedule shall be installed, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative means of ventilation provided in compliance with building control requirements.
11.16	<i>Reason: To protect the amenity of prospective residents.</i> Prior to occupation of the hereby permitted development, the final window schedule and alternative means of ventilation schedule shall be installed, as approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative means of ventilation provided in compliance with building control requirements.
11.17	<i>Reason: To protect the amenity of prospective residents.</i> Prior to occupation of the dwellings, a verification report demonstrating that the window schedule and alternative means of ventilation has been installed in accordance with the requirements of condition 12 shall be submitted to and approved in writing by the Council. The verification report may take the form of a written declaration from the supplier and installation contractor confirming purchase and subsequent installation.
11.18	<i>Reason: To protect the amenity of prospective residents.</i> No development shall commence on site until a scheme for winter grit provision and replenishment of one grit bin per 50 residential units has been submitted to and approved in writing by the Council. The scheme shall include the location and design of the grit bins and how these will be managed and replenished and how grit will be distributed on the internal roads of the development. The scheme shall include a timetable for implementation. The scheme shall thereafter be carried out in accordance with the approved details.
11.19	<i>Reason: In the interests of highway safety and the convenience of roads users within the development, having regard to the steep gradient of the site.</i> None of the residential units hereby approved shall be occupied 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 and fully implemented in accordance with the approved details
11.20	<i>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.</i> The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.19916-C020 Rev.P6 uploaded to the Planning Portal 24th August 2023 and 'Proposed Access Layout' drawing No.5206860-ATK-XX-ZZ-DR-CH-003 P04 published on the Planning Portal 1st September 2023, prior to the commencement of any other works or other development hereby permitted. <i>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</i>

11.21	The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be implemented as indicated on drawing Nos. 19916-C020 Rev.P6, 19916-C021 Rev.P6 and 19916- C022 Rev.P5 bearing the Department for Infrastructure Determination date stamp 31st August 2023. <i>Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</i>
11.22	The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays shall be retained and kept clear thereafter. <i>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</i>
11.23	The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No part of the development hereby permitted shall be occupied until the works necessary for the improvement of the public road have been completed in accordance with the details outlined in blue on drawing No.19916-C020 Rev.P6 bearing the Department for Infrastructure Determination date stamp 31st August 2023. The Council hereby attaches to the determination a requirement under Article 3(4)A of the above Order that such works shall be carried out in Accordance with an agreement under Article 3(4) <i>Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.</i>
11.24	No dwelling shall be occupied until its respective hard surfaced areas have been constructed in accordance with Private Streets Determination drawing Nos.19916-C020 Rev.P6, 19916-C021 Rev.P6 and 19916-C022 Rev.P5 uploaded to the Planning Portal 24th August 2023 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles. <i>Reason: To ensure adequate provision has been made for parking within the site.</i>
11.25	No dwelling shall be occupied until in its respective service road which provides access to it has been constructed to base course. The final wearing course shall be applied on the completion of each phase of the development. <i>Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.</i>
11.26	Notwithstanding the submitted details, the development hereby permitted shall not be occupied until details of a Vehicle Restraint System (VRS) have been submitted to and approved in writing by the Council. The VRS shall be designed to meet the requirements of the Design Manual for Roads and Bridges and other relevant standards and technical guidance. The development shall not be occupied until the approved VRS has been implemented.

	Reason: In the interests of road safety.
12.0	Representations from elected members: N/A

ANNEX	
Date Valid	17 th November 2024
Date First Advertised	29 th November 2024
Date Last Advertised	29 th November 2024
Date of Last Neighbour Notification	4 th December 2024

Development Management Report

Summary	
Committee Date: 11 th February 2025	
Application ID: LA04/2024/1551/F	
Proposal: Public Realm Environmental Improvement scheme.	Location: Cathedral Gardens (Buoy Park), Donegall Street, Belfast, BT1 2GT
Referral Route: Section 3.8.5 (c) of the Scheme of Delegation. Belfast City Council is the applicant.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Michael O'Donnell Belfast City Council Property & Projects Department 3rd Floor, 9 Adelaide 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Tony Quinn Braniff Associates 5 Windsor Avenue North Malone Road Belfast BT96EL
Date Valid: 26/09/2024	
Target Date: 09/01/2025	
Contact Officer: Lisa Walshe, Principal Planning Officer, Development Management.	
Executive Summary: The application seeks full planning permission for a public realm scheme within Cathedral Gardens (Buoy Park), sited along Donegall Street. The proposal includes the following: • An interactive lighting experience in the form of catenary lighting on feature columns, including a canopy covered digital tile play zone and projector provision for digital art displays; • A public plaza capable of accommodating small to modestly sized events; • An urban forest / woodland garden area to function as a quiet place and to promote wildlife; • A lawn area next to the university to soften this urban environment and complement university café culture; • A WWII Blitz memorial; and • Retention of Rinty Monaghan (champion boxer) statue. The key issues to be considered are: • Principle of development • Design, character and appearance. • Health and wellbeing • Access, movement, and transport • Environmental considerations	

