

# Public Document Pack

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



**Belfast  
City Council**

12th February, 2026

## **PLANNING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall on Tuesday, 17th February, 2026 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. Presentation**

- (a) Mr. Seamus Leheny, Chief Executive at Northern Ireland Federation of Housing Associations

### **3. Committee Site Visits**

- (a) Note of Committee Site Visit (Pages 1 - 2)

- (b) Pre-emptive Committee site visit: LA04/2025/0837/F - Demolition of Mount Masonic Hall, erection of 35 no. social housing units in 2 no. blocks with associated private, shared, communal, and public space, 29 no. private car parking spaces, vehicle and pedestrian access from Park Avenue, improvements to pedestrian steps linking Strandburn Drive to Sydenham Park, and demolition of 1no. garage. - Land of the former Mount Masonic Hall, 45 Park Avenue

4. **Notifications from Statutory Bodies - Traffic Control Measures**

- (a) Waiting Restrictions - Bedford Street (Pages 3 - 6)

5. **Planning Appeals Notified (Pages 7 - 8)**

6. **Planning Decisions Issued**

7. **Live Applications for Major Development (Pages 9 - 14)**

8. **Committee Decisions that have yet to issue (Pages 15 - 22)**

9. **Miscellaneous Items**

- (a) Review of implementation of the Planning Act (Northern Ireland) 2011 (Pages 23 - 34)

- (b) Review of Pre-Application Discussion (PAD) Fees (Pages 35 - 40)

- (c) Local Applications subject to NIW Objections (Pages 41 - 48)

10. **Planning Applications previously considered**

- (a) **LA04/2022/0809/F** - 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 92 No. dwellings and associated and ancillary works. - Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews (Pages 49 - 80)

- (b) **LA04/2025/0605/F** - Erection of a four storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels - 341-345 Albertbridge Road (Pages 81 - 100)

11. **Planning Applications**

- (a) **LA04/2024/0015/F** - Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works (revised information). - Lands at Cabin Hill, Upper Newtownards Road (Pages 101 - 144)

- (b) **LA04/2023/2633/F** - Proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 3G 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 - St Teresa's GAC, 2 Glen Road Heights (Pages 145 - 164)
- (c) **LA04/2025/1896/F** - Proposed mixed use development comprising of 77 No. social housing units (mix of 26 dwellings and 51 apartments) and a new children's centre, car parking, landscaping, open space, access and all associated site works including the installation of a new substation.(amendment to planning permission ref: LA04/2024/0122/F). - Former Belfast Metropolitan College Campus Whiterock Road (Pages 165 - 188)
- (d) **LA04/2025/2183/F** - Removal of conditions 14 and 15 from the permission referenced LA04/2024/0714/F (Contamination). - Units 2a and 2b 38 Boucher Road (Pages 189 - 196)
- (e) **LA04/2025/1716/F** - Proposed change of use from, Use class B1(a) office, to short term Transitional Care Unit, Use Class C3 b) comprising of 73 no. ensuite beds, associated ancillary facilities including café, rehabilitation suites and treatment rooms, laboratory, consulting rooms, 2 no. external terraces and all other ancillary, staff and storage rooms. Development includes ambulance drop off bay, replacement of existing windows, and all other associated site and access works. - Santander House, 1 Mays Meadow (Pages 197 - 206)
- (f) **LA04/2025/0288/F** - Retrospective change of use from taxi passenger terminal, cafe, office and newsagent to a Homeless Centre, Category D1(B). The centre will provide meals, washing and changing facilities and an internal social amenity area for users.  
The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4:00 pm up until 10:00 pm  
(Amended Description) - Existing taxi passenger terminal and former retail unit located within 35a King Street  
(Pages 207 - 216)
- (g) **LA04/2024/1389/F** - Community garden and improvements to existing unused space, scheme to include multi-use play-court, allotment area, pizza and BBQ area and pathways. - Newhill Youth and Community Centre, 261 Whiterock Road (Pages 217 - 224)
- (h) **LA04/2025/2216/LBC** - Installation of Facade Lighting. - Ulster Hall, 30 Bedford Street (Pages 225 - 232)
- (i) **LA04/2025/1135/F** - Demolition of first floor rear return, first floor rear extension and additional site works - 57 Knock Eden Park (Pages 233 - 240)



# Agenda Item 3a

## Planning Committee

### PLANNING COMMITTEE SITE VISITS – NOTE OF MEETING

Tuesday 10th February, 2026

- **LA04/2025/0605/F** - Erection of a four storey building to create 29no. short term let accommodation units with ancillary roof-mounted solar panels – 341-345 Albertbridge Road.

**Members Present:** Councillor R. Murphy (Chairperson), Alderman Rodgers, and Councillors D. Douglas, S. Douglas and Groogan. .

**Officers in Attendance:** Ms. L. Walshe, Principal Planning Officer; and Ms. C. Donnelly, Committee Services Officer.

The Members and the officers convened at 341-345 Albertbridge Road (12.15 p.m.) the for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 12:35 p.m.

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**Network Traffic  
Eastern Division**

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

Email: [walshjohn@belfastcity.gov.uk](mailto:walshjohn@belfastcity.gov.uk)

Hydebank House  
4a Hospital Road  
Ballydollaughan  
BELFAST  
BT8 8JL

Tel: 0300 200 7899  
Fax: 028 9025 3220  
Textphone number 028 9054 0022  
Email: [Traffic.Eastern@infrastructure-ni.gov.uk](mailto:Traffic.Eastern@infrastructure-ni.gov.uk)  
[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

Being Dealt With By: Andrew Miskimmin  
Direct Line 028 38 320423

03 February 2026

Dear Mr Walsh,

## **TRAFFIC CONTROL - WAITING RESTRICTIONS – BEDFORD STREET, BELFAST**

Following the success of the Experimental Traffic Control Order on Bedford Street, Belfast, the Department now plans to carry out the necessary legislation to make this scheme permanent.

The scheme will prohibit vehicles from waiting at any time (loading and unloading not permitted) on lengths of **Bedford Street, Belfast**.

Vehicles are excepted from the prohibition in certain circumstances.

The scheme will also amend the item relating to Bedford Street in the On-Street Parking Order (Northern Ireland) 2000.

*Details of the proposal are as follows:*

### ***No Waiting at any time (loading and unloading not permitted)***

1. *Bedford Street (east side) – from a point 15 metres east of its junction with James Street South for a distance of 14 metres in a southerly direction.*
2. *Bedford Street (east side) – from a point 15 metres east of its junction with Franklin Street for a distance of 59 metres in a southerly direction.*

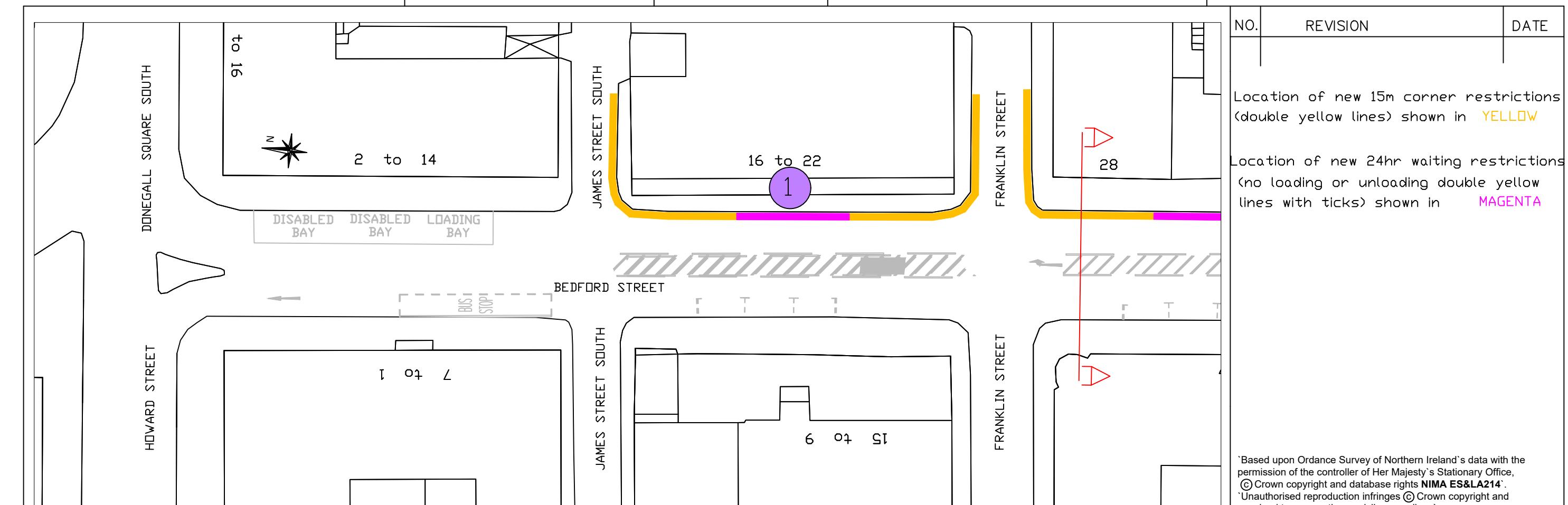
The purpose of this letter is to inform you of our proposals and to give you the opportunity to comment at this stage. Please refer to the attached plan for further details.

Thank you for your co-operation.

Yours sincerely,

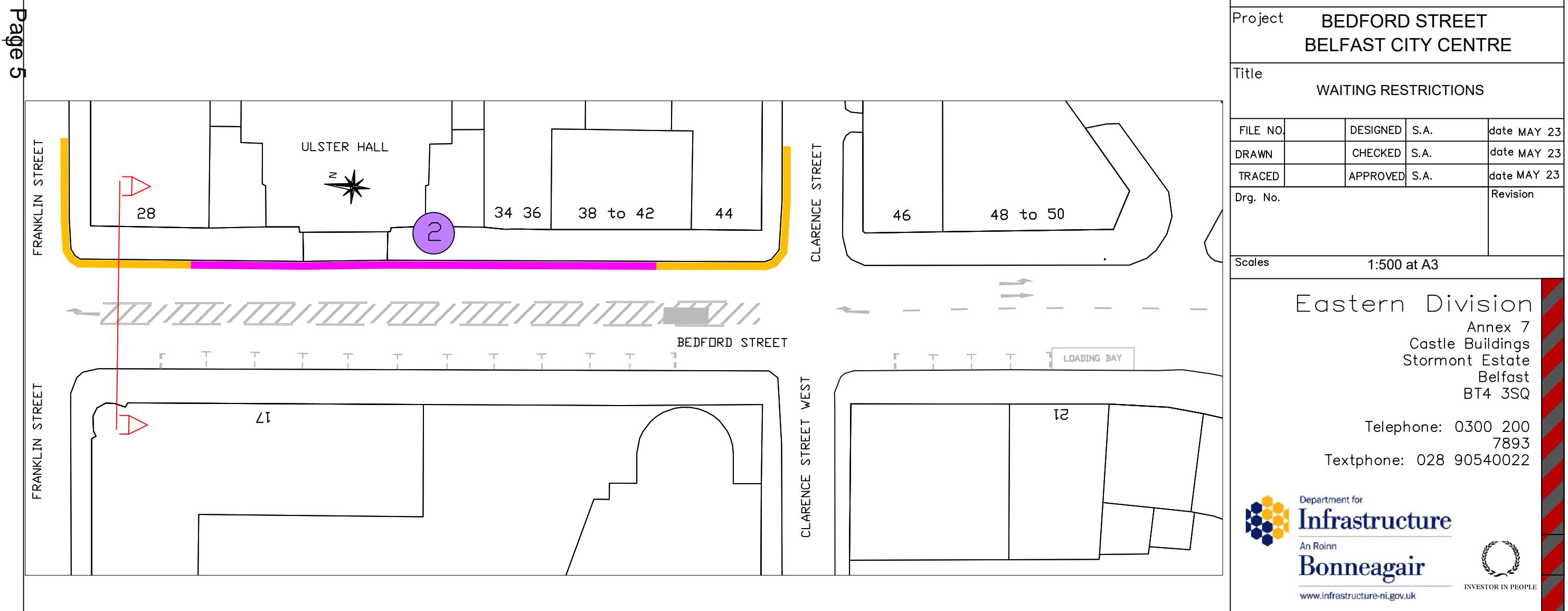
*Andrew Miskimmin*

**ANDREW MISKIMMIN  
TRAFFIC MANAGER, TM1**



NO.	REVISION	DATE
	Location of new 15m corner restrictions (double yellow lines) shown in <b>YELLOW</b>	
	Location of new 24hr waiting restrictions (no loading or unloading double yellow lines with ticks) shown in <b>MAGENTA</b>	

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Project	BEDFORD STREET BELFAST CITY CENTRE			
Title	WAITING RESTRICTIONS			
FILE NO.		DESIGNED	S.A.	date MAY 23
DRAWN		CHECKED	S.A.	date MAY 23
TRACED		APPROVED	S.A.	date MAY 23
Drg. No.				
Revision				
Scales	1:500 at A3			

Eastern Division

Annex 7  
Castle Buildings  
Stormont Estate  
Belfast  
BT4 3SQ

Telephone: 0300 200 7893

Textphone: 028 90540022



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# Agenda Item 5

## PLANNING COMMITTEE – 17 FEBRUARY 2026

### APPEALS NOTIFIED

### COUNCIL: BELFAST

ITEM NO	1	PAC REF:	2025/A0114
PLANNING REF:	LA04/2023/2893/O		
APPLICANT:	Roisin Driscoll		
LOCATION:	11 Glenmachan Drive, Belfast, BT4 2RE		
PROPOSAL:	Erection of a dwelling to the rear garden of 11 Glenmachan Drive, including an amended existing access from the Glenmachan Road (additional information)		
PROCEDURE:			

### APPEAL DECISIONS NOTIFIED

No new decisions received

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## Live Major Applications not previously considered by Committee @ 04.02.26

Number	Application No.	Category	Location	Proposal	Date Valid	Target Date	Status
1	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 3G 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
2	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
3 Page 9	LA04/2023/4181/F	Major	Lands comprising the existing Sydenham Wastewater Pumping Station west of Park Avenue, Conswater 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
4	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 (revised information).	22-Dec-23	19-Jul-24	Under Consideration
5	LA04/2024/0570/F	Major	Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent property 37-39 Summerhill Park, Belfast.	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
6	LA04/2024/0569/O	Major	Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castleview Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and rear of 160 Barnetts Road, Belfast (amended address)	Outline planning permission with all matter reserved for independent living (Use Class C1) units and up to 62no. assisted living units (Use Class C3), associated internal access roads, communal open space, revised access from Castleview Road, associated car parking, servicing, amenity space and landscaping.	04-Apr-24	31-Oct-24	Under Consideration

7	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
8	LA04/2024/2024/RM	Major	Royal Ulster Agricultural Society, the Kings Hall, 488-516 Lisburn Road, Belfast, BT9 6GW	41no. retirement living apartments at Plot 6, parking and landscaping in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details	18-Dec-24	16-Jul-25	Under Consideration
9	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
Page 10	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 work to the Waterworks upper and lower reservoirs, and Alexandra Park Lake reservoir, to be complemented with wider environmental, landscape and connectivity improvements.  The reservoir works comprise of a new overflow structure with reinforcement and protection of the return embankment parallel to the by-wash 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. 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 facilities, 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
11	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 37no social/affordable housing units with landscaping and associated works.	21-Dec-24	19-Jul-25	Under Consideration

12	LA04/2025/0088/F	Major	Lands adjacent and south west of Monagh By-pass, north west of Nos. 17, 19 and 22 Black Ridge Gardens and c.150 metres south east of Nos. 38 to 70 (evens) Black Ridge View (part of the wider Glenmona mixed-use development), Belfast	Proposed mixed use development (in lieu of the previously approved employment zone under LA04/2020/0804/F) comprising a three storey building of 36 no. Category 1 (over 55's) social housing apartments and 7 no. single storey Class B1/B2 Business/Light Industrial Units. Development includes 2 no. access points, car parking, landscaping and all associated site works	17-Feb-25	15-Sep-25	Under Consideration
13	LA04/2025/0184/O	Major	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Seven storey building (39.3m AOD) mixed use development comprising of Use Class B1 (c): Business, Research & Development and Use Class, D1: Community and Cultural Uses, including landscaping, parking, and servicing (Amended Description).	10-Feb-25	08-Sep-25	Under Consideration
14	LA04/2025/0574/F	Major	Surface level car park at lands to east of Lanyon Place Station Mays Meadow, Belfast, BT1 3NR	Erection of eight storey building comprising seven floors of grade A office accommodation, ground floor retail / business units together with car parking (15 no. spaces), cycle parking and plant areas: and public realm improvements including dedicated drop-off area to front of building	17-Apr-25	13-Nov-25	Under Consideration
15	LA04/2025/0974/F	Major	Site to the south of the former Knockbreda High School. Lands bounded by the A55 Upper Knockbreda Road to the south and south-east, Wynchurch Road to the north-east, Knockbreda Primary School to the north and Knockbreda Park to the west.	Development of a new primary school building for Forge Integrated Primary School. including development of a nursery unit, hard and soft play areas, landscaping, car parking, internal drop-off areas and new access arrangements onto the A55 Knockbreda Road via a new signalised junction; demolition of no. 138a Knockbreda Park and associated site works	04-Jun-25	31-Dec-25	Under Consideration
Page 11	LA04/2025/1272/F	Major	Harberton North Special School 29a Fortwilliam Park, Belfast, BT15 4AP	Erection of temporary mobile classroom village to facilitate future refurbishment and extension of existing Harberton North Special School, comprising 3 no. 2-storey blocks of temporary classroom accommodation, temporary hard play areas, temporary staff and visitor parking areas, tree removal and landscaping. (Amended Plans)	31-Jul-25	13-Nov-25	Under Consideration
	LA04/2025/1716/F	Major	Santander House, 1 Mays Meadow, Belfast, BT1 3PH	Proposed change of use from, Use class B1(a) office, to short term Transitional Care Unit, Use Class C3 b) comprising of 73 no. ensuite beds, associated ancillary facilities including café, rehabilitation suites and treatment rooms, laboratory, consulting rooms, 2 no. external terraces and all other ancillary, staff and storage rooms. Development includes ambulance drop off bay, replacement of existing windows, and all other associated site and access works.	05-Nov-25	03-Jun-26	Under Consideration
18	LA04/2025/1896/F	Major	Former Belfast Metropolitan College Campus Whiterock Road, Belfast, BT12 7PH	Proposed mixed use development comprising of 77 No. social housing units (mix of 26 dwellings and 51 apartments) and a new children's centre, car parking, landscaping, open space, access and all associated site works including the installation of a new substation.(amendment to planning permission ref: LA04/2024/0122/F).	06-Nov-25	04-Jun-26	Under Consideration
19	LA04/2025/2013/F	Major	Netherleigh House, 1 Massey Avenue, Belfast, BT4 2JP	Change of use of Netherleigh House and existing office block to provide residential and nursing care facilities. Extensions to existing office block including a fourth storey floor, eastern and western gable extension and two front projections from the northern elevation. Erection of 36 no. assisted living apartments over two four storey blocks. Site parking, landscaped amenity areas, woodland trails and all associated site works	18-Nov-25	16-Jun-26	Under Consideration