- Landscaping, green infrastructure and trees
- Built heritage
- Amenity

The site is within the settlement limits and zoned within the city centre as detailed in the BUAP and within the draft Belfast Metropolitan Area Plan 2015 (v2004) and dBMAP (2014v).

The proposed public realm scheme is considered acceptable within this sustainable city centre location and complies with design, environmental, transportation, built and natural heritage and community infrastructure policies contained within the LDP Plan Strategy.

The Planning Service has received 2 no third-party neutral comments.

DFI Roads, DFI Rivers, BCC Landscape Planning and Development, Historic Environment Division, BCC Conservation, BCC Trees, BCC Urban Design, BCC Culture, Northern Ireland Environment Agency (NIEA) have been consulted and provided feedback on the proposal. All of the listed consultees have returned no objections, subject to conditions and informatives.

BCC Environmental Health were also consulted and in their initial response on 31/10/2024 they requested a Quantitative Risk Assessment or a Remediation Strategy. On 17/01/2025, following receipt of a Remediation Strategy, Environmental Health were re-consulted to provide comment.

Recommendation

Having regard to the Development Plan and material considerations, 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 a response from Environmental Health, finalise the wording of the conditions and deal with any other issues that arise, provided that the issues are not substantive.

1.0	Characteristics of the Site and Area
1.1	The site is located within an area of public space at Cathedral Gardens within Belfast City Centre and Cathedral Conservation Area. St Anne's Cathedral is located South-East of the proposal and University of Ulster Campus is situated North of the proposal. The surrounding area is characterised by a mix of uses including office, retail, community and educational.
1.2	Description of Proposed Development
1.3	The application is seeking full planning permission for a public realm environmental improvement scheme.
2.0	PLANNING HISTORY
2.1	LA04/2015/0184/F - Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral Gardens – Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high-quality natural stone paving, street furniture, trees, lighting, and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens. Permission Granted - 26.11.2015
2.2	LA04/2021/1707/F – Cathedral Gardens - Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years. Permission Granted – 29.11.2021
2.3	LA04/2023/3888/F - Proposed two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers. Permission Granted – 09.02.2024
3.0	PLANNING POLICY
3.1	Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies</i> • Policy SP1A – managing growth and supporting infrastructure delivery • Policy SP2 – sustainable development • Policy SP3 – improving health and wellbeing • Policy SP5 – positive placemaking • Policy SP6 – environmental resilience • Policy SP7 – connectivity <i>Operational Policies</i> • Policy SP3 – Improving health and wellbeing • Policy SP5 – Positive Placemaking • Policy DES1 – Principles of urban design

3.2 3.3 3.4	• Policy BH1 – Listed buildings • Policy BH4 – Works to grounds affecting built heritage assets • Policy HC1 – Promoting healthy communities • Policy CI1 – Community Infrastructure • Policy CC1 – Development opportunity sites • Policy TRAN1 – Active travel – walking and cycling • Policy TRAN2 – Creating an accessible environment • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy ENV2 – Mitigating environmental change • Policy ENV4 – Flood risk • Policy ENV5 - Sustainable drainage systems (SuDS) • Policy OS2 – New open space within settlements • Policy TRE1 – Trees <u>Supplementary Planning Guidance</u> • Creating Places • Living Places - An Urban Stewardship and Design Guide for Northern Ireland 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) Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)
4.0 4.1 4.2	CONSULTATIONS AND REPRESENTATIONS <u>Statutory Consultees</u> • DfI Roads – No objections, recommended informatives. • DfI Rivers – Content, recommended informatives. • NI Water – consulted, no response yet received. <u>Non-Statutory Consultees</u> • BCC Environmental Health – awaiting final response (re-consulted with Remediation strategy on 17/01/2025). • HED (Historic Monuments) – Content, subject to conditions. • HED (Historic Buildings) – Content. • NIEA (Water Management Unit) – Content, subject to the applicant referring to and adhering to DAERA standing advice; informatives recommended. • NIEA (Regulation Unit Land and Ground Water Team) – No objection, subject to conditions and informatives.