20	LA04/2025/2018/F	Major	Lands at Donegall Quay, Tomb St. to north of Albert Square, Gamble St. to south of Corporation Sq, Little Patrick St. to east of Nelson St. & under the M3 bridge at Donegall Quay and Corporation St., Belfast, BT1 1AA	Public realm and road improvements including development of urban recreation space below the M3 flyover at Corporation Street / Tomb Street and new public space below the M3 flyover at Donegall Quay.	19-Nov-25	17-Jun-26	Under Consideration
21	LA04/2025/1991/F	Major	Makro, 97 Kingsway, Belfast, BT17 9NS	Subdivision of the existing cash and carry building and the change of use of 4,750 sq.m gross floorspace for use as a Class A1 retail; erection of new loading bay in service yard; minor external alterations to building; reconfiguration of car park.	03-Dec-25	01-Jul-26	Under Consideration
22	LA04/2025/2113/F	Major	St. Marys Christian Brothers Grammar School St Marys Christian Brothers Grammar School 147a Glen Road, Andersonstown, Belfast, BT11 8NR	The construction of a new Sports Hall, Gymnasium and P.E Facility and footbridge connecting to existing GAA playing field	09-Dec-25	07-Jul-26	Under Consideration
23	LA04/2026/0007/F	Major	Lands at Belfast YMCA, Knightsbridge Park, Stranmillis, Belfast. To the east of Nos. 15; 17; 19; 25; 27; 29; and 35 Knightsbridge Manor. South of Nos. 26 to 34 (evens) Knightsbridge Manor, Nos. 65; 66; and 68 Vauxhall Park, and Nos. 15 and 17 Marylebone Park. West of Nos. 35 and 38 Sharman Drive, and Nos. 39 and 42 Sharman Park, Belfast	Proposed mixed-use development comprising 3G playing pitch with floodlighting; Children's Play Area; Trim Trail; Car Parking; and 24 No. Dwelling Units including a mix of detached, semi-detached and apartment house types. The development also includes site access, internal roads, landscaping and pumping station and all other associated site and access works.	17-Dec-25	15-Jul-26	Under Consideration
24 2025/2183/F	LA04/2025/2183/F	Major	Units 2a and 2b 38 Boucher Road, Belfast, BT12 6HR	Removal of conditions 14 and 15 from the permission referenced LA04/2024/0714/F (Contamination)	18-Dec-25	16-Jul-26	Under Consideration
25	LA04/2025/2215/F	Major	Halifax Building, 24 Cromac Place, Building, BT7 2JB	Proposed change of use from offices to nursing home comprising 156 no. bedrooms, ancillary scanning unit and all associated accommodation including dining/ café areas, day rooms and lounges, hairdressers, cinema rooms, treatment rooms and internal courtyard. The proposal also includes ancillary offices, landscaping, cycle parking, external alterations and all other site and associated works.	19-Dec-25	17-Jul-26	Under Consideration

26	LA04/2026/0008/F	Major	468-472 Castlereagh Road, Belfast, BT5 6RG	Demolition of existing structures on site and erection of purpose built padel facility comprising 8no. padel courts and ancillary uses to include café, changing facilities and recovery studio and all other associated site and access works.	22-Dec-25	20-Jul-26	Under Consideration
Page 13	LA04/2025/2210/O	Major	Lands to the east of Corporation Street, north of Donegall Quay, west and south of Clarendon Dock, south, east and south west of Pilot Street, and south and south east of Corry Road, Belfast (amended address)	<p>Hybrid planning permission is being sought for the following development:</p> <p>Outline Planning Application (no matters reserved) for Plots A &amp; B to provide 456No. residential units (apartments) and 1,600sqm of ground floor commercial uses including retail (Class A1), Financial and Professional (Class A2), Community and Cultural Uses (Class D1), Assembly and Leisure (Class D2), and café, bar and restaurant uses, landscaping, open space, play equipment, public realm improvements and all associated site and access works including servicing from Corporation Street.</p> <p>Outline Planning Application (all matters reserved) for Plots C, D, E and F for a mixed use development comprising residential (apartments and dwellings), a Hotel/Apart Hotel, ground floor commercial uses including retail (Class A1), Financial and Professional (Class A2), Community and Cultural Uses (Class D1), Assembly and Leisure (Class D2), and café, bar and restaurant uses, the change of use (principle only) to the listed Clarendon Building, Furnace House and Pump House (to include cafe and restaurant uses), re-purposing of Clarendon Dock for leisure uses and all associated site, access and infrastructure works.</p>	27-Jan-26	25-Aug-26	Under Consideration

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# Planning Applications Discussed at Committee Between 01 Apr 2019 and 04 Feb 2026

Decision Description	Totals
	16
Application Withdrawn	
Consent Granted	
Consent Refused	
Permission Granted	4
Permission Refused	
<b>Total</b>	<b>20</b>

<u>Application No.</u>	<u>Location</u>	<u>Proposal</u>	<u>Category</u>	<u>Date Valid</u>	<u>Statutory Target Date</u>	<u>Statutory Target Weeks</u>	<u>Current number of Weeks</u>	<u>Committee Date</u>	<u>Weeks between Valid date and Comm date</u>	<u>Weeks Since Committee</u>	<u>Previous New Non-statutory Target Date</u>	<u>New Non-statutory Target Date</u>	<u>Reason decision not issued</u>
LA04/2022/2059/F	Lands south of 56 Highcairn Drive Belfast BT13 3RU Site located at junction between Highcairn Drive and Dunboyne Park Belfast.	Social Housing Development comprising of 12 no. 3p/2b semi-detached dwelling houses with incutilage parking and associated site works. (amended description and site location plan)	LOC	04-Nov-22	17-Feb-23	15	170	29/06/2023	33	135	28/02/2026	28/02/2026	Awaiting Section 76 Agreement - land ownership issues on the applicant's side
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	MAJ	19-Mar-24	15-Oct-24	30	98	15/10/2024	30	68	Unknown	Unknown	Awaiting Section 76 Agreement - issues to be resolved on the applicant's side

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	12-Jul-24	15	97	15/10/2024	28	68	Unknown	Unknown	See above
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	05-Sep-24	30	104	12/11/2024	39	64	Unknown	Unknown	Awaiting Section 76 Agreement and new contamination issues - development commenced without planning permission and awaiting updated contaminated land survey from applicant
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	22-Sep-23	30	154	10/12/2024	93	60	Unknown	28/02/2026	S76 clauses remain to be agreed with applicant. Outstanding CoT issues on the applicant's side

LA04/2023/4543/F	885 Shore Road, Belfast, BT36 7DH	Proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting.	LOC	01-Feb-24	16-May-24	15	105	17/06/2025	71	33	Unknown	Unknown	DAERA NIEA recently provided its consultation response - advising that bat surveys required
PAge 17 LA04/2024/1036/F	Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA.	Lagan Gateway Phase 2 – Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works	LOC	10-May-24	23-Aug-24	15	91	17/06/2025	57	33	Unknown	Unknown	Further information requested from applicant following request from DAERA NIEA

LA04/2025/0535/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	Variation of conditions 1, 2, ,3, 4 ,5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location.	MAJ	27-May-25	23-Dec-25	30	36	17/06/2025	3	33	31/01/2026	28/02/2026	Awaiting conclusion of S77 agreement (amendment to S76 agreement). Applicant to address issues raised by DfI Roads
LA04/2024/1654/F	432 Falls Road, Belfast, BT12 6EN	Change of use from a 7-bedroom dwelling house (C1) to a 7 bed/ 9 person House of Multiple Occupancy (Sui Generis)	LOC	21-Oct-24	03-Feb-25	15	67	12/08/2025	42	25	31/01/2026	28/02/2026	Gathering additional information to support refusal reason
LA04/2024/1865/O	Land between No 22 Squires View and Nos 57 & 59 Squires Hill Road, Belfast.	3no. detached dwellings part 2 storey part 3 storey (amended plans)	LOC	28-Oct-24	10-Feb-25	15	66	12/08/2025	41	25	28/02/2026	28/02/2026	Late objections received. Planning Service requested additional information from applicant in respect of land instability issue. Application to be reported back to Committee

LA04/2024/0626/F	1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB .	Erection of 104no. social rented residential units (comprising a mix of General Social Housing and Category 1 over 55's accommodation) across two detached blocks [ranging between 3 and 5 storeys], landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works	MAJ	17-Apr-24	13-Nov-24	30	94	11/11/2025	81	12	28/02/2026	28/02/2026	Completion of s76 agreement delayed due to Certificate of Title issue
P age 19 LA04/2025/1454/F	The Lockhouse 13 River Terrace Belfast BT7 2EN	New community wellbeing centre and cafe extension to existing lockhouse building	LOC	17-Sep-25	31-Dec-25	15	20	09/12/2025	11	8	28/02/2026	28/02/2026	Awaiting outstanding consultation responses
LA04/2022/0809/F	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.	MAJ	21-Apr-22	17-Nov-22	30	198	09/12/2025	189	8	28/02/2026	28/02/2026	Awaiting S76 agreement. Application to be reported back to Committee as applicant removed land (and 2 dwellings) from application site to resolve third party land ownership issue

LA04/2025/1693/F	Existing soccer pitch at Falls Park (approx. 50m east of No. 47 Norglen Drive), Falls Road, Belfast, BT11 8EL	Spectator fencing around pitch perimeter (1.2m high), 2 no. ballstop systems (20m x 6m high), and spectator hardstanding.	LOC	21-Oct-25	03-Feb-26	15	15	20/01/2026	13	2	N/A	28/02/2026	Permission Granted
LA04/2025/1694/F	Woodlands Playing Fields, Finaghy Road North, Belfast	The installation of 7 x Ballstop Systems @ 30m x 12m high.	LOC	07-Jan-26	22-Apr-26	15	4	20/01/2026	1	2			Permission Granted
LA04/2025/1695/F	Existing soccer pitch at Dixon Playing Fields (approx. 50m north-east of No. 100 Orby Road), Grand Parade, Belfast	Extension to existing spectator fencing on site, new ball stop system along with pedestrian and vehicular access gates. New kerb line and drainage along car park boundary.	LOC	22-Oct-25	04-Feb-26	15	15	20/01/2026	12	2	N/A	28/02/2026	To be issued
LA04/2025/1696/F	Existing soccer pitches at Clarendon Playing Fields (approx. 130m south-west of No. 5 Abbeydale Court), Abbeydale Gardens, Belfast.	Installation of 2 No. ballstop systems @ 30m x 6m (high).	LOC	22-Oct-25	04-Feb-26	15	15	20/01/2026	12	2	N/A	28/02/2026	Permission Granted
LA04/2025/0605/F	341-345 Albertbridge Road, Ballymacarret, Belfast, BT5 4PY	Erection of a four storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels	LOC	09-Apr-25	23-Jul-25	15	43	20/01/2026	40	2	31/01/2026	28/02/2026	Deferred for Site Visit

LA04/2024/2077/F	Adelaide Business Centre 2-6 Apollo Road, Belfast, BT12 6HP	Proposed change of use from office space (B1) and storage or distribution (B4) to Bowling Alley, Restaurant, Indoor Golf, Children's Soft Play, VR Zone & Amusements, Smoking Area, Car Parking and Associated Site Works. Proposal includes changes to elevations. (Amended Plans Received).	MAJ	29-Jan-25	27-Aug-25	30	53	20/01/2026	50	2	N/A	28/02/2026	To be issued
LA04/2024/1836/F	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.	MAJ	25-Nov-24	23-Jun-25	30	62	20/01/2026	60	2		28/02/2026	Permission Granted

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<b>Subject:</b>	Second Review of the Implementation of the Planning Act (NI) 2011
<b>Date:</b>	17 February 2026
<b>Reporting Officer(s):</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management) Dermot O'Kane, Acting Planning Manager (Development Plan and Policy)

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

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

<b>1.0 Purpose of Report or Summary of Main Issues</b>	
1.1	The Department for Infrastructure (DfI) is carrying out a second review of the implementation of the Planning Act (Northern Ireland) 2011. DfI wrote to all Heads of Planning (Appendix 1) asking for an assessment as to whether it would be appropriate to amend or repeal any of the existing provisions of the act, supported if possible with additional information and / or evidence including operational experience. This report sets out a suggested response to the DfI on the matter.
<b>2.0 Recommendation</b>	
2.1	The Committee is asked to agree the draft response (appendix 2) to DfI's request in relation to second review of the Implementation of the Planning Act (NI) 2011.
<b>3.0 Main Report</b>	
3.1	DfI are legislatively required to review the implementation of the Planning Act (NI) 2011 by Section 228(1)(b) of the Act. The purpose of the review is to ensure continued oversight of

	the legislative framework underpinning the two-tier planning system, and to assess whether it remains appropriate and fit for purpose.
3.2	A first review of implementation of the Act was carried out following a Call for Evidence in February 2021. Having agreed to an extension of the deadline for responses, Belfast City council considered the matter at its Planning Committee in <a href="#">March 2021</a> and agreed a <a href="#">response for submission</a> . The <a href="#">DfI report</a> was subsequently published in January 2022.
3.3	The DfI report sets out that “ <i>almost two-thirds of the Act (162 sections) were not remarked upon. As had been anticipated, the vast majority of comments focused on sections with regard to Local Development Plans (LDPs), development management and planning enforcement. Comments were also received with regard to the functioning of the planning system within the context of the COVID 19 pandemic and post pandemic recovery.</i>
	<i>Following analysis of responses, the broad themes to emerge included calls:</i> <ul style="list-style-type: none"> <li>• <i>for the planning system as a whole, to take account of other strategies on for example: climate, environment, renewable energy;</i></li> <li>• <i>to streamline, and address perceived obstacles / inefficiencies in local development plan-making;</i></li> <li>• <i>for greater clarity in the role of the Department in plan-making, development management / decision-taking, and planning enforcement;</i></li> <li>• <i>for quicker and more streamlined decision-taking on planning applications and to address perceived obstacles at various stages including, preapplication consultation, and pre-determination hearings;</i></li> <li>• <i>to better utilize digitization across the planning system, including a review of planning application and advertising requirements;</i></li> <li>• <i>to uplift and broaden the scope of planning fees to better match costs;</i></li> <li>• <i>for greater and more regular use of powers to assess a council’s performance;</i></li> <li>• <i>to future-proof planning against potential emergencies, for example: extending extant planning permissions, and suspending in-person engagement;</i></li> <li>• <i>for greater powers to councils in relation to conservation areas and trees;</i></li> <li>• <i>to commence the Review of mineral planning permissions;</i></li> <li>• <i>to prioritise ‘green infrastructure’ projects in post-COVID 19 recovery.”</i></li> </ul>
3.4	The Department is required to publish the second review report within 5 years of the first report. The second report will therefore need to be published before the end of January 2027.
3.5	As with the first review, DfI are keen to stress that the report will deal with the implementation of the Act and is not an examination of the performance of the overall two-tier planning system. The review must consider the objectives intended to be achieved by the Planning Act, assess the extent to which those objectives have been achieved and assess whether it is appropriate to retain, amend or repeal any of the provisions of the Planning Act in order to achieve those objectives.
3.6	In their correspondence (Appendix 1) DfI have asked for responses by the 20 February 2026. Given the need to bring a response before Committee, Councils have asked for an extension to this deadline. DfI have confirmed that responses will be accepted after the 20 February.
3.7	<p><b>Key Issues</b></p> <p>In its response to the Call for Evidence in 2021, the Council sought to influence much needed change and improvement to the planning process in Northern Ireland. The previous submission was provided in the format of responses to structured questions. The previous response of the Council has been reviewed and updated to remove references to Covid</p>

	recovery as well as references to work that has been undertaken or is underway to refine the system (including for example the introduction of statutory validation checklists and the removal of mandatory Pre Determination Hearings). This work has mainly come through the Regional Planning Improvement Programme, on which the Committee has been regularly updated. The draft response to the second review is included in Appendix 2.
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	There are no financial or resource implications as a direct result of this report. There may however be financial or resource implications if changes are made to the planning system as a result of the review of Regional Planning Improvement Programme.
<b>5.0</b>	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
5.1	There are no equality or good relations implications as a result of the report or review of the implementation of the Planning Act (NI) 2011 or a need for a rural needs assessment at this time.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 – Correspondence from the Chief Planner, DfI January 2026.  Appendix 2 – Draft response to the request for information.

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## **Belfast City Council Response to the Second Review of the Implementation of the Planning Act (NI) 2011.**

The following changes to the legislation should be made or considered. The relevant section of the Planning Act (NI) 2011 ('the 2011 Act') has been provided where relevant, as has any specific Regulation where possible (such as the Planning (Development Management) Regulations (Northern Ireland) 2015 and Planning (General Development Procedure) Order (Northern Ireland) 2015).

### **Local Development Plans**

#### **LDP Preparation**

The LDP statutory process should provide the scope to allow councils to respond to the consultation submissions and consider changes during the plan development stage, prior to its formal submission for Independent Examination (IE). Whilst it is acknowledged that DPPN10 now seeks to remedy this, further clarity (and a clear statutory basis) for this approach should be embodied in the relevant primary and secondary legislation. Given the long timescales involved in the current LDP process and given the desire to take into account any submissions received, it is important that councils have an opportunity to amend or fine tune the development plan document before its submission for IE, including for minor matters that seek to clarify or improve the document that do not change the overall policy direction and objectives. Where a more substantial change is desirable, then a further public consultation process on the proposed changes only would be appropriate. This approach requires a clear legal basis.

The current role of the Department of Infrastructure ('the Department') is not clear in relation to the preparation/adooption of development plan documents (DPDs) – at both the DPS and LPP stages. It is unclear as to the purpose of submitting the draft DPDs to the Department, rather than to the PAC directly. In addition, following the IE, the ability of the Department, having already taken part in the IE process, to veto the report and findings of the PAC is undemocratic and conflicts with the Department's other roles in terms of its service departments. The PAC should report directly to the councils following the IE and council elected members should then decide to adopt or modify the DPD in light of any recommendations. This does not, of course, remove the power of the Department or Minister to intervene at any stage in the process up to adoption.

Planning legislation should set out the scope and procedural requirements of any guidance prepared by the Department that relates to the preparation of LDPs and the policies therein. There should be a clear time bar for considering new guidance issued (either as draft or finalised guidance) in the relevant DPD as a clear point in time has to be set for practical reasons. Departmental guidance should also be subject to proper process, including stakeholder consultation and any relevant impact assessment that may be required prior to its finalisation and publication.

In reviewing the planning legislation, the opportunity should be taken to consider whether the two-stage process is effective and beneficial. Whilst it is accepted that the overall development plan should comprise, *inter alia*, a core strategy, operational policies, local policies, site requirements and land allocations/designations, these may be best considered contemporaneously rather than having a significant time period, inevitably at least 1-2 years, between the DPS and LPP stages. It was evident at our IE hearings that the 2-stage process is causing a degree of frustration with some parties and it is not evident that there is any significant benefit in separating the DPS and the LPP in terms of process and time.

There would need to be careful consideration of transitional arrangements for those authorities that already have adopted Plan Strategies or are significantly advanced in their production, along with those that may be significantly advanced in the production of Local Policy Plans.

### **LDP Consultation**

The consultation arrangements, timescales and use of appropriate media for both stages of new LDPs need to be reviewed and simplified across the provisions in the 2011 Act and The Planning (Local Development Plan) Regulations (Northern Ireland) 2015. In particular, clarity, consistency and simplification across the different requirements in respect of the consultation process, including statutory adverts. In the latter regard, it is suggested that the public consultation periods for each relevant stage in the LDP process should be statutory period of 8 weeks minimum (as opposed to maximum) and the statutory dates for accepting submissions should be clarified in relation to the current requirement for public notices during two consecutive weeks. Indeed, it is suggested that this two consecutive week requirement is omitted as a statutory requirement and that councils' Statements of Community Involvement specify the intended public notification at each stage, subject to any statutory minimum requirement.

The current definition of statutory consultation bodies set out at Regulation 2 of the LDP Regulations 2015 results in an unduly onerous and unnecessary notification of a long list of utility providers and licencees under Reg 2 (1) (f, g and h). The current reliance on UK lists for such providers, in the absence of a bespoke list for NI, has resulted in the issuing of statutory notices to many operators that are irrelevant to NI. The Department should take responsibility for managing a local list reflecting those operating in NI or, alternatively, the consultee body should be named as the relevant umbrella regulator body, such as the Utility Regulator and Ofcom.

The opportunity should also be taken for a more up to date and clear approach in relation to the use of digital media and websites for the use of different media for the purposes of consultation and advertisement.

### **LDP Adoption and Independent Examination Process**

The 2011 Act only refers to whether a plan is "sound" in Section 10 para 6 (b). The main issues lie with the tests transposed by the Department and set out in DPPN06 which, whilst "based" on practice elsewhere, fails to take account of the important differences in the NI system. In particular, the tests include elements over which councils have little control due to the particularities of the NI LDP process and the role of the Department. This clearly includes the LDP Timetable which, naturally accepted as good practice and a useful guide for all participants in the process, is inevitably subjected to significant changes as the many stages in the process are advanced. Whilst it is also accepted that the Department has indicated some flexibility, the strict adherence to a proposed timetable should not be a matter of soundness.

### **Tree Preservation Order Matters**

Section 124 of the 2011 Act affords the Department the power to, inter alia, vary or revoke a TPO. This power is not afforded to councils in Sections 122-123 of the 2011 Act. Whilst Regulation 8 of The Planning (Trees) Regulations (Northern Ireland) 2015 refers to the revocation of TPOs by councils, the primary legislation does not align with this. The power for councils to vary or revoke TPOs, including those made by the Department and its predecessors, should be expressly included in the primary legislation.

## **Built Heritage/Conservation Matters**

Section 104 of the 2011 Act allows the authority that originally made a conservation area designation to vary or cancel the designation. Therefore, this power does not afford councils the power to vary or cancel a conservation area designated by the Department and its predecessors. The primary legislation should be amended to afford councils such powers.

The Planning (General Permitted Development) Order (Northern Ireland) 2015 and The Planning (Fees) Regulations (Northern Ireland) 2015 should be amended to allow councils to set aside fees or charges where the application fee arises as a result of a decision to remove the permitted development rights under the Article 4 procedure.

In addition, in terms of the Article 4 process, the general procedure as set out in the current Regulations should be reviewed in relation to the degree of the process undertaken by the Department and the level of oversight.

Section 81 of the 2011 Act affords councils the power to serve a Buildings Preservation Notice. However, unlike other statutory notices, including those that take immediate effect in particular circumstances, such power was not also retained by the relevant government department (HED in this case). This oversight should be corrected to provide the Department with the ability to take proactive and urgent action in relation to buildings that it considers could have value that would merit statutory listing.

## **Planning Control and Additional Planning Control**

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### **Hierarchy of Development**

S25 – consideration should be given to the creation of a third “Minor” category of development to be more representative of the range of applications. These would include minor application types such as “Householder” applications, Advertisement Consents and applications for Listed Building Consent. At the moment the spectrum of Local applications ranges from a domestic porch to a large residential scheme comprising 49 units – this is far too wide for any meaningful measurement and analysis of Local applications.

### **Call in of applications to the Department**

S29 – The Department has retained far too many checks and balances in the planning application process when planning powers were transferred to councils. This has led to an unnecessarily bureaucratic process which disempowers councils and undermines local decision making. Furthermore, it increases uncertainty and risk for developers and investors, extends determination times and has a detrimental impact on performance. It is essential to eliminate bureaucracy and significantly improve the efficiency and effectiveness of the NI planning system in order that Belfast and wider region can be economically competitive.

The requirement for councils to notify the Department where it intends to approve permission for Major development and there has been a significant objection from a statutory consultee should be removed. Despite numerous notifications to the Department, no such applications have been ‘called in’, which demonstrates that the rationale for such decisions by the Council have been sound. There is no reasonable justification for retaining this provision, particularly given the free standing ability of the Department to call in an application at any time. If another statutory agency is sufficiently concerned about the proposed decision they can contact the Department directly to request that the decision be ‘called in’.

The requirement to notify the Department of a council’s intention to approve Conservation Area Consent should be removed for these same reasons.

The Department should issue clear and explicit guidance on retained notification and call-in processes to aid transparency.

### **Schemes of Delegation**

S31 – Schemes of Delegation – and how councils apportion delegated powers to officers and Elected Members through their respective Planning Committees – is entirely a matter for those individual councils and local decision making. The requirement for the Department to approve council Schemes of Delegation must be removed as it is unnecessary interference and bureaucracy adding unnecessary delay and costs.

### **Notice etc. of applications for planning permission and appeals**

Article 8 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 – Planning Authorities should have the option of erecting a site notice as an alternative to direct neighbour notification. Site notices can often be more cost effective (for example where it is an alternative to neighbour notifying a whole residential apartment block with hundreds of residents – a particular issue in dense built-up areas such as Belfast City Centre). Site notices also publicise applications to a much greater audience than neighbour notification as they can be widely seen from public vantage points close to the site.

The requirement to publicise planning application in the press is outdated and very costly for councils. The legislative requirement to publicise applications should be removed in its entirety and substituted by a combination of electronic consultation, neighbour notification and site notices as set out above. At the very least, the extent to which applications must be advertised must be reduced significantly to only certain types of applications which have the potential for greater impacts. This would be limited to applications for Major development, development affecting a Listed Building, development in a Conservation Area and EIA development.

### **Determination of applications**

S40 – a council should only be obliged to determine the application as made (cross reference with Article 3 of the GDPO 2015). A council may accept additional information and amended plans once the application has been made only at its discretion. At the moment many planning applications are generally of poor quality either because information is incomplete or the scheme is obviously deficient in some way. This means that far too many “bad” applications enter the system, wasting council and statutory consultee resources, and significantly contributing to underperformance. Some agents have admitted that they sometimes submit applications in a very basic form “just to get it on the books”. Far too often the planning application process is used by customers as an “MOT check” with councils having to identify numerous areas where applications need to be improved.

Indeed, agents/applications often expect to be able to improve their planning application once submitted, notwithstanding the fact that the application process is far from the correct forum for negotiating significant changes to a proposal once in the system. This adds considerable delay and burden on councils, statutory and non-statutory consultees and is fundamentally a disservice to their clients who are often paying significant fees. It is plainly good practice for councils to advise customers as soon as they know that there is a problem with their planning application. However, where those issues are significant and go to the heart of the proposal, the ability to submit amended plans and/or additional information in response to those substantial concerns must be removed. Instead amended plans and/or additional information should only be permitted where they are of a more minor nature and at the discretion of a council. This will improve efficiency, timeliness of decisions and

performance. It will also significantly reduce costs for applicants, councils and statutory consultees.

Planning Authorities should be able to “agree an extension” of time for individual planning applications. This would take pressure off Planning Authorities having to make a determination in line with the statutory target and enable more modest changes to be made to a planning application by mutual agreement between the Council and applicant. This would result in less conflict in the process, better respond to the requirements of customers, result in more positive decision making and, very importantly, support better quality outcomes on the ground. This new provision would require statutory targets to be redefined to the percentage of decisions achieved within the statutory target rather than average processing time.

### **Matters which may be raised in an appeal**

S59 – Belfast City Council considers that this provision should be revised to reflect what the Council considers was intended by its insertion, namely to prevent new information being routinely introduced at appeal. The Planning Appeals Commission continues to accept amendments to proposals and/or new information subsequent to the council’s original refusal decision. The rationale for this is that the Council is represented at the appeal and therefore is not prejudiced by the introduction of the new information. This is fundamentally at odds with the way in which planning decisions are now made as part of a democratic process and administratively unfair. Firstly, it encourages the submission of poor applications as applicants know they have a “second bite of the cherry” to modify their proposal at appeal following refusal of permission by the council. It also means that the appeal is decided on a proposal which was never before the council, had not been considered by its Elected Members in accordance with the relevant Scheme of Delegation, and was not subject to consultation with local people and communities. Section 59 of the 2011 Act should be amended to ensure that appeals can only be determined on the basis of the application as originally refused by the council. No amendments or new information should be permitted or considered unless of an extremely minor nature.

S76 – in appropriate circumstances, developers should be able to submit a Unilateral Undertaking as a substitute to a Bi or Multi Party planning agreement under Section 76. Unilateral Undertakings can be quicker to arrange and more cost effective, thereby speeding up the planning application process, particularly for Major applications.

The Council is also of the view that Section 76 (15) (a) should be removed as it is unnecessary. This provision requires the Department to be a signature to a Planning Agreement where the application has been made to a council, and the council has an estate in the land to which the proposed agreement relates.

### **Other**

The Planning (General Development Procedure) Order (Northern Ireland) 2016 must be amended to allow a council to procure its own in-house expertise in areas such as Listed Building; transport and road safety; and local ecological issues, in place of consulting the relevant Government Department and statutory consultee. The existing structure with local government being legally reliant on central government to make planning decisions is exceptionally disjointed, contributes significantly to underperformance and makes the planning system in Northern Ireland highly ineffective. The Department should have transferred greater powers to the new councils in 2015 including responsibility for transport, the majority of Listed Buildings, consideration of ecological issues and regeneration. The recommendations of the “John Irvine report” (2019 review of the effectiveness of the planning system in Northern Ireland, commissioned by the Department) are welcomed,

however, they essentially only “paper over the cracks” and fail to address the core systemic issues. Belfast City Council must be a unitary authority with increased planning powers if it is to compete with other cities in these Islands and internationally.

Pre Application Discussions (PADs) are of fundamental importance to front-loading the planning application process, especially for Major and complex Local applications. Statutory consultees are already overburdened and over-stretched and unable to effectively support statutory consultation on planning applications. They therefore frequently struggle to properly engage in the PAD process due to lack of resources. Legislative change is necessary to enable statutory consultees to charge their own PAD fees with the income ring-fenced to improve capacity. Belfast City Council's experience is that that developers would be willing to pay statutory consultees for PAD advice if it would improve the quality of their applications and significantly improve processing times.

Article 4 of the Planning (General Permitted Development) Order (Northern Ireland) 2015 should be amended to make it clear which matters may be “reserved” i.e. layout, scale, design, access and landscaping.

### **Enforcement**

S38 – Planning Authorities should be able to issue Enforcement Notices, Planning Contravention Notices and other formal notices by electronic means (such as email) as a more efficient and cost effective alternative to issuing such notices by post or in person.

### **Correction of errors in decision documents**

S219 – this provision should be enacted to give Planning Authorities the ability to address correctable errors in decision notices.

### **Fees and charges**

S223 – the Planning (Fees) (Amendments) Regulations (Northern Ireland) 2019 must be fundamentally reviewed. Planning fee income falls well short of the service being cost neutral. This means that rate payers are unfairly subsidising the Council's delivery of its Planning Service.

Whilst the financial sustainability of the planning system is highlighted as a workstream in the Regional Planning Improvement Programme and there has been a recent consultation on the intention to introduce charging for Non Material Change and Discharge of Condition applications, fundamental consideration must be given to the resourcing and costs of all parts of the planning system.

### **Measurement of statutory performance**

The way in which planning application performance is measured should be reviewed. The approach of measuring the percentage of applications determined within the statutory target should be considered. This would facilitate the introduction of the provision allowing Planning Authorities to agree an extension of the determination with the applicant.

Withdrawn applications should be removed from the statutory measures since they are not decision made by the council but by the applicant. It is manifestly unfair to measure the performance of councils on decisions which are out of their hands.

### **Final disposal of an application**

Article 40(13) (a) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 allows Planning Authorities to “Finally Dispose” of applications where an application had not been determined and the statutory time limit for lodging an appeal has expired. At the moment, councils have no ability to remove an application from the system if it has stalled indefinitely and in a state of flux. Final disposal effectively allows a council to “withdraw” an application itself without the additional cost of having to process it to completion.

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<b>Subject:</b>	Review of Pre-Application Discussion (PAD) fees
<b>Date:</b>	17 <sup>th</sup> February 2026
<b>Reporting Officer(s):</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management)

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	<b>No</b>
<b>If Yes, when will the report become unrestricted?</b> <ul style="list-style-type: none"> <li><b>After Committee Decision</b></li> <li><b>After Council Decision</b></li> <li><b>Some time in the future</b></li> <li><b>Never</b></li> </ul>	

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	<b>Yes</b>

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
1.1	This report sets out proposals for a small operational change and inflationary uplift to Pre-Application Discussion (PAD) fees in the short term alongside a proposal for a longer term review of PAD fees in the coming financial year .
1.2	The Committee is asked to note the report ahead of consideration by the Strategic Policy and Resources Committee, which will be asked to agree the increased charges.
<b>2.0</b>	<b>Recommendation</b>
2.1	The Committee is asked to note the proposed increased PAD fees as set out at <b>Appendix 1</b> and agree to a fundamental review of PAD fees over the next financial year
<b>3.0</b>	<b>Main Report</b>
	<b>Background</b>
3.1	The Council's Pre-Application Discussion (PAD) service is a discretionary service, which provides opportunity for customers to discuss their planning proposals with the Planning Service before they make a planning application.