4.3	<u>Internal Advice</u> • BCC Conservation – Content. • BCC Landscape Planning and Development – Supportive. • BCC Trees – No objections, recommended conditions. • BCC Urban Design – Content.
4.4	<u>Representations</u>
4.5	The application has been advertised and neighbours notified. The Council has received 2 no. neutral comments from third parties.
4.6	The first representation voiced concerns in relation to the construction phase of the projected and the impact that it may have on their business. They detail that there needs parts of it kept accessible for the public during the construction period. The Design and Access Statement details that “it is anticipated that there will be no road closures during construction. There will be closures of the adjacent public footpaths during the works. Site works will not impact the function of the existing University of Ulster bus stop along York Street”.
4.7	The second comment received was neutral in stance and queried the timeline for the development. The Agent was invited to comment and has confirmed in an email that the mobilisation period for commencement of public realm works is projected for 01/07/2025.
5.0	PLANNING ASSESSMENT
5.1	Main Issues The main issues relevant to consideration of the application are set out below. • Principle of development • Design, character and appearance. • Community infrastructure • Health and wellbeing • Access, movement, and transport • Environmental considerations • Landscaping, green infrastructure and trees • Built heritage. • Amenity
5.2	Development Plan Context
5.3	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.
5.4	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.
5.5	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.
5.6	<u>Operational Policies</u> The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
5.7	<u>Proposals Maps</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals 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. Belfast Urban Area Plan 2001 – The site is located within the designated City Centre and Main Office Area for Belfast. Belfast Metropolitan Area Plan 2015 (2004) Belfast Metropolitan Area Plan 2015 (v2014) Main Office Area; Belfast City Core Area of Parking Restraint; City Centre Boundary Belfast City; Cathedral Conservation Area; Character Area: Scotch and Cathedral Quarters; Development Limit.
5.8	<u>Principle of development</u>
5.9	The SPPS advises that planning permission should be granted for sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance.
5.10	The proposals seek to make alterations to the streetscape. In the Design and Access Statement submitted, it details that the proposal aims to provide Belfast City Centre with an innovative, multifunctional, and digitally driven vision for Cathedral Gardens.
5.11	The proposed development includes the following schemes: • An interactive lighting experience in the form of catenary lighting on feature columns, including a canopy covered digital tile play zone and projector provision for digital art displays; • A public plaza capable of accommodating small to modestly sized events; • An urban forest / woodland garden area to function as a quiet place and to promote wildlife; • A lawn area next to the university to soften this urban environment and complement university café culture; • A Blitz memorial to commemorate this WWII tragedy; and

	Retention of Rinty Monaghan statue.
5.12	The principle of this public realm scheme is aligned with overarching policy direction set out in the RDS 2035, SPPS, Belfast Agenda and the Belfast Local Development Plan – Plan Strategy 2035.
5.13	Design, character and appearance.
5.14	The proposal is centred around a large area of public space in Belfast City Centre. The existing site is a predominantly civic space comprising of hard standing, established trees and raised garden beds; seating integrated into low concrete retaining walls; and open paved surfaces of varied materials which have been repaired and altered over time.
5.15	Policy DES1 of the LDP states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking. The sections below will detail the proposed design changes.
5.16	The site will be cleared of the conventional bike stands, Belfast Bike stands and travel hubs – these will be repositioned within the site; directional/road/map signs – temporarily removed and to be reinstated within the site (location to be agreed with Belfast City Council); the Rinty Monaghan statue - to be temporarily removed and relocated; area with skate equipment; play equipment will be cleared; the steps adjacent to University of Ulster will be cleared; bins temporarily removed and to be reinstated.
5.17	Seating will be a mix of standalone benches and integrated seating to the edge of the raised lawn terrace. Seating will have armrests and backs to ensure compliance with accessibility requirements.
5.18	The proposal seeks to create space for seating at selected locations, tree planting, and rain gardens. The main public plaza will be surfaced with a distinct ‘Linen Mix’ granite paving pattern to echo historical roots of the city while creating a contemporary finish which reflects the grey façade of the adjacent university building. Surrounding paving will be a mix of granite and Caithness paving to tie in with the materials used in the wider area for continuity. The winding paths through the Urban Forest will be a coloured porous asphalt to provide a contrasting softer character to the space and assist with the sustainable aims of the project. The sandstone appearance of the asphalt has an appearance that chimes with the environs of St Anne’s Cathedral. Flush drop kerbs will also be used in these areas to create a continuous level surface, prioritising pedestrians whilst still enabling cycle access.
5.19	The concept seeks to introduce new high quality public realm and opportunities for activities within the area. It also seeks to activate entrances from the surrounding major streets to entice people in. This will be achieved through a combination of introducing planting and seating, creating flexible spaces for new or changing activities, functional lighting, and layering historic narratives through the scheme.
5.20	The project site currently contains a memorial statue of the boxer John ‘Rinty’ Monaghan. The statue will be retained in a location facing on to York Street and this location will enhance and ensure it remains a valued part of the scheme and contributes positively to the character of the project.
5.21	A memorial to the Belfast Blitz will be respectfully developed in conjunction with the Northern Ireland War Memorial Museum and sensitively located within the scheme to provide a fitting permanent location for remembrance. This piece takes the form of a