3.2	<p>As the Committee is aware, the planning application process can be complex. PADs provide opportunity for issues to be identified early, thereby helping to improve the quality of application on submission, in turn leading to better outcomes on the ground as well as more efficient and timely decision-making. PADs also provide applicants with a degree of certainty as to whether their proposals are likely to be acceptable, with the caveat that the process does not bind the Council to a final outcome, with the planning application subject to consultation with the public and technical consultees, and the potential for the decision to ultimately be made by the Committee following the democratic process.</p>
3.3	<p>Customers can use PADs to establish:</p> <ul style="list-style-type: none"> <li>• whether their proposal requires planning permission.</li> <li>• the main issues and planning policies relevant to consideration of their proposal.</li> <li>• the Planning Service's initial assessment of the proposal and how the proposal can be improved to increase the chances of planning permission being granted.</li> <li>• the information that they will need to submit with their planning application (in accordance with the Council's published <i>Planning Application Valid Checklist</i>).</li> <li>• explanation of the application process and likely timescales for a decision.</li> </ul>
<p><b><u>Best Practice</u></b></p>	
3.4	<p>PADs are universally accepted as best practice in the industry, particularly for more complex proposals, and form an important part of the "front-loading" of the planning application process to support timely decision making and secure better outcomes on the ground. PADs are advocated by the Department for Infrastructure (DfI) through the Strategic Planning Policy Statement for NI (SPPS) and <a href="#"><u>Development Management Practice Note 10: Pre-Application Community Consultation (and Pre-Application Discussions)</u></a>.</p>
3.5	<p>PADs also form an important part of the Council's published "10 Operating Principles" that support an efficient and effective Development Management service, and the Planning Service's aim of <i>helping customers get a timely planning decision that benefits the city</i>.</p>
3.6	<p>Operating Principle 7 states:</p> <p><i>'We provide a Pre-Application Discussion (PAD) service so that issues can be identified at the beginning of the process, before the application is made. This leads to better quality planning applications which should be determined in a more timely manner...'</i></p>
<p><b><u>BCC charging for Pre-Application Discussions</u></b></p>	
3.7	<p>Belfast City Council was the first council in Northern Ireland to charge for PADs in 2017. It is understood that some but not all NI councils have since introduced charging for PADs. Endorse by the Committee, PAD fees were introduced in recognition of the significant level of resources that the Planning Service expends in providing its PAD service and significant demand for the service from customers.</p>
3.8	<p>PAD charging was informed at the time by engagement with applicants, agents, developers and other customers. It also formed part of the business case for employing two additional staff in the Development Management team.</p>

3.9	PAD charging has since become culturally embedded in the planning application process in Belfast. The Planning Service remains acutely aware of the importance of providing high standards of service and advice in delivering a charged PAD service.																		
3.10	The Council's PAD fees were originally set in March 2017 and are provided at <b>Appendix 1</b> .																		
3.11	Projected income from PAD and PPA fees is £100,000 pa. Actual PAD income for previous years is set out in <b>Table 1</b> , below.																		
<table border="1"> <thead> <tr> <th>Year</th><th>Actual PAD Income</th><th>Number of PADs</th></tr> </thead> <tbody> <tr> <td><b>2021/22</b></td><td>£88,200</td><td>85</td></tr> <tr> <td><b>2022/23</b></td><td>£82,400</td><td>76</td></tr> <tr> <td><b>2023/24</b></td><td>£70,200</td><td>62</td></tr> <tr> <td><b>2024/25</b></td><td>£66,000</td><td>56</td></tr> <tr> <td><b>2025/26</b> (pro rata)</td><td>£92,900</td><td>58</td></tr> </tbody> </table>		Year	Actual PAD Income	Number of PADs	<b>2021/22</b>	£88,200	85	<b>2022/23</b>	£82,400	76	<b>2023/24</b>	£70,200	62	<b>2024/25</b>	£66,000	56	<b>2025/26</b> (pro rata)	£92,900	58
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<p><b>Table 1: PAD income and the number of PADs per year since 2021/22</b></p>																			
<p><b><u>Review of PAD fees</u></b></p>																			
3.12	it is recommended that the original 2017 fees are subject to an inflationary uplift from 2026/2027, applying the Consumer Price Index (CPI).																		
3.13	In addition, a small process change is proposed. The current charges including two PAD meetings at no additional cost for all PAD categories other than for Largescale Major proposals which include one meeting. It is proposed that the process for Largescale Major proposals is brought in line with other PAD categories so that they also include two meetings at no additional cost, to simplify the approach and recognising that it is unlikely that the largest category PADs would only ever involve one PAD meeting, due to their scale and complexity. The base fee for a Largescale Major proposal is proposed to be increased to cover the cost of the additional meeting.																		
3.14	PAD fee <b>exemptions</b> for householder proposals, commercial proposals of less than 200 sqm, community and proposals by non-profit organisations (i.e. fee exempt for planning applications) would remain. There would continue to be no charge for PADs for these proposals.																		
3.15	The general public can continue to avail of the free Duty Planner service which operates daily and provides opportunity to discuss householder and small-scale proposals with a planning officer.																		
3.16	The revised PAD fee proposals are set out at <b>Appendix 1</b> . It is considered that these small changes may make it more likely that the Council will achieve the £100k income target for PAD.																		

3.17	It should be recognised however that the Planning Service has evolved and improved its PAD service over the years. Since early 2024, following feedback from customers and informed by learning from the lean systems redesign experimentation project (2022 to 2024), the PAD process has been streamlined and targeted with the process more tailored to the specific requirements of the applicant and proposal. A new series of PAD principles relating to delivery of the service have been introduced, aimed at providing efficient, proportionate and more timely feedback to customers. These will be published on the Council's website alongside updated customer guidance on the PAD service.
3.18	A more fundamental review of PAD fees is therefore considered timely given the evolution in the delivery of the PAD service. It is recommended that a more comprehensive review is undertaken during 2026/27, informed by planned feedback from the new Belfast Planning Partnership with planning agents; and further development of internal processes following further roll-out of the learning from the lean-systems redesign project.
3.19	A further report on the review and its conclusions will be brought to Committee in late 2026 / early 2027.
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	The realisation of PAD income remains an important income stream for the Council's Planning Service. Planning application fees are set regionally by DfI and overall income falls substantially short of the annual cost of delivery of the Planning Service. The proposed new PAD charges will help support the Planning Service's overall costs and service delivery and will help to achieve the income target of £100k per annum.
<b>5.0</b>	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
5.1	There are no equality or good relations / rural needs implications associated with this report.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 – BCC current and proposed revised PAD fees

## Appendix 1 – BCC current and proposed revised PAD fees

Category	Current Cost	Proposed Cost of Additional meeting	Proposed Cost	Proposed Cost of Additional meeting
<b>Largescale major</b> 100 residential units or more, 10,000sqm or more (2 meetings included <sup>1</sup> )	<b>£2,000 + VAT</b>	£1,000 +VAT	<b>£4,125 + VAT</b>	£1,375 +VAT
<b>Major scale</b> 50-99 houses Other major development less than 10,000sqm (2 meetings included)	<b>£1,500 + VAT</b>	£500 + VAT	<b>£2,050 + VAT</b>	£675 + VAT
<b>Largescale local</b> 10-49 houses 2,000 to 4,999 sqm (2 meetings included)	<b>£1,000 + VAT</b>	£500 + VAT	<b>£1,375 + VAT</b>	£675 + VAT
<b>Local scale</b> 1-9 houses 200 to 1,999sqm (2 meetings included)	<b>£500 + VAT</b>	£500 + VAT	<b>£675 + VAT</b>	£675 + VAT
<b>Other</b> Floor space < 200sqm Householder, commercial, community or non-profit organisations	<b>£0</b>	N/A	<b>£0</b>	N/A

<sup>1</sup> Current PAD fee of £2,000 + VAT for Largescale Major PADs only includes 1 meeting

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<b>Subject:</b>	Delegation of Local applications with NI Water objections
<b>Date:</b>	17 <sup>th</sup> February 2026
<b>Reporting Officer(s):</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

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

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

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024, 24 <sup>th</sup> May 2024, 27 <sup>th</sup> June 2024, 13 <sup>th</sup> August 2024 15 <sup>th</sup> October 2024 21 <sup>st</sup> January 2025 18 <sup>th</sup> March 2025 15 <sup>th</sup> April 2025 13 <sup>th</sup> May 2025, 17 <sup>th</sup> June 2025, 12 <sup>th</sup> August 2025, 14 <sup>th</sup> October 2025 11 <sup>th</sup> November 2025 9 <sup>th</sup> December 2025 and 20 <sup>th</sup> January 2026, it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at <b>Appendix 1</b> .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which

	are proposed to be delegated. Therefore, any of the Local applications listed at <b>Appendix 1</b> which it may later transpire require to be referred to the Committee for other reason/s (other than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
<b>2.0</b>	<b>Recommendation</b>
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at <b>Appendix 1</b> .
<b>3.0</b>	<b>Main Report</b>
	<p><u>Background</u></p> <p>3.1 The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.</p> <p>3.2 As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.</p> <p><u>Scheme of Delegation</u></p> <p>3.3 Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.</p> <p>3.4 Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where '<i>There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.</i>' This means that those applications are required to be determined by the Planning Committee.</p> <p>3.5 The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee '<i>...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.</i>'</p> <p>3.6 This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.</p> <p>3.7 Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 309 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.</p> <p><u>Nature of NI Water objections</u></p> <p>3.8 NI Water has lodged objections to Local applications for one or both of the following reasons.</p>

	<ul style="list-style-type: none"> <li>a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, <b>and/or</b></li> <li>b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, <b>and/or</b></li> <li>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</li> </ul>
3.9	
3.10	In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.
3.11	However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.
3.12	Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
3.13	In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.
3.14	<p><u>Habitats Regulations Assessment</u></p> <p>Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
3.15	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetic impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a “significant effect” on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case-by-case basis as required.

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

**Appendix 1 – Local applications with NIW objections**  
**(February 2026)**

	DEA	REFERENCE	DATE RECEIVED	PROPOSAL	ADDRESS
1	Castle	LA04/2025/2110/O	05/12/2025	Erection of 2no. semi-detached dwellings	Land situated between Nos.3 & 5 Merryfield Drive, Belfast, BT15 5GW
2	Castle	LA04/2025/1215/F	22/07/2025	Change of use from 5-bedroom residential dwelling to 6-bedroom 12-person HMO. Erection of external walls, partial demolition to create dormer window and additional site works.	79 Willowbank Gardens, Skegoneill, Belfast, BT15 5AJ
3	Lisnaharragh	LA04/2025/1318/F	06/08/2025	Erection of 3-bedroom detached dwelling and associated site works (Revised Description & Additional Info Received).	Site located 5 metres North-West of 2 Norbloom Gardens, Belfast, BT5 6BU
4		LA04/2023/4080/F	22/09/23	Proposed 2no. semi-detached dwellings with associated landscaping and car parking (amended site layout).	Lands off Marlborough Park, in car park to South East of Marlborough House (348 Lisburn Road, Belfast), BT9 6GH
5		LA04/2025/1651/F	30/09/25	Retention, conversion, refurbishment and change of use of existing office building (Class A2) and 2 no. vacant retail units (Class A1) to hotel accommodation and associated facilities and café (sui generis) and extension of 5th floor (30no. hotel bedrooms in total).	20 Rosemary Street, Belfast, BT1 1QD
6		LA04/2025/1340/F	08/08/25	Proposed change of use to 11 No. residential apartments including construction of a rear extension; associated	2a Derryvolgie Avenue, Belfast, BT9 6FL

				external alterations, provision of amenity space, parking, cycle & bin storage and all associated site works	
8		LA04/2025/1504/F	09/09/25	Erection of new build workshop and sales area including ancillary show room space and shop area on the ground floor with storage and an office space for staff on the first floor.	Site at 3 Hannahstown Hill, Belfast, BT17 0LT
9		LA04/2025/1871/F	03/11/2025	Change of use from ground floor retail unit (A1) to ground floor hot food Takeaway (sui generis) with external flue and PV Panels	210 Springfield Road, Belfast, BT12 7DR
10	Botanic	LA04/2025/2230/F	23/12/2025	Change of use of ground floor unit from retail to coffee shop; change of use from office space at first and second floors with a single-storey roof extension to provide 2no. short term lets. (Amendment to planning approval (LA04/2025/0322/F)	22-24 Berry Street, Belfast, BT1 1FJ
11	Titanic	LA04/2025/1705/F		Demolition of existing car parts distributaries and warehouse and erection of self-contained apartments (1no. 1-bedroom on ground floor and 1no. 2-bedroom on first & second floor). Solar panels to rear and additional site works.	3 Pottinger Street, Belfast, BT5 4LZ
12	Lisnasharragh	LA04/2026/0008/F	22/12/2025	Demolition of existing structures on site and erection of purpose built padel facility comprising 8no. padel courts and ancillary uses to include café, changing facilities and	468-472 Castlereagh Road, Belfast, BT5 6RG

				recovery studio and all 7 other associated site and access works.	
13		LA04/2021/2424/F	08/12/2021	Change of use from vacant office to 1 no. apartments at 1st and 2nd floor level, and new extraction unit on ground floor for takeaway and rear yard access. (Amended desc/ plans)	197 Falls Road, Belfast, BT12 6FB
14	Andersonstown	LA04/2024/1249/F	16/07/24	Demolition of the existing building. Construction of three storey building comprised of 10 apartments with associated car parking and landscaping.	85 Andersonstown Road, Belfast, BT11 9AH

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ADDENDUM REPORT 2	
<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Date:</b> 17 <sup>th</sup> February 2026
<b>Proposal:</b> 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 92 No. dwellings and associated and ancillary works (amended plans).	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 25 <sup>th</sup> November 2025	
<b>Target Date:</b> 25 <sup>th</sup> June 2026	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<b>Background:</b>	
<ol style="list-style-type: none"> <li>1. This application was originally approved by the Committee at its 14<sup>th</sup> October 2025 meeting. The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to resolve final consultation responses, finalise the wording of conditions, and to deal with any other matters that might arise provided that they were not substantive.</li> <li>2. The application was reported back to the Committee at its 9<sup>th</sup> December 2025 meeting as it had become apparent during the Section 76 planning agreement process that the applicant had not correctly served notice of the application on everyone with an interest in the land when originally made. The ownership certificate was subsequently corrected and the application re-advertised in the press. No additional representations were received. The Committee again delegated authority to the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and to deal with any other matters that might arise from outstanding consultations and further public consultation, provided that they were not substantive.</li> <li>3. It is a requirement that all interest parties in the land are a signatory to the Section 76 planning agreement. The applicant indicated that they did not wish to proceed on this basis and so they have removed the additional third party's land from the application site. This has resulted in a reduction of the scheme by two units to a total of 92 units. The application is reported back to the Committee so that it can consider this change.</li> </ol>	

4. This report should be read in conjunction with the original report to the 14<sup>th</sup> October Committee meeting and Addendum Report 1 to the 9<sup>th</sup> December 2025 Committee meeting, appended.

#### **Assessment of the proposed change to the proposal:**

5. As described, a third-party land ownership issue has emerged during the process of drafting the Section 76 planning agreement. This has resulted in a small triangular portion of land in the north-western part of the site being omitted from the application site, resulting in the removal of 2 No. semi-detached dwellings and their associated plots from the proposed layout. This has also seen a reduction in the red line on the site location plan and the replacement of the two residential plots with an additional area of public open space.
6. The revised description of development now reads:

*'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 **92 No. dwellings** and associated and ancillary works.'*

7. With the changes to the layout, omission of two dwellings and subsequent increase in area of open space there are a number of subsequent planning policy implications which are considered below.
8. With the reduction in numbers from 94 to 92 units and the slight reduction in the size of the site (by circa 250 sqm) there has been a slight change in the overall density of development. The previous site area was approximately 3.4 hectares. The removal of the small portion of land has seen this fall to approximately 3.375. The provision of 92 units within a site of 3.375 hectares would result in a density of approximately 27.2 dwellings per hectare. This represents a slight reduction from the previously proposed density of 27.6 dwellings per hectare. This reduction in density is not considered an issue and the resultant density remains in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4 and considered in the original Committee report.
9. The removal of the two dwellings has also seen an addition to the area of public open space which runs along the northern boundary of the site. The additional area of open space measures approximately 710 square metres in area and neatly continues the linear area of open space to the western boundary. As a result, the new area of open space to the north measures approximately 5,900 square metres. This sees the overall amount of open space provision increasing from 5,950 square metres to 6,660 square metres, representing approximately 19.7% of the overall site area. This overall open space provision continues to meet the requirements of Policy OS3. This is a substantial overall provision well above the recommended 10% and an increase of 0.2% of the overall site area from the previously proposed 19.5%.

10. The removal of the two semi-detached units has also seen a change in the proposed housing mix to the following:

- Semi-detached – 54 units
- Detached – 16 units
- Townhouse – 3 units
- Apartment – 19 units

11. The resultant change in housing mix is not considered to be significant, with the revised layout still providing a suitable mix of house types and sizes to promote choice and assist in meeting community needs, and remains in accordance with Policy HOU6.

12. There are no other concerns raised by the change in relation to placemaking, transport and access, and other considerations.

**Planning agreement:**

13. Legal Services has confirmed that the Section 76 planning agreement has now been agreed in principle.

**Recommendation:**

14. Having regard to the development plan and relevant material considerations, the proposed development is considered to remain acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

15. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and deal with any other matters that arise from the outstanding consultations and further public consultation, provided that they were not substantive.

## ADDENDUM REPORT 1

<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Date:</b> 9 <sup>th</sup> December 2025
<b>Proposal:</b> 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.	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 25 <sup>th</sup> November 2025	
<b>Target Date:</b> 25 <sup>th</sup> June 2026	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<b>Background:</b>	
<ol style="list-style-type: none"> <li>1. This application was approved by the Committee at its 14<sup>th</sup> October 2025 meeting. The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to resolve final consultation responses, finalise the wording of conditions, and to deal with any other matters that might arise provided that they were not substantive.</li> <li>2. This report should be read in conjunction with the report to the 14<sup>th</sup> October 2025 Committee meeting, appended.</li> </ol>	
<b>Ownership certificate:</b>	
<ol style="list-style-type: none"> <li>3. During the process of finalising the Section 76 planning agreement, it has become apparent that the applicant did not properly serve notice on everyone with an interest in the land when they originally made the application. The correct ownership certificate is required by Article 3(1)(d) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 and this means that the application was technically invalid.</li> <li>4. The applicant has since submitted an amended application form and ownership form, confirming the serving of notice on additional parties on 24<sup>th</sup> November 2025.</li> <li>5. The application is to be re-publicised in the press on 14<sup>th</sup> December 2025, with the 14-day consultation period for representations ending on 26<sup>th</sup> December; due to the public holiday with the consultation window would effectively end on 29<sup>th</sup> December.</li> <li>6. The requirement for the applicant to serve the correct notice is a procedural matter and, subject to the review of any additional representations, does not affect the planning merits of the proposal or assessment of the application undertaken by officers as set out in the original Committee report, appended.</li> </ol>	

**NIE Consultation Response received:**

7. Following the 14<sup>th</sup> October meeting, NIE provided its consultation response on 11<sup>th</sup> November 2025, offering no objection to the proposal, and providing the following advice.
  - The developer should not alter levels (cut or fill) or erect any structure or permanent surfacing within 5 horizontal metres of the tower legs.
  - No planting (specifically trees) takes place within the cable easement area as this may cause damage to the existing underground equipment.
8. This advice will be relayed to the applicant by way of an informative.

**Late items:**

9. At the 14<sup>th</sup> October meeting, Members noted the following amendments to the original Committee report, with officers advising that the proposal remained acceptable and in compliance with relevant planning policy:
  - Para 8.14 of planning report states an incorrect dwelling mix. It should read:  
Semi-detached - 58  
Detached - 16  
Apartments - 20
  - Para 8.15 – the applicant has confirmed that NIHE welcomed the provision of ‘affordable housing’ but had no input into housing mix.
  - Para 8.19 – omission of total no. of wheelchair units. Wheelchair units are Nos. 2-6 and 7-21 (20 No. in total) (proposal still policy compliant).
  - Para 8.60 – through discussions with DfI Roads ‘Active Travel’ section, the dedicated and segregated cycle path has been removed (at their request) and the main access road is now designed as a ‘cycle priority’ road.

**Recommendation:**

10. The recommendation remains to grant planning permission, with delegated authority sought to deal with any issues arising from outstanding consultations and any new representations made, provided that they are not substantive.
11. Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
12. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and deal with any other matters that arise from the outstanding consultations and further public consultation, provided that they were not substantive.

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Meeting Date:</b> 14 <sup>th</sup> October 2025
<b>Proposal:</b> 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.	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 21 <sup>st</sup> April 2022	
<b>Target Date:</b> 17 <sup>th</sup> November 2025	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for 94 no. dwellings.</p> <p>The site is located in the north-western part of the city between Finaghy Road north to the east and Blacks Road to the west. The site area is approximately 3.4 hectares.</p> <p>The key issues for the assessment of the application are below.</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Site layout, density and Design</li> <li>• Open Space Provision</li> <li>• Affordable Housing</li> <li>• Trees and landscaping</li> <li>• Traffic, Movement and Parking</li> <li>• Climate change</li> <li>• Impact on amenity</li> <li>• Contaminated land</li> <li>• Drainage and Flooding</li> <li>• Natural Heritage/ Impact on Protected Sites</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul> <p>The site is unzoned in BUAP and Draft BMAP (2004 and 20014). Given the extant approvals for residential development on the site the principle of residential development is established.</p>	

The density, layout and design of the development are considered in keeping with the established housing developments in the area with the predominance of two storey semi-detached dwellings reflective of housing abutting the site to the north and west off Blacks Road and east off Finaghy Road North.

An area of planted open space along the northern boundary, incorporating an existing buffer of mature vegetation, forms an intrinsic communal space running incorporating a Site of Local Nature Conservation Importance (SLNCI) which runs along the watercourse that defines the northern boundary of the site.

There are no objections from statutory consultees. DfI Roads has indicated that it is content although a final written consultation response is awaited. Delegated authority is sought to deal with these and any other outstanding matters provided that they are not substantive.

Similarly a response is outstanding from Environmental Health in terms of Contaminated Land and Air Quality, however reassurances have been provided that the principle of development is acceptable and no fundamental objections will be raised.

There are no objections from non-statutory consultees.

A Section 76 planning agreement will be required to secure the provision of a cycle path, affordable housing, delivery and management and of the public open space and employability and skills.

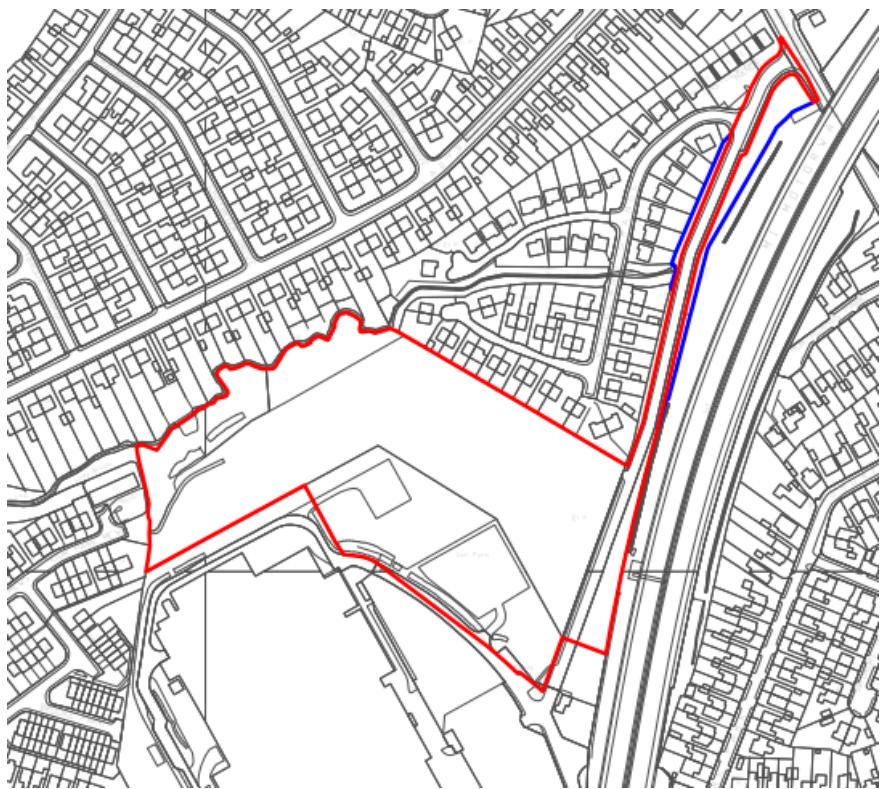
There have been no letters of objection or third party representations.

Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

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

## Case Officer Report

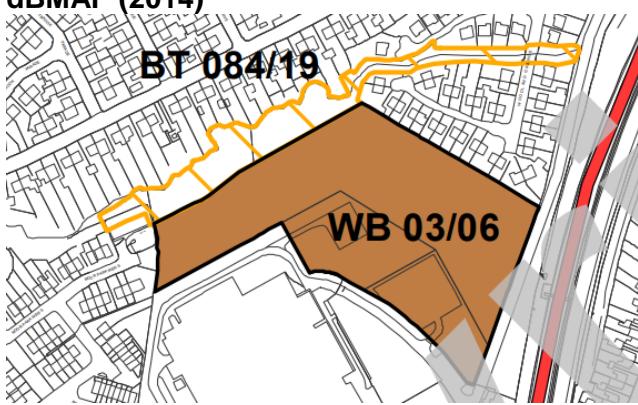
### Site Location Plan and Layout



<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	<p>This application seeks planning permission for 94 no. dwellings. The following housing mix is proposed:</p> <ul style="list-style-type: none"> <li>- Semi-detached 56</li> <li>- Detached 16</li> <li>- Townhouse 3</li> <li>- Apartment 19</li> </ul>
1.2	<p>The site is accessed via an existing roadway onto Finaghy Road North which also serves an abutting housing development to the north (Woodland Grange). The layout comprises a main access roadway running from south-east to north-west then north-east to south-west along the northern boundary of the site.</p>
1.3	<p>The scheme mostly comprises 2 storey detached, semi-detached dwellings and apartment blocks. The predominant house type is semi-detached units (56 units), as shown in the layout above.</p>
1.4	<p>All dwellings are served by 2 in-curtilage parking spaces. Communal parking bays serve the three apartment blocks in the south-eastern portion of the site.</p>
1.5	<p>There are pockets of open space throughout the development, the largest of which is located along the northern boundary, measuring approximately 5,200 sqm.</p>
<b>2.0</b>	<b>Description of Site and Area</b>
2.1	<p>The site area is approximately 3.4 hectares (ha) and rises slightly from south to north, with land continuing to rise beyond the site across the Upper Springfield Road to Black Mountain. The site is well defined with mature planting along all boundaries, and within the site itself. It is characterised by this vegetation and undulating rising land.</p>
2.2	<p>The site is currently accessed from an existing laneway off Finaghy Road North, which serves both residential development and the former Ford Visteon site.</p>
2.3	<p>The residential developments in the area include Woodland Grange, Ladybrook Park, and Moor Park Mews. Dwellings in the surrounding area vary from one to two storey in height and are a mix of semi-detached, detached and terrace dwellings with amenity space to the front and rear of the properties.</p>
<b>3.0</b>	<b>Planning History (on site to south of application site)</b>
3.1	<p>Z/2008/0993/F- Development comprising of 24 no. townhouses and 29 no. apartments. Lands between the Ford Visteon Plant and Phase 1 of a proposed housing development (Z/2002/2135) Finaghy Road North, Belfast. Approved 11/08/2010</p>
3.2	<p>Z/2013/0120/F - Land adjacent to former Ford Visteon Plant, Finaghy Road North. Proposed housing development comprising of 10 semi detached dwellings and 36 townhouses. Approved 26/04/2017</p>
3.3	<p>Z/2013/1434/F - Demolition of existing buildings and proposed comprehensive mixed-use development comprising 244no social and private/affordable residential units (with access from Black's Road), with associated public open space/linear park. Non-residential element to include community centre and class B business units (class B1b/B1c/B2 uses) with associated parking and access from Finaghy Road North. Amended proposals to provide increase in level of Class B Business uses and separate community centre building. Former Visteon Factory, Blacks Road. Approved 08/01/2016</p>

	<p>3.3 Planning permission was previously granted on the northern part of the site for a residential development of 10 no. semidetached dwellings and 36 No. townhouses on 26th April 2017 under planning reference Z/2013/0120/F.</p> <p>3.4 Planning permission was previously granted on the southern part of the site for a residential development of 24 No. townhouses and 29 No. apartments on 11th August 2010 under planning reference Z/2008/0993/F.</p> <p>3.5 Both of these permissions are live, and this has been confirmed through a Certificate of Lawfulness.</p>
<b>4.0</b>	<b>Policy Context</b>
4.1	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>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.</p> <p>4.3 The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
4.4	<p><b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <p><i>Strategic Policies</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery      Policy SP2 – sustainable development      Policy SP3 – improving health and wellbeing      Policy SP4 – community cohesion and good relations      Policy SP5 – positive placemaking      Policy SP6 – environmental resilience      Policy SP7 – connectivity      Policy SP8 – green and blue infrastructure network</p> <p><i>Spatial Development Strategy</i></p> <p>Policy SD1 – Settlement hierarchy      Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i></p> <p>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</p>

	<p>Policy DES1 – Principles of Urban Design  Policy DES2 – Masterplanning Approach for Major Development  Policy RD1 – New Residential Developments  Policy HC1 – Promoting healthy communities</p> <p>Policy ENV1 – Environmental Quality  Policy ENV2 – Mitigating Environmental Change  Policy ENV3 – Adapting to Environmental Change  Policy ENV4 – Flood Risk  Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p>Policy TRAN1 - Active travel – walking and cycling  Policy TRAN2 – Creating an Accessible Environment  Policy TRAN 3 – Transport Assessment  Policy TRAN 4 – Travel Plan  Policy TRAN6 – Access to public roads  Policy TRAN8 – Car Parking and Service Arrangements  Policy TRAN10 – Design of Car Parking</p> <p>Policy OS1 – Protection of Open Space  Policy OS3 – Ancillary Open Space  Policy NH1 – Protection of Natural Heritage Resources  Policy TRE1 – Trees  Policy LC1 - Landscape</p>
4.5	<p>The following Supplementary Planning Guidance (SPG) is relevant:</p> <ul style="list-style-type: none"> <li>• Affordable Housing and Housing Mix</li> <li>• Residential Design</li> <li>• Placemaking and Urban Design</li> <li>• Planning and Flood Risk</li> <li>• Masterplanning approach for major development</li> <li>• Transportation</li> <li>• Trees and Development</li> </ul>
4.6	<p><b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
4.7	<p>In the BUAP 2001, the site is unzoned.</p>
4.8	<p><b>BUAP 2001</b>  In dBMAP (v2004 and v2014), the site is zoned for housing (a small section in the southwest corner is unzoned in v2004). The site is also abuts a site of local nature conservation importance which runs along its northern boundary in dBMAP (v2014).</p>

	<p><b>dBMAP(2004)</b></p> 
	<p><b>dBMAP (2014)</b></p> 
4.9	<p><u>Regional Planning Policy</u>            Regional Development Strategy 2035 (RDS)            Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)</p>
4.10	<p><u>Other Material Considerations</u>            Developer Contribution Framework            Creating Places            Belfast Agenda            Belfast Cycling Network Delivery Plan 2022-31</p>
<b>5.0</b>	<p><b>Statutory Consultees</b></p> <p>DfI Roads – Awaiting final response, agreed in principle.</p> <p>DAERA – No objection, advises conditions.</p> <p>DfI Rivers – No objection.</p> <p>NI Water – No objection.</p> <p>NI Housing Executive – Support.</p> <p>Shared Environmental Services – No objection, advises condition.</p>
<b>6.0</b>	<p><b>Non-Statutory Consultees</b></p> <p>BCC Environmental Health – Awaiting final response.</p>

<b>7.0</b>	<b>Representations</b>
7.1	The application has been advertised and neighbour notified.
7.2	No objections have been received to date.
<b>8.0</b>	<b>ASSESSMENT</b>
8.1	<p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Site layout, density and Design</li> <li>• Open Space Provision</li> <li>• Affordable Housing</li> <li>• Trees and landscaping</li> <li>• Traffic, Movement and Parking</li> <li>• Climate change</li> <li>• Impact on amenity</li> <li>• Contaminated land</li> <li>• Drainage and Flooding</li> <li>• Natural Heritage/ Impact on Designated Sites</li> <li>• Impact on Protected Sites</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul>
	<p><b>Principle of development</b></p> <p>8.2 The site is unzoned in the Belfast Urban Area Plan 2001 (BUAP 2001) and zoned for housing in both versions of the draft Belfast Metropolitan Area Plan 2015 (dBMAP). Moreover, the site is within the development limit of the city where housing is generally acceptable. The principle of housing at the site is established through two extant planning approvals Z/2008/0993/F and Z/2013/0120/F.</p> <p>8.3 Policy HOU1 identifies a requirement for 31,660 homes during the plan period 2020-2035 including 18,100 homes in the rest of Belfast outside the city centre and Belfast Harbour estate. The provision of 94 no. residential dwellings supports this strategy.</p>
	<p><b>Site layout, density and design</b></p> <p>8.4 The proposed site layout would inevitably create four distinctive character areas within the development. The scheme is largely influenced by surrounding residential character, existing topography and mature field boundaries to the north and east (including an area of local nature conservation importance).</p> <p>8.5 Each character area relies on differing densities, open spaces and house types to reinforce a sense of local ownership and security of spaces. This distinct identity is reinforced by public realm spaces which include a linear landscaped park running along the northern boundary the site adjacent to a local watercourse. Two character areas are located along to in north-west to south-east axis, linked by a short connecting roadway with the final character area defined by a cluster of 3 apartment blocks and 3 dwellings close to the south-east boundary of the site adjacent to the motorway.</p>