	bronze frieze facing out to York Street and a mirrored wall facing into the Cathedral Gardens to provide a contemplative and reflective space.
5.22	BCC Landscape Planning and Development team have no objections stating that the proposal will create a high quality, multifunctional civic space at Cathedral Gardens.
5.23	The proposed development aligns with the key principles of Policy SP5 of the LDP and design criteria (a-k) of Policy DES1. The proposal is deemed acceptable with regards to design, character, and appearance.
5.24	BCC Urban Design acknowledges that the design approach generally reflects what was advocated within the Masterplan.
5.25	Health and wellbeing
5.26	Policy SP3 – Improving health and wellbeing and Policy HC1 – Promoting healthy communities require proposals to promote healthy and active lifestyles. The public realm scheme enhancements will assist active travel i.e. walking and cycling are easily achieved and that the surface area caters for people with mobility issues. The proposal will improve accessibility to/within the locality and city centre, reducing the use of private car travel, and improve provision of public open space The proposal is acceptable in relation to these policies.
5.27	Access, movement, and transport
5.28	Unauthorised vehicle access from York Street or Academy Street onto the open paved area will be prevented through the installation of trees at suitable spacing to prevent vehicle accessing at any point from the public road. The path accesses from Donegall Street are 1.0m wide and therefore will not permit unauthorised vehicle access, and suitable placement of kerbing, trees and feature boulders will prevent unauthorised vehicle access within the woodland understorey area.
5.29	There is an existing restricted vehicle access point off Academy Street. This access will be maintained, at approximately the same location, to provide access for BCC maintenance vehicles, event vehicles, and emergency vehicles. Specific vehicle requirements will be agreed with BCC at detailed design.
5.30	Works to redevelop the existing access point to form a 7m wide access point will involve the installation of a dropped kerb and transition kerbs along the existing public footway, and collapsible bollards to restrict unauthorised vehicle access.
5.31	There will be minor reinstatement works required on the public footpaths during the works being carried out. This will not impact the function of the existing University of Ulster bus stop along York Street. The proposed pedestrian access will be provided from all sides of the development at various locations due to the open design of the area. New 1.0m wide pathways will be constructed within the woodland area surfaced with porous asphalt, and pedestrian access will be available through the main paved area. Gradients of all paths and paved areas will be DDA compliant.
5.32	Existing on street parking spaces are not impacted by the scheme and no additional parking is proposed as part of the scheme. It is anticipated that there will be no road closures during construction.
5.33	DFI Roads have no objections to the proposal and recommend informatives. The proposal is situated in a highly accessible location with public transport links. The

	proposal will create an accessible environment for residents and members of the public, enhancing active travel via walking and cycling. The proposal is compliant with Policy TRAN 1 of the LDP.
5.34	Existing on-street parking spaces are not impacted by the scheme and no additional parking is proposed as part of the scheme. Whilst the site will be cleared of the conventional bike stands, Belfast Bike stands and travel hubs – these will be repositioned within the site to encourage cycling.
5.35	Appropriate servicing arrangements have been demonstrated to the satisfaction of DFI Roads and therefore the proposal is in compliance with Policies TRAN 1, TRAN 2, and TRAN 8 of the LDP.
5.36	Environmental considerations
5.37	Currently 0.45 Ha of the application site is comprised of impermeable areas comprising hardstanding / walls / play areas, with the remaining 0.10 Ha developed as permeable areas comprising tree pits, grass landscaping, and hedging.
5.38	The proposal seeks to enhance the permeability of the site by reducing impermeable areas within the Cathedral Garden area and introducing sustainable urban drainage systems, methods, and materials. The drainage strategy directs surface runoff from impermeable surfaces including roads and footpaths to proposed rain garden reducing pressure on the existing drainage system capacity by attenuating and slowing water flows. There will also be SuDS to manage surface water runoff, for example through tree pits.
5.39	DFI Rivers have appraised the drainage layout and drainage details plans alongside the drainage strategy provided by the applicant and have no objections based on the supporting information.
5.40	The Drainage Strategy indicates that the flood risk to and from a portion of the development will be managed using SuDS. Commenting on the efficacy of the proposed SuDS is outside Rivers Directorate area of knowledge and expertise therefore Rivers cannot advise.
5.41	Belfast City Council: Environmental Health Service have considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. In their initial response on 31/10/2024 they requested a Quantitative Risk Assessment or a Remediation Strategy. On 17/01/2025, following receipt of a Remediation Strategy, Environmental Health were re-consulted to provide comment. As of 04/02/2025 no response has been received. Delegated authority is requested to finalise BCC Environmental Health's response and impose conditions and informatives based on the plans and information provided.
5.42	In drawing number 08A (Planting Plan) it is detailed that 9 no existing mature trees will be retained and incorporated into the scheme. There will also be new trees and shrub/herbaceous planting and a lawn planted within the application site which is referred to as an urban forest along Donegall Street. BCC Trees have no objections to the scheme subject to conditions.
5.43	The proposal is considered acceptable in relation to Policies ENV1, ENV2, ENV4 and ENV5 of the LDP.

5.44	Landscaping, green infrastructure and trees
5.45	As mentioned above in this report, most of the application site (approximately 0.45 Ha of 0.55 Ha) is comprised of impermeable areas such as hardstanding / walls / play areas resulting in public realm which is dominated by hard landscaping.
5.46	The proposal seeks to introduce visual breaks in the street scene introducing green spaces and pockets of new public open space which will improve visual amenity and public realm in the area. The proposals reflect relevant criteria as set out within of the LDP. The introduction of a rain garden supports biodiversity within the area. Rain gardens including tree planting are proposed. Tree planting plans have been provided to the council and are deemed acceptable. BCC Trees have no objection to the scheme subject to conditions. The proposal is compliant with Policy OS2 and TRE1 of the LDP as it will result in net gain of open space trees within Policy and. The proposal is also acceptable regarding landscaping, green infrastructure, and trees in that the materials and landscaping proposed are compliant with Supplementary Guidance as set out in Creating Places and Living Places.
5.47	Built Heritage
5.48	This application site is located within the development core of 17th century Belfast. Previous excavations within this area have uncovered substantial structural and artefactual remains associated with this period. The application site is located within an Area of Archaeological Potential and a Battle Site. Also within the site is an industrial heritage record – IHR ref: IHR 10069:000:00. The proposal is also in close proximity to the following listed buildings which are of special architectural and historic importance and are protected by Section 80 of the Planning Act (NI) 2011: HB26 50 067 The Cathedral Church of St. Anne, Donegall Street, Belfast and HB26 50 279 Cathedral Buildings, 60-68 Donegall Street, Belfast.
5.49	Historic Environment Division have no objections to the proposal, they are satisfied that listed buildings, their settings and archaeological assets will not be adversely affected subject to conditions. The proposal is considered compliant with Policies BH1 and BH4 of the LDP, taking account of the response from HED.
5.50	Conservation Area
5.51	The application site is within the Cathedral Conservation Area. Section 104 of the Planning Act sets out that where an area is for the time being designated as a conservation area, 'special regard must be had in the exercise with respect to any buildings or other land in that area of any powers under this act to the desirability to: - a. preserve the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise. b. enhancing the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does arise'.
5.52	The BCC Conservation Officer has been consulted on the application and they are content that the works proposed will result in a largely neutral impact on the character and appearance of the Conservation area.
5.53	The Conservation Officer noted a few observations in relation to the scheme. The Agent was made aware of these and have provided amended drawings to address the comments. The BCC Urban Design team in their response stated that, "Consideration should be given to DfC's Belfast City Centre 'Public Realm - Materials Palette Guidance 2020' which provides strategic guidance on a palette of surface materials for all streets in