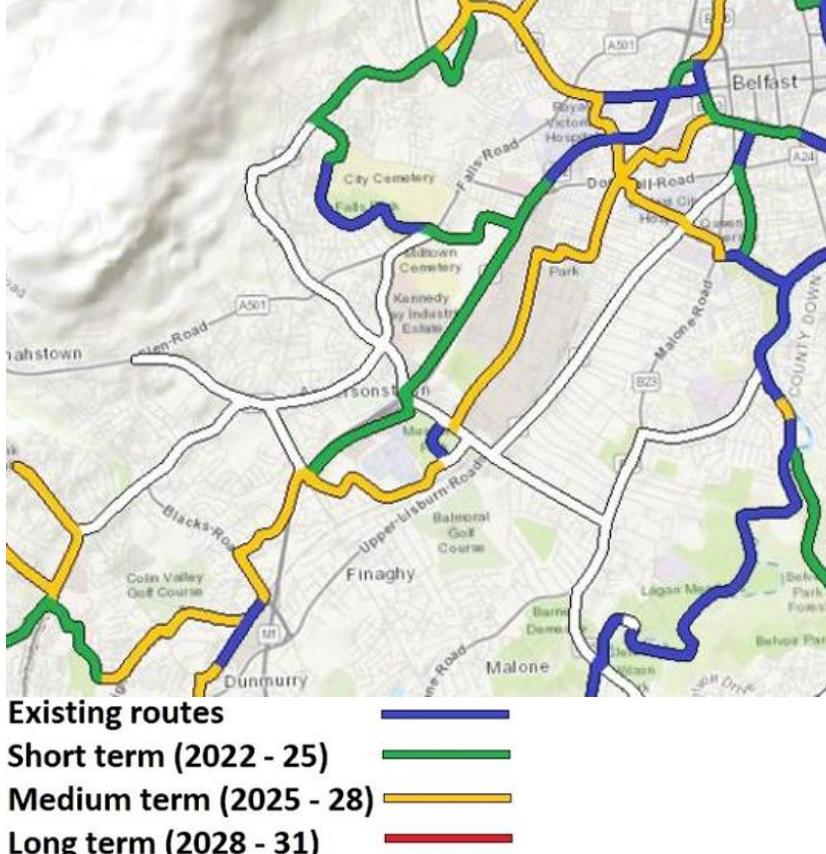
8.6	<p><i>Density:</i></p> <p>The site is approximately 3.4 hectares (ha) in size. With 94 units proposed, the density is approximately 27.6 dwellings per ha. This density is in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4. Whilst the density would be at the lower end of this band, it would complement existing residential densities in the area. Regard is also had to the longevity of the application process with the application in April 2022, well in advance of adoption of the Plan Strategy and formal introduction of Policy HOU4, and that the design concept has therefore been set for some time. Consideration is also given to the live planning approvals on the site, which are of a similar density, albeit slightly less.</p>
8.7	<p><i>Design</i></p> <p>The dwellings are of standard traditional pitched roof design, some dwellings with ground floor bays to the front elevations. These bays are also present on side elevations of dwellings on prominent junctions in order to create a dual aspect and prevent blank gable elevations onto the street. In terms of finishes the walls are largely red brick. The roof slates are dark grey slate. The design and finishes are reflective of the character of the area, particularly that of Woodland Grange to the north and east.</p>
8.8	<p>In terms of layout the scheme can be broken up into distinctive areas. As the layout has been largely dictated by topography there are inevitably long stretches of housing in the upper/ northern part of the site. To avoid potential monotony in terms of visual character, there is a change in surfacing in the cul-de-sacs and planting and decorative railings help define defensible spaces along street frontages. This adds quality and enhances character, helping to create a sense of place.</p>
8.9	<p>The variation in house types, with subtle changes in design used on longer stretches of street reduces the potential monotony in the layout. Coupled with the landscaping and railing details to the front of the dwellings, this will ensure a high quality of streetscape along the more expansive straights within the site.</p>
8.10	<p>There is opportunity to introduce further variety through a different colour palette of materials used in the different character zones, reinforcing a sense of place for residents and visitors. The detail of this can be dealt with through a planning condition.</p>
8.11	<p>As stated above, the design of dwellings on key junctions also respond to their location with the introduction of dual frontage dwellings, avoiding a scenario where blank gables face onto the public road.</p>
8.12	<p>Similarly, the apartment blocks respond to the site layout, forming a built 'bookend' onto the motorway to the east.</p>
8.13	<p>The proposal is considered to accord with Policies DES1, DES2 and RD1.</p>
8.14	<p><i>Housing mix:</i></p> <p>Policy HOU6 states that permission will be granted for residential developments of this scale where the proposed development provides a suitable mix of house types and sizes to promote choice and assist in meeting community needs. Provision should particularly be made for smaller homes across all tenures to meet future household requirements. The proposed housing mix is as follows:</p> <ul style="list-style-type: none"> <li>- Semi-detached 56</li> <li>- Detached 16</li> <li>- Townhouse 3</li> <li>- Apartment 19</li> </ul>

8.15	The applicant states that the housing mix is informed by housing need in the area with NIHE involved in discussions in terms of house type and open space provision. NIHE supports the proposed housing mix and state that the proposal will help address specific housing need in the area.
8.16	In assessing the housing mix, regard is had to the location of the site and the previously approved housing mix (two live approvals on site). Taking these considerations into account, on balance, the proposed housing mix is acceptable and compliant with Policy HOU6.
	<i>Adaptable and accessible accommodation:</i>
8.17	Policy HOU7 states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life.
8.18	The proposed residential units are designed to Lifetime Home standards in terms of minimum space requirements and adaptability. Given that the proposed units are allocated for social housing it is accepted that they will meet Policy HOU 7 standards.
8.19	For schemes of 10 units or more, Policy HOU7 requires at least 10% of the units to be wheelchair accessible. The proposal would include the following wheelchair units:
8.20	All of the Co-Ownership houses will be designed to Lifetime Homes standards and therefore will be capable of being adapted for wheelchair use. There are 20 No. Co-Ownership dwellings proposed, accounting for c.21% of the housing, thus meeting the requirements of Policy HOU7.
	<i>Masterplanning:</i>
8.21	The proposed development has been assessed against Policy DES2 as set out below.
8.22	<i>Adopting a holistic approach to site assembly, layout and design that is mindful of adjacent sites, where suitable for redevelopment, while avoiding prejudice to future development potential and/or quality where development is of a significant scale and prominence;</i>
8.23	The proposed development is adjacent to a larger housing approval on the Ford Visteon site. The overall site layout takes into account the existing natural features including hedgerows and a watercourse along the northern boundary (forming part of a SLNCI), whilst the residential units are positioned to minimise retaining structures, working with the existing topography of the land and vegetation. In terms of connectivity the scheme will link through to the adjacent 'Blacks Gate' Development via a pedestrian and cycle path. This will promote linkage between Finaghy Road North to the east and Blacks Road to the west. At a more strategic level this will also provide a linkage within a planned greenway, which is discussed further below.
8.24	<i>Promoting opportunities for urban repair and greater connectivity to neighbouring areas by minimising or mitigating physical barriers that create undue effort or separation, informed by feedback from existing communities;</i>
8.25	The application site, adjacent to existing housing developments, is currently vacant and has the potential to encourage anti-social behaviour. Its development offers an opportunity to regenerate the locality and provide ongoing surveillance throughout. Connectivity has been considered with linkages to adjacent Woodlands sports grounds,

	<p>promoting linkages from the Blacks Gate housing development and Blacks Road to the west.</p>
8.26	<p><i>Maximising solutions to deliver energy efficiencies that seek to achieve BREEAM 'excellent' or comparable standard;</i></p>
8.27	<p>The proposed development will deliver energy efficiencies as outlined within climate change considerations.</p>
8.28	<p><i>Promoting higher density residential and mixed-use development along city corridors and at gateway locations;</i></p>
8.29	<p>The proposed development provides a mix of residential accommodation and densities appropriate to its location. 56 Semi-detached, 16 Detached 16, 3 Townhouses and 19 Apartment units. With 94 units proposed, the density is approximately 27.6 dwellings per ha. This density is in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4</p>
8.30	<p><i>Contributing positively to the improvement of the public realm within, and in the proximity of, the development site through the use of high quality hard and soft landscape materials and street furniture;</i></p>
8.31	<p>A high standard of hard and soft landscape materials are proposed throughout the site with public open space utilising the existing setting provided by the heavily vegetated SLNCI along the northern boundary.</p>
8.32	<p><i>Including an appropriate landscape management and maintenance plan, early in the planning process, as an integral part of all landscape proposals;</i></p>
8.33	<p>A landscape management and maintenance plan has been included.</p>
8.34	<p><i>Enhancing the waterside character and setting of the River Lagan, including the improvement of existing and provision of new access points and new cross river connections where appropriate;</i></p>
	<p>N/A</p>
8.35	<p>Referencing unique parts of the city through the realisation of key landmarks within prominent or gateway locations;</p>
	<p>N/A</p>
8.36	<p><i>Seeking to include where appropriate the provision of public art; and</i></p>
8.37	<p>A high standard of communal open space will be provided throughout the site including an equipped children's play area. It is not considered necessary, given the scale of the proposal, to include any public art.</p>
8.38	<p><i>Seeking the retention of existing trees within and around the site and make adequate provision to allow them to mature while ensuring the continuance of tree cover through new tree planting.</i></p>
8.39	<p>The site has been surveyed for vegetation suitable for retention and a landscaping plan has been developed which seeks to maximise the retention of existing natural boundaries. Of particular importance, for not only visual but biodiversity reasons, is the</p>

	band of mature planting along the northern boundary of the site. This is being retained in its entirety, and a condition will be applied to ensure this.
8.40	In conclusion, it is considered that the design and external appearance of the proposal is acceptable having regard to Policies RD1, DES1, DES2, DES3, HOU6 and HOU7 of the Plan Strategy.
8.41	<b>Amenity and Open Space Provision</b> The proposal has been assessed against Policies OS3 and RD1(d) of the Plan Strategy and <i>Creating Places</i> .
8.42	Policy OS3 of the Plan Strategy requires residential proposals of this scale to deliver a minimum of 10% of the site as open space. The site area is approximately 3.4 ha. Therefore, the expectation is that 3,400 sqm metres of public open space is provided.
8.43	The site consists of two main parcels of open space. The main area of open space is located along the northern boundary of the site, incorporating the SLNCI, and has an area of approximately 5,200 sqm. There is a smaller secondary area of public open space, measuring approximately 750 sqm located in the south-eastern part of the site beside the main point of access.
8.44	These areas represent a total 'usable' area of public amenity space of approximately 5,950 sqm. This overall open space provision of approximately 17.5% of the overall site area meets the requirements of Policy OS3. This is a substantial overall provision well above the recommended 10%. The area to the north will not only provide an attractive open space area but also acts as a buffer to the SLNCI which runs along the northern boundary.
8.45	In terms of private open space, rear garden sizes range from 61 sqm to 296 sqm, with an average provision greater than 70 sqm, and most with areas in excess of this standard. As such the private amenity provision is in keeping with the requirement set out in the <i>Creating Places</i> guidance.
8.46	The apartment blocks would all have areas of semi-private public open space. Each of the apartment blocks in south-eastern corner of the site have a communal area to their rear or side measuring approximately 160-180 sqm. The block with units 2- has an area of approximately 180 sqm, equating to 5sqm per unit. The block housing units 7-15 has an area of 200 sqm, equating to 9sqm per unit and the block housing units 16-21 has an area of 163sqm, equating to 6 sqm per unit. Although the communal space per unit is quite low for the apartments, it must be considered with the overall open space provision for the development, which has a significant overprovision of open space as stated above. On balance the provision for the apartments is considered to be acceptable.
8.47	<b>Affordable Housing</b> Policy HOU5 of the Plan Strategy states that planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.
8.48	NIHE carries out a Housing Need Assessments (HNAs) annually across all relevant housing areas. This site is located within the Andersonstown Common Landlord Area which sits within the wider Middle West HNA. The social housing new build need for Middle West is 1,107 units for the 2022- 2027 period.

8.49	There are 20 No. Co-Ownership dwellings proposed, accounting for c.21% of the housing. As such, the requirements of Policy HOU5 are met in terms of the quantum of units and the provision of affordable housing (minimum of 20%).
8.49	The Housing Executive, in their initial response, stated that it would welcome the inclusion of accommodation to help address the demand for intermediate housing in the Belfast City Council area. The requirement for this provision is based on the Housing Executive's knowledge of the local housing market; assessment of the intermediate market; and the level of Co-ownership activity in the Belfast City Council area. The Housing Executive estimates intermediate housing demand for the Council area at 140 homes per year.
8.50	NIHE supports the application, citing that mixed tenure development is an important way to create cohesive, sustainable and balanced communities. Ultimately the affordable housing element of the proposal will be secured via a clause within an agreed Section 76 legal agreement, discussed below.
8.51	<b>Trees and landscaping</b> The proposal has been assessed against Policy TRE1, LC1, LCB2 and LC3.
8.52	Policy TRE1 seeks to protect existing trees from development, particularly those that are of visual, biodiversity or amenity quality and significance. The landscape strategy focuses on retaining and enhancing the existing hedgerow boundary treatment and the creation of a corridor of open space along the northern boundary incorporating lands within the SLNCI, to provide a high-quality landscape setting incorporating pathways, lighting, rain garden and SUDS swales with associated species-rich yet low maintenance planting.
8.53	The landscaping plan also includes the establishment of a 30-45 metre deep vegetation buffer along the northern boundary of the site to the southern side of the watercourse which defines the site boundary. Existing hedgerows will be augmented to strengthen this boundary providing a strong planted edge not only to the development but along the edge of the SLNCI. Similarly along the north-eastern boundary a 10m deep 'wildlife corridor' is proposed.
8.54	The approach to existing hedgerows along the northern and north-eastern boundaries includes retention of high value tree species and augmentation with native woodland species to provide a diverse hedgerow/woodland boundary to the site.
8.55	Overall, it is considered that there would be no adverse impact on the existing landscape along the site boundaries and the tree planting and landscaping proposals are considered to provide suitable mitigation and enhancement of the site from an ecological point of view.
8.56	<b>Traffic, Movement and parking</b> The proposed development site has an existing vehicular access directly off Finaghy Road North, which currently serves the adjacent Woodland Grange development.
8.57	As there is a committed development on the site for 99 dwellings. The proposal sees a reduction in numbers to 94. As such there will be no greater impact upon the road network.
8.58	The proposal includes 2 in curtilage car parking spaces for each of the 75 dwellings (150), 30 spaces for the 19 apartment units and 52 visitor car parking spaces, which equates to approximately 2.5 spaces per residential unit.

	<p><b>Green Travel Measures</b></p> <p>In response to DFI Roads request for green travel measures the agent has confirmed a Green Travel Plan will be submitted setting out how the developer seeks to promote alternatives to the private car and promote green methods of travel.</p>
8.60	<p>Alongside the formal green travel measures a dedicated and segregated 400m long cycle path is proposed that runs from Finaghy Road North, through the site and connects into Black's Gate to the south. It is important to note that this wasn't a feature in the extant permissions and was something that was agreed with local representatives and community groups at Pre-Application stage. This will tie in with plans set out for the area as part of the West Belfast Greenway, outlined in the DFI document 'Belfast Cycling Network Delivery Plan 2022-31' Scheme 037 West Belfast Greenway Phases 3 &amp; 4. This forms part of short term and medium term plans for a series of Greenways. The 6,900m long Greenway in question runs south-west to north-east from Dunmurry to Belfast City Centre and is highlighted in yellow and green below:</p>
	 <p><b>Existing routes</b> <span style="color: blue;">—</span></p> <p><b>Short term (2022 - 25)</b> <span style="color: green;">—</span></p> <p><b>Medium term (2025 - 28)</b> <span style="color: yellow;">—</span></p> <p><b>Long term (2028 - 31)</b> <span style="color: red;">—</span></p>
8.61	<p>The short term schemes are focussed on joining up the existing elements of the network and beginning the process of reaching into areas of the city that are currently without a significant element of infrastructure. The medium term schemes start in earnest the process of delivering cycling infrastructure in the areas of the city where there is currently a marked lack of infrastructure.</p>
8.62	<p>The proposal includes 20 cycle spaces (2 separate blocks of 10) located within the curtilage of the apartment blocks.</p>
8.63	<p>To further reduce the reliance on the private car the offer a free Residential Travel Card to one occupier of each dwelling (within one month of their occupation) until three years after first occupation of that dwelling shall be secured via a Section 76 legal agreement.</p>

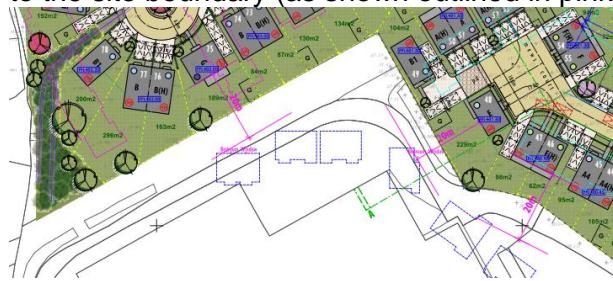
8.64	<p>The location of the development reduces the need for vehicular journeys, as major attractions within Belfast City centre can all be accessed by the sustainable modes of transport that will be promoted through the travel plan.</p>
8.65	<p>There are a range of existing pedestrian linkages available to the site with pedestrian footways and streetlighting connecting to the site from Finaghy Road North and leading to Glen Road, Andersonstown Road and a number of nearby residential areas.</p>
8.66	<p>The site's connectivity and accessibility are further reinforced by the provision of a cycle path connecting the site to Finaghy Road North and the Blacks Gate development to the west, this will ultimately be secured via condition for completion prior to occupation of the first residential unit. A variety of sports clubs, churches, cafes, primary schools, bus stops and community/ youth facilities are all accessible within walking distance. A range of shops and nursery, primary and secondary schools are all accessible within walking distance.</p>
8.67	<p>Although a final conclusive consultation response from DFI remains outstanding, the principle of the proposal, including the cycle path provision, has been accepted. The only matter outstanding is the technical details of the cycle path and how it ties into adjacent development and existing cycle/ pedestrian network. Subject to DFI Roads response to the amended plans, it is considered that the proposal complies with Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN8, TRAN9 and TRAN10.</p>
<p><b>Climate change</b></p>	
8.68	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce Green House Gases (GHG) by promoting sustainable patterns of development. The policy goes on to state that development proposals should, where feasible seek to avoid demolition and seek to maximise opportunities to incorporate sustainable design features.</p>
8.69	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change to support sustainable and enduring development.</p>
8.70	<p>The proposed units are orientated to maximise solar gains across the site, including alternative elevations for same house types where necessary.</p>
8.71	<p>Policy ENV5 states that developments should include, where appropriate, SuDS measures to manage surface water effectively on site. Across the site Sustainable Urban Drainage Systems (SUDS) measures are included to manage the watercourse along the northern boundary and storm water holistically within the landscaping.</p>
8.72	<p>In conclusion, given the extant planning approvals on the site and the fact the application was submitted well in advance of the adoption of the Local Development Plan – Plan Strategy, it is considered that the proposal is acceptable, having regard to Policies ENV2, ENV3 and ENV5.</p>
<p><b>Impact on Amenity</b></p>	
8.73	<p>The proposal has been assessed against Policies RD1, DES 1 and DES3. Policies DES1, DES3 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>

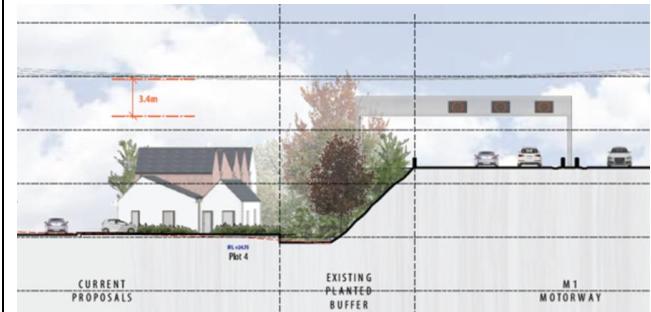
- 8.74 The site abuts existing residential development on three sides, to the north-east and north-west in Woodland Grange and to the west in the Blacks Gate development (currently under construction). With the levels from south to north the proposal has potential to impact upon residential amenity to the east. However, given ample separation distances and a significant level of existing and proposed planting along the eastern boundary it is not envisaged that existing properties will experience a significant loss of amenity.
- 8.75 The 'back to back' separation distance between the proposed dwellings and the dwellings in Woodland Grange ranges between 22m and 26m. This generous separation distance is accompanied by a landscape buffer shown below. With the proposed dwellings having a similar finished floor level, the separation distances and landscaping should ensure there will be no significant impact on residential amenity. It should also be noted that the previously approved dwellings were located much closer to the existing dwellings, as shown below outlined in pink. The proposal is a more favourable layout in terms of potential impacts on neighbouring amenity.