	Belfast City Centre and helps to inform future public realm improvements.” The Conservation Officer has not been re-consulted as officers are content that the comments have been successfully addressed, these are summarised below: • On both the general arrangement drawing (drawing number 02A) and the landscape layout drawing (drawing number 07A) the defined square is in a chevron pattern. The chevron pattern is comprised of proposed linen mix natural stone paving sett. • There has been clarification given of the stone, scale of paving module and bonding pattern to the scheme on the landscape layout drawing.
5.54	Officers consider that the proposal has demonstrated consideration of the surface materials of the surrounding areas in its scheme. Including that the main public plaza will be surfaced with a distinct ‘Linen Mix’ granite paving pattern to echo historical roots of the city while creating a contemporary finish which reflects the grey façade of the adjacent university building. Surrounding paving will be a mix of granite and Caithness paving to tie in with the materials used in the wider area for continuity. The winding paths through the Urban Forest will be a coloured porous asphalt to provide a contrasting softer character to the space has an appearance that chimes with the environs of St Anne’s Cathedral. The Agent has also clarified that the materials proposed in the scheme have regard to those recommended in the Streets Ahead proposal by Department for Communities for this location. • Benches within the scheme are now shown on both the general arrangement drawing and the landscape layout. • It was queried by both BCC Conservation and BCC Urban Design that successful open spaces use security through active frontages and that it may be queried if the layout at the building edge would permit spill out cafes and popup style uses.
5.55	The agent has responded that the proposed ground levels along the University of Ulster building have been set to allow level access between the building and the adjacent path / raised lawn area, thereby creating opportunity for spill out cafes and popup style uses.
5.56	BCC Conservation have concluded in their response that aside from the observations detailed above, it is considered that it could not be concluded that the proposal will result in harm to the character and appearance of the Conservation Area or the setting of listed buildings in the vicinity. BCC Conservation have not been re-consulted to confirm the observations have been addressed as officers are content that they have been addressed.
5.57	Amenity
5.58	The proposal seeks to introduce visual breaks in the street scene introducing green spaces and pockets of new public open space with seating at selected locations which will improve visual amenity and public realm in the area. The civic space will change and adapt to align with the program of activities occurring in the public plaza.
5.59	Lighting will comprise catenary columns with high catenary mounted lighting, high column mounted spotlights at select locations within the woodland area and interactive play zone, and other feature up-lights, strip lighting, and decorative lighting. Architectural lighting shall be provided to enhance the built elements. The proposed lighting will achieve varying effects depending on the type and nature of the activities within the public plaza for visual assistance, wayfinding, and personal safety.

5.60	Interactive digital tile play features and Gobos shall be provided under the covered area, the structure of which, shall provide locations for digital art projections to adjacent building facades. Digital art via Gobo projectors integrated with the wire catenary over the primary public space will provide a diversity of creative vibrancy to Cathedral Gardens.
5.61	BCC Urban Design noted that digital interactive surfaces can suffer from general inactivity once the initial 'novelty' factor has subsided. This has not been responded to by the Agent but Planning Officers note that BCC Urban Design note in their own response that the large area of public space proposed is flexible in its size and configuration to cater for a range of needs and user requirements including the potential to host city events. Therefore its flexibility can adapt with the changing requirements and demands of the site.
5.62	Management and programming of the Audio-Visual services across the site shall be developed in co-ordination with BCC and UU at detailed design.
5.63	A brief for new CCTV across the site shall be developed in co-ordination with BCC, PSNI, and UU at detailed design as an active form of security surveillance.
5.64	Developer Contributions
5.65	Para 5.69 of the SPPS states that 'Planning authorities can require developers to bear the costs of work required to facilitate their development proposals'. No developer contributions are required however, due to the nature of the development, which is providing public realm improvements in the public interest.
6.0	Recommendation
6.1	It is considered that the proposal will have no significant impact on residential amenity or the character of the surrounding area and will provide community benefits through enhanced public realm and open space improvements. The proposal is compliant with relevant policy provisions in the LDP, and approval is recommended.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the response from Environmental Health, finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.
7.0	DRAFT CONDITIONS 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition.

	Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 02. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 02. 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 the Council. Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition. 5. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity 6. All landscaping works shall be carried out in accordance with approved details on drawing no 08A, uploaded to the Public Register on 20 December 2024 under planning application LA04/2024/1551/F. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: In the interests of the character and appearance of the area 7. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site & on along the public streetscape and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site. Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands. 8. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, or fires within the RPA of trees within the site and adjacent lands during the construction period. Reason: To avoid compaction within the RPA.
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	9. In the event that new contamination or risks to the water environment are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use. 10. After completing any remediation works required and prior to operation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use
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