#### Woodland Grange



- 8.76 To the north west, the separation distance are substantial between existing and proposed dwellings, and with the SLNCI and associated landscape along the northern boundary and views onto the existing properties will be minimal at best.
- 8.77 Blacks Gate is a newly constructed development to the west/ south-west of the site, on the former Ford Visteon site. The generous separation distances are evident in the section from the site layout below and measure at least 20m, as recommended in the 'Creating Places' guidance document. Subsequently it is not considered that the amenity of the dwellings in Blacks Gate would be unduly compromised by the proposal. Again it is also worth noting that the extant approval on the site had dwellings located much closer to the site boundary (as shown outlined in pink below)



8.78	<p><b>Noise</b>  The main source of noise for both day and night hours is noted to be the M1 Motorway.</p>
8.79	<p>The noise report advises that, due to the high level of environmental noise from the M1 Motorway, the design criteria for external noise levels contained within BS8233:2014 will, in the main, not be achievable. However, as per the guidance in the standard, the applicant's consultant has advised that this exceedance should not be a reason to object to the development in principle.</p>
8.80	<p>In order to mitigate the worst of the road traffic noise from the M1 Motorway to amenity areas, the applicant's noise consultant has recommended the use of close boarded fencing in the 'rear gardens' of all properties. It is noted two different heights have been suggested; namely 1.8m and 2.1m.</p>
8.81	<p>The orientation and position of the housing units with regard to the location of the associated rear gardens would suggest that areas within certain gardens will benefit from partial shielding from noise provided by the mass of the associated building and/or other adjacent housing units. In such cases, the provision of a close boarded boundary fence around the rear garden would have little to no effect on reducing road traffic noise from the M1 to the external amenity space. Furthermore it would appear that given the layout of the proposal, there will be solid boundary walls provided to some rear gardens. Where this is the case, it is likely that close boarded fencing will be unnecessary.</p>
8.82	<p>These proposed apartments backing onto the M1 are set at a lower level than the motorway and screened by a planted bank, as shown below. The noise impact assessment concluded that noise from the M1 would not adversely impact these units, subject to mitigation measures such as suitable window systems and cavity walls etc, which will be secured via condition.</p>
	
8.83	<p>The applicant's consultant has not provided a map or a schedule to indicate where such fencing mitigation is necessary and which of the two heights of fencing suggested are required. The environmental noise survey shows that road noise levels from the M1 Motorway reduce with distance as per a line source. The shielding provided by the residential units and walls proposed for the development will reduce noise levels further as distance from the motorway increases. At an undefined point, it may be the case that an external amenity space could comply with the external amenity levels contained within BS8233:2014, especially where appropriate mitigation such as close boarded fencing is provided. Noise modelling software may be able to provide information with regard to the above.</p>
8.84	<p>The applicant's consultant has availed of the derogation contained with BS8233:2014, which indicates that in high environmental noise areas, developments should be designed to achieve the lowest practicable noise levels in external amenity spaces but should not be prohibited. It is likely that close boarded boundary fences may reduce environmental noise levels in external amenity spaces that face towards the M1</p>

	Motorway, however, with the information currently provided it is unclear how effective the mitigation would be and where it would be deemed 'necessary'.
8.85	The derogation contained within BS8233:2014 is considered to be a sensible, pragmatic approach to allow developments in high environmental noise areas to proceed, however, the unspecified mitigation measures that may be employed to reduce external amenity area noise levels 'as far as practicable' do not translate well into a recommendation for a planning condition. As such a condition shall be applied ensuring that the appropriate noise mitigating fencing is approved and implemented prior to occupation of any of the apartment units abutting the motorway to the east of the site.
8.86	With regard to façade mitigation, the consultant has indicated that standard cavity wall construction will mitigate the envisaged levels of environmental noise leaving the windows as the main point of noise break in. The consultant has identified that suitable window systems should be applied to all building facades.
8.87	Two different dB Rw levels have been recommended, 37dB Rw +Ctr for proposed units No.1-42 and No.90-94 and 32dB Rw +Ctr for proposed Units No.43-89. It is noted that this recommendation will see different window systems applied to the adjoining semidetached units 42 and 43. It is also noted that the above recommendation does not consider where the mass of the proposed units provides shielding from the predominant M1 Motorway road noise to their own windows or potentially that of adjacent units.
8.88	The applicant's consultant indicates that an alternative means of ventilation will be required. It is typical to rate the use of trickle ventilators with a sound reduction performance (plus traffic noise correction) however, the alternate suggestion of a mechanical ventilation system can potentially generate its own noise which would need specified to meet BS8233:2014 internal noise standards. The chosen means of alternative ventilation has not been specified and the selected method will therefore require some form of performance verification once selected.
8.89	Environmental Health has no objection in principle to the development with regard to adverse impact from environmental noise and has requested that conditions relating to noise and alternative means of ventilation are attached should approval be forthcoming. These conditions are detailed below.
	<b>Contaminated Land</b>
8.90	A Preliminary Risk Assessment (PRA) & Generic Quantitative Risk Assessment (GQRA) report has been provided by RSK Environment Limited (RSK) in support of this application. RSK conclude the GQRA stating the development is regarded low risk to environmental receptors. NIEA Regulation Unit, Land & Groundwater Team have no objections to the development subject to conditions.
8.91	Environmental Health are content subject to condition with regard to Contaminated Land report alongside the extant approvals on the site, and NIEA's opinion the proposal is considered to comply with ENV1 of the Plan Strategy.
	<b>Drainage and Flooding</b>
8.92	The proposal has been assessed against Policy ENV4 and the SPPS.
8.93	There is a designated watercourse known to DfI Rivers as the Ladybrook River (Extension) that flows along the Northern boundary of this site, the site may be affected by undesignated watercourses of which DfI Rivers have no record.

8.94	<p>Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial flood plain but is located within a predicted flooded area as indicated on the Surface Water Flood Map. DfI Rivers would have no specific reason to object to the proposed development from a flood risk perspective.</p>
8.95	<p>DfI Rivers has stated that it is essential that a working strip (5-10m) is retained adjacent to the watercourse to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. DfI Rivers acknowledges the provision of a working strip as detailed on the site layout DWG uploaded to the public planning portal on 15th November 2023. This will be secured via planning condition, as detailed below.</p>
<p><b>Natural Heritage/ Impact on designated sites</b></p>	
8.96	<p>NIEA Natural Environment Division (NED) notes that the site contains Ladybrook 'Site of Local Nature Conservation Importance' (SLNCI) woodland habitat. NED highlight that this is of high local conservation value. NED welcome plans to retain this area and recommend there is no construction activities or development works within the SLNCI woodland in order to minimise any significant disturbance or deterioration of the SLNCI designated habitat. NED has recommended a condition to protect the Ladybrook SLNCI during the construction phase, this is detailed below.</p>
8.97	<p>This planning application was also considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council.</p>
8.98	<p>Having considered the nature, scale, timing, duration and location of the project, it is concluded that it would not be likely to have a significant effect on any European site, either alone or in combination with any other plan or project and therefore an appropriate assessment is not required.</p>
8.99	<p>Between the area of substantive works and the adjacent watercourse, an amenity open space including retention of existing trees is proposed. Only two semi-detached houses are being built in proximity to the watercourse but given the scale/nature of these two properties and the 18km hydrological distance between the development site and designated sites, any potential construction contaminants would be well dispersed/dilute in the water volume before reaching Belfast Lough. Assessment has concluded that there will be no likely significant effects that would undermine the conservation objectives of any European site features.</p>
<p><b>Section 76 Agreement planning agreement</b></p>	
8.100	<p>The following planning obligations are considered necessary to make the proposed development acceptable and should be secured through a Section 76 planning agreement.</p> <ul style="list-style-type: none"> <li>• <b>Affordable housing</b> – a minimum of 20% of the 94 residential units should be secured as 'shared ownership' housing in compliance with Policy HOU5;</li> <li>• <b>Green travel measures</b> – travel cards three years as required by Policy TRAN4;</li> <li>• <b>Open space management</b> – delivery, management and maintenance of the open space as required by Policy OS3.</li> <li>• <b>Construction, Employability and Skills Plan</b> – to be agreed prior to commencement of development specific to the Development, addressing the</li> </ul>

	<p>employability and skills requirements of the Development during construction phase.</p> <p>The S76 planning agreement has been agreed and will issue alongside any planning permission granted.</p> <p><b>Pre-application Community Consultation</b></p> <p>Applicants for Major development are required to carry out community consultation in advance of submitting an application.</p> <p>8.102 Prior to submitting the application, applicants must give notice to the Council, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for Major development is to be submitted and set out the proposals for community consultation. A PAN was submitted to the Council on 16<sup>th</sup> June 2021.</p> <p>8.103 Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p> <p>8.104 A Pre-Application Community Consultation Report has been submitted in support of this application. The Report confirms the following:</p> <ul style="list-style-type: none"> <li>• Under normal circumstances, consultation with the wider public on the proposal would have taken place through a public event, however due to current COVID-19 social distancing restrictions, the public consultation was held through online and remote means.</li> <li>• An online public consultation was held between 28<sup>th</sup> June 2021 - 2<sup>nd</sup> August 2021. Information could be accessed online.</li> <li>• A public notice was placed in the Belfast Telegraph W/C 21<sup>st</sup> June 2021.</li> <li>• A leaflet containing details of the consultation was designed and distributed extensively, by Mail Matters Limited, to properties directly opposite and adjoining the site.</li> <li>• During the five-week online consultation period the project webpage received 301 page views and 225 unique page views to the site.</li> <li>• Engagement also took place with MPs, Assembly Members, and local Councillors.</li> <li>• Meetings were also held with local representatives to provide them with a detailed overview of the plans and an opportunity for them to express their views on the project.</li> </ul> <p>8.105 Feedback was received in relation to the following issues:</p> <ul style="list-style-type: none"> <li>• Increased traffic</li> <li>• Impact of housing numbers, and scale of houses on surrounding area</li> <li>• Environmental and Wildlife concerns</li> <li>• Support for housing provision</li> </ul> <p>Following the public consultation period the feedback informed the submission of a Transport Impact Assessment, a planting scheme along site boundaries and an ecological report.</p>
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	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their legislative duty to consult the community in advance of submitting an application.</p>
<b>9.0</b>	<b>Recommendation</b> Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable.
9.2	It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
9.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement and deal with any other issues that may arise, including the final consultation responses from DfI Roads, provided that they are not substantive.
<b>10.0</b>	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Notwithstanding the submitted details, no development shall commence on site until a Phasing Plan has been submitted to and approved in writing by the Council. The development shall not be carried out or sequenced unless in accordance with the approved Phasing Plan. Reason: In the interests of the orderly development of the site.</li> <li>3. No residential unit shall be occupied until the dedicated and segregated 400m long cycle path proposed, that runs from Finaghy Road North, through the site and connects into Black's Gate to the south, is completed to the satisfaction of the Council, unless otherwise agreed in writing. Reason: To promote sustainable travel patterns and promote healthy communities.</li> <li>4. No residential unit shall be occupied unless its respective external amenity/garden areas (and in the case of the apartments its respective external and internal amenity areas) have been provided in accordance with the approved plans. Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</li> <li>5. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any phase unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable</li> </ol>

	<p>area. All hard landscape works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>6. Prior to works commencing on site, temporary fencing with exclusion signs shall be erected along the Ladybrook SLNCI. No works, infill, storage or constructional activity associated with the development, including the removal, dumping or storage of materials shall take place east/west/north/south of this fence. The fence shall not be removed until all works are completed.</p> <p>Reason: To ensure the SLNCI is not compromised.</p> <p>7. If piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:  <a href="https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf">https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf</a></p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>  In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>9. After completing any remediation works under Condition 7, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a></p> <p>The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
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	<p>10. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.</p> <p>Reason: This condition is both to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. The applicant should note this also includes the purchase of any waste water treatment system.</p> <p>11. No development shall commence within each phase unless a final Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Council. The final CEMP must be site specific and include all necessary mitigation measures for the construction and operational phases of the development to avoid any pollutant egress to Belfast Lough. The development shall not be carried out unless in accordance with the approved CEMP.</p> <p>Reason: To ensure the project will not have an adverse effect on the integrity of any European site.</p> <p>12. Prior to works commencing on site, temporary fencing with exclusion signs shall be erected along the Ladybrook SLNCI. No works, infill, storage or constructional activity associated with the development, including the removal, dumping or storage of materials shall take place east/west/north/south of this fence. The fence shall not be removed until all works are completed.</p> <p>Reason: To ensure the protection of a designated site.</p> <p>13. The residential units hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p>Reason: In the interests of amenity.</p> <p>14. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.</p> <p>Reason: To ensure adequate car parking within the site.</p> <p>15. Prior to occupation of the development, the noise mitigation measures specified within Section 6.0 of the Layde Consulting report entitled 'Noise Impact Assessment-Proposed Residential Development Comprising of 94 No. units including Detached, Semi-Detached, Townhouses &amp; Apartments [LA04/2021/1559/PAN], Lands at Finaghy Road North, Belfast April 2022 P573/1 as amended by Layde Consulting letter of clarification addressed to Chris Bryson of Gravis Planning referenced P573-3 and dated 16th January 2025 shall be installed within habitable rooms of the development and retained at all times.</p> <p>Reason: To safeguard the amenity of occupants of the buildings hereby approved.</p>
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16. Prior to commencement of development the applicant shall submit to the planning service for review and approval, the final details of the ventilation strategy to habitable rooms. The final details shall confirm that any passive vents (when open) have a sound reduction equivalent to or greater to the sound reduction achieved by the glazing. Where any element of mechanical or active means of ventilation is proposed, the final details shall include a Noise Impact Assessment that confirms that the noise associated with its operation will not exceed internal target levels for habitable rooms in line with BS 8233:2014 Guidance on sound insulation and noise for buildings/ ProPg 2017 .

REASON: To safeguard the amenity of occupants of the buildings hereby approved. Approval is required upfront because the ventilation strategy may be integral to the overall design of the development.

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

Reason: Protection of residential amenity.

18. Prior to the occupation of the development the approved ventilation strategy to habitable rooms (in addition to that provided by open windows) shall be installed as approved and retained at all times.

Reason: To safeguard the amenity of occupants of the buildings hereby approved.

19. Prior to occupation of any of the residential units hereby approved, details of acoustic fencing along the boundary of the motorway shall be submitted to the Council for approval in writing. These details must demonstrate how external amenity noise levels will be achieved in accordance with BS8233:2014. The noise mitigation fencing will be fully implemented in accordance with the approved details prior to occupation of any of the approved apartment units No. 2-6, as shown on approved site layout plan.

Reason: In the interests of residential amenity.

20. 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 RSK Ireland report entitled 'MJ McBride Construction Ltd, Remedial Strategy, Finaghy Road North, Belfast, 605546-R2(00), January 2025' have been implemented.

The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use (residential with homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards. In particular, the Verification Report must demonstrate that:

a) A minimum 600mm capping layer has been emplaced in the landscaped areas of Plots 46 to 51 and 89 to 94, as demonstrated on Figures 4 and 5 of the RSK Ireland report entitled 'MJ McBride Construction Ltd,

	<p>Remedial Strategy, Finaghy Road North, Belfast, 605546-R2(00), January 2025'. The capping layer must be formed from material that is demonstrably suitable for use (residential with homegrown produce).</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p> <p>21. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.</p> <p>In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>22. The service strip along the northern boundary of the site, as shown on site layout plan No. 02A, published on the Planning Portal 15<sup>th</sup> November 2023, shall be provided prior to occupation of any residential unit hereby approved and retained in accordance with the approved details. This strip shall remain free from future tree/ hedge planting, raising of levels and any permanent structure.</p> <p>Reason: To facilitate any necessary servicing of the adjacent watercourse.</p>
	<p><b>DRAFT INFORMATIVES</b></p> <p><b>Section 76 planning agreement</b></p> <p>This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations:</p> <ul style="list-style-type: none"> <li>• Affordable housing</li> <li>• Green travel measures</li> <li>• Delivery, management and maintenance of the open space</li> </ul> <p><b>Dust Management</b></p> <p>Construction dust management measures in accordance with the provisions of the IAQM guidance 'Assessment of dust from demolition and construction 2024 V2.2' shall be developed, documented, implemented and monitored throughout the duration of the construction phase of the development.</p> <p><b>Compliance with planning permission</b></p> <p>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</p>

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](mailto:planning@belfastcity.gov.uk)

#### **Discharge of conditions**

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.

#### **Non-planning requirements**

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

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ADDENDUM REPORT	
<b>Committee Date:</b> 17 <sup>th</sup> February 2026	
<b>Application ID:</b> LA04/2025/0605/F	
<b>Proposal:</b> Erection of a four-storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels.	<b>Location:</b> 341-345 Albertbridge Road, Ballymacarrett, Belfast, BT5 4PY
<b>Applicant Name and Address:</b> ALMCC (NI) LIMITED 25 Shore Road Holywood BT18 9HX	<b>Agent Name and Address:</b> Richard O'Toole O'Toole & Starkey Ltd 1st Floor River House 48-60 High Street Belfast
<b>Referral Route:</b> Para 3.8.7 of the Scheme of Delegation – Director Discretion	
<b>Date Valid:</b> 09/04/2025	
<b>Target Date:</b> 23/07/2025	
<b>Contact Officer:</b> Lisa Walshe, Principal Planning Officer (Development Management)	
<p><b>Background:</b></p> <p>This application was due to be considered by the Committee at its 20<sup>th</sup> January 2026 meeting. The application was deferred for a Committee site visit. The site visit took place on 10<sup>th</sup> February 2026.</p> <p>This addendum report should be read in conjunction with the original reports to the 9<sup>th</sup> December 2025 and 20<sup>th</sup> January 2026 Committee meetings, appended.</p> <p>In the intervening period, a final response has been received by the Waste Management Team within the Council whom are content with the Waste Management arrangements proposed.</p>	
<p><b>Recommendation:</b></p> <p>Having regard to the Development Plan and material considerations, the recommendation remains that planning permission should be granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	



<b>ADDENDUM REPORT</b>	
<b>Committee Date:</b> 20 <sup>th</sup> January 2026	
<b>Application ID:</b> LA04/2025/0605/F	
<b>Proposal:</b> Erection of a four-storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels.	<b>Location:</b> 341-345 Albertbridge Road, Ballymacarrett, Belfast, BT5 4PY
<b>Applicant Name and Address:</b> ALMCC (NI) LIMITED 25 Shore Road Holywood BT18 9HX	<b>Agent Name and Address:</b> Richard O'Toole O'Toole & Starkey Ltd 1st Floor River House 48-60 High Street Belfast
<b>Referral Route:</b> Para 3.8.7 of the Scheme of Delegation – Director Discretion	
<b>Date Valid:</b> 09/04/2025	
<b>Target Date:</b> 23/07/2025	
<b>Contact Officer:</b> Lisa Walshe, Principal Planning Officer (Development Management)	
<b>Background:</b>  This application was due to be considered by the Committee at its 9 <sup>th</sup> December 2025 meeting. The application was deferred for a Committee site visit. The site visit is due to take place on Monday 19 <sup>th</sup> January 2026.  This addendum report should be read in conjunction with the original report to the 9 <sup>th</sup> December 2025 Committee meeting, appended.	
<b>Additional representations:</b>  10 additional objections have been received, raising the following issues: <ul style="list-style-type: none"><li>• The proposal is not wanted by the community. Concerns about people coming and going and not knowing who they are.</li><li>• Concerns about community safety.</li><li>• The site would be better used for family housing to meet local need or for business premises benefiting local people.</li><li>• Overshadowing and loss of privacy.</li></ul> In response to the representations, officers advise that the Council must determine the application before it. Whilst community safety can be a material planning consideration, there is no evidence to suggest that the proposal would result in significant harm to the public interest in this respect that would override normal planning policy considerations.	

As discussed in the original report, appended, there would be no harmful impacts in respect of overshadowing and loss of privacy.

**Recommendation:**

Having regard to the Development Plan and material considerations, the recommendation remains that planning permission should be granted subject to conditions.

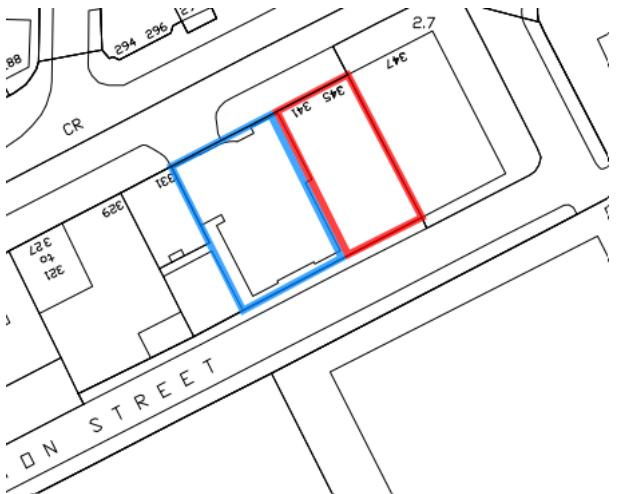
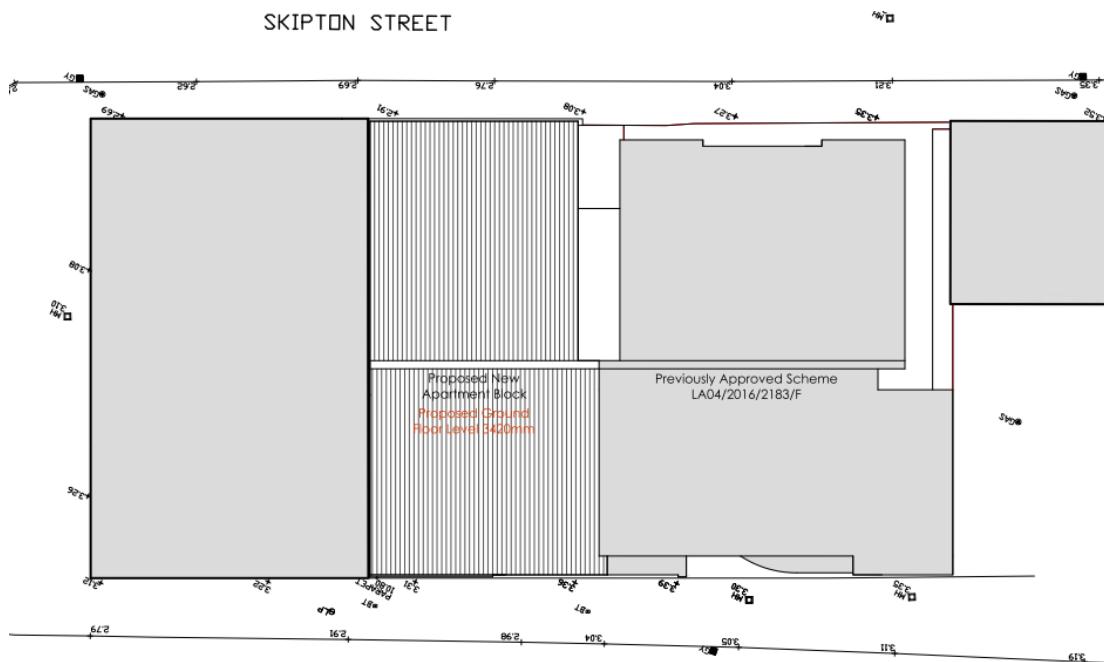
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, the Waste Management Plan and deal with any other issues that arise, provided that they are not substantive.

**Development Management Report**  
**Committee Application**

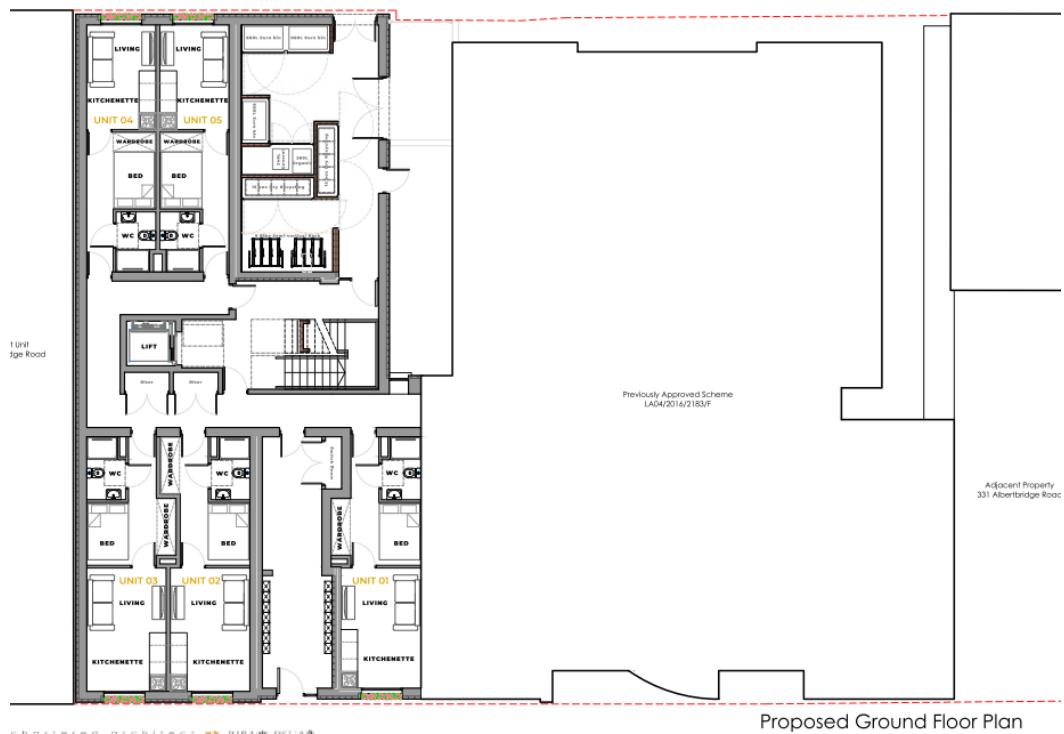
Summary	
<b>Committee Date:</b> 9 <sup>th</sup> December 2025	
<b>Application ID:</b> LA04/2025/0605/F	
<b>Proposal:</b> Erection of a four-storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels.	<b>Location:</b> 341-345 Albertbridge Road, Ballymacarrett, Belfast, BT5 4PY
<b>Applicant Name and Address:</b> ALMCC (NI) LIMITED 25 Shore Road Holywood BT18 9HX	<b>Agent Name and Address:</b> Richard O'Toole O'Toole & Starkey Ltd 1st Floor River House 48-60 High Street Belfast
<b>Referral Route:</b> Para 3.8.7 of the Scheme of Delegation – Director Discretion	
<b>Date Valid:</b> 09/04/2025	
<b>Contact Officer:</b> Lisa Walshe, Principal Planning Officer (Development Management)	
<p><b>Executive Summary:</b></p> <p>The application seeks permission for the erection of a four-storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of short term let at this location</li> <li>• Character, Design &amp; Appearance</li> <li>• Impact on Amenity</li> </ul> <p>DfI Roads, DfI Rivers, Environmental Health, SES and NIEA has offered no objection.</p> <p>27 letters of objection have been received.</p> <p>All representations and associated issues have been fully considered in the appended report.</p> <p>The proposal complies with policies HOU13 and DES1 of the Belfast Local Development Plan. It is not considered to impact negatively on existing residential amenity, it will strengthen and diversify short term let accommodation, is located close to public transport and within walking distance of a tourist attraction. Appropriate management arrangements will be secured via a planning condition.</p>	
<p><b>Recommendation</b></p>	

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, the Waste Management Plan and deal with any other issues that arise, provided that they are not substantive.

	<b>Planning Report</b>
	<b>Site Location Plan, Floor Plans and Elevations</b>
	<p><b>Site Location Plan</b></p> 
	<p><b>Site Block Plan</b></p> 

## Proposed Ground Floor Plan



## Elevations



	<p><b>Elevations</b></p>
<p><b>1.0 Description of Proposal</b></p> <p>1.1 Erection of a four-storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels</p> <p>1.2 The building will measure approximately 12.5m in height and extend over four stories. The front and rear windows will also have Juliet balconies from first to third floor level. The roof will be flat with solar panels to the south facing roof slope. The materials will be a mix of red brick and smooth white render and the doors and windows will be finished in grey uPVC.</p>	
<p><b>2.0 Characteristics of the Site and Area</b></p> <p>The site is located at 341-345 Albertbridge Road, Belfast, BT5 4PY. The site was formally a restaurant which has since been demolished leaving the site vacant. The surrounding area is predominately a mix of commercial and residential uses. Adjacent northeast of the site is a paint shop, southwest to the other side is a vacant site with a previous approval for a 4-storey apartment block comprising 24 apartments (LA04/2016/2183/F). Connswater Retail Park is located to the rear and directly opposite the site is residential.</p> <p>The site is located within the settlement development limit on unzoned whiteland within the Belfast Urban Area Plan (BUAP) 2001. Within the draft Belfast Metropolitan Area Plan 2015 (dBMAP) the site is located within a shopping/commercial area and Albertbridge Road is an Arterial Route. This section of the Albertbridge Road is included within a HMO Development Node.</p>	

3.0	<b>Planning History</b>
3.1	<p><b>Site History</b></p> <p>Z/2008/2538/F - 341-345 Albertbridge Road, Belfast, BT5 4PY. Change of use from retail to restaurant and single storey extension to rear. Approved 09/03/2009.</p> <p>Z/2007/2741/F - 331 &amp; 341-345 Albertbridge Road, Ballymacarrett, Belfast, BT05 4PY. Construction of 2No. 4 storey residential apartment blocks (14 units). (Amended proposal). Approved 11/11/2008.</p> <p>Z/2006/2192/O - 341-345 Albertbridge Road, Belfast, BT5 4PY. Erection of 3 storey building to include ground floor car parking and 1 retail unit and 9 apartments. Refused 20/12/2007.</p> <p>Z/2004/0481F/F - 341-345 Albertbridge Road Belfast BT5 4PY. Change of use of ground floor from hire shop to sandwich / coffee bar and hairdressing salon. Approved 26/05/2004.</p>
3.2	<b>Surrounding Area Planning History</b>
	<p>LA04/2016/2183/F - 333-339 Albertbridge Road. Demolition of existing buildings with replacement by a 4-storey apartment block consisting of 24 apartments. Renewal of Z/2009/1657/F. Approved 17.01.2019. This approval has been shown in context with the proposed site on the drawings submitted. The Council notes a Certificate of Lawfulness has not been submitted to formally demonstrate that this proposal has commenced development.</p> <p>Z/2009/1657/F - 333-339 Albertbridge Road. Demolition of existing buildings and erection of 4 storey apartment block comprising 24 apartments (13no. 1 bed and 11no. 2 bed). (Amended Scheme). Approved 03.11.2011.</p> <p>LA04/2023/4393/F – 321-331 Albertbridge Road. Demolition of existing building and erection of a 3-storey building to provide a trade sales area to ground floor (class A1) and associated offices and storage to the first and second floor. The existing vacant two storey warehouse to the rear of this building to be used for paint storage (class B4). Single storey extension to rear of existing store (class B4). Under Consideration.</p>
4.0	<b>Policy Context</b>
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast

	<p>and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <p><b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.0	<p><b>Planning Policy</b></p> <p><b>5.1 Belfast Local Development Plan – Plan Strategy 2035</b></p> <p>Policy HOU13 – Short-term let accommodation  Policy DES1 – Principles of urban design  Policy TRAN 8 – 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 NH1 – Protection of Natural Heritage Resources  Strategic Planning Policy Statement for Northern Ireland</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design  Sustainable Urban Drainage Systems  Transportation</p> <p><b>5.2 Development Plan – zoning, designations and proposals maps</b></p> <p>Belfast Urban Area Plan (2001) BUAP  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>5.3 Regional Planning Policy</b></p> <p>Regional Development Strategy 2035 (RDS)  Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p><b>5.4 Other Material Considerations</b></p> <p><i>Belfast Agenda</i> (Community Plan)</p>

6.0	<b>Consultations and Representations</b>
6.1	<p><b>Statutory Consultations</b></p> <p>DfI Roads - no objection subject to condition  DfI Rivers - no objection subject to condition  NI Water – objection  NIEA Water Management Unit – objection  NIEA Regulation Unit – no objection subject to condition  NIEA NED – No objection</p>
6.2	<p><b>Non-statutory consultees</b></p> <p>BCC Environmental Health – no objection subject to condition  Shared Environmental Services – no objection subject to condition</p>
6.3	<p><b>Representations</b></p> <p>The application has been advertised in local press and the relevant neighbours have been notified. The council received 27 objections. The key issues raised are outlined below:</p> <ol style="list-style-type: none"> <li>1. Parking and traffic</li> <li>2. Noise and disturbance</li> <li>3. Impact on community cohesion</li> <li>4. Impact on available social housing/residential housing</li> <li>5. Impact on rent and house prices</li> </ol> <p>Issues 1-4 are considered in the report below. Issue 5 is not considered to be a material planning consideration.</p>
7.0	<b>Planning Assessment</b>
7.1	<p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of short term let accommodation at this location</li> <li>• Character, Design &amp; Appearance</li> <li>• Impact on Amenity</li> <li>• Parking</li> <li>• Climate Change</li> <li>• Environmental Protection</li> <li>• Floodrisk and Drainage</li> <li>• Natural Heritage</li> <li>• Waste Management</li> </ul>
7.2	<p><b>Principle of short term let at this location</b></p> <p>The proposal seeks planning permission for the erection of a four-storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels.</p>
7.3	Paragraph 7.1.19 of the Belfast Local Development Plan – Plan Strategy states that “short-term holiday accommodation falls outside of the residential use class”. Short-

	<p>term let accommodation is commercial in nature and occupants change regularly, between 1–90-days. It is deemed an alternative form of tourist accommodation.</p>
7.4	<p>The final paragraph of policy TLC3: Overnight visitor accommodation, stipulates that proposals for holiday self-catering apartments, serviced apartments, or short term holiday lets will be considered under the short term let policy HOU13.</p>
7.5	<p>Policy HOU13 of the LDP – ‘Short-term let accommodation’ includes six criteria (a – f.) which must be met for planning permission to be granted for short-term let accommodation:</p> <p><i>Criterion (a) of HOU13 – The proposal strengthens and diversifies the range of short-stay visitor accommodation in the city.</i></p> <p>As the proposal adds an additional use to the area and provides additional variety and choice of accommodation for tourists and families visiting the city. The proposal is considered to comply with this criterion.</p> <p><i>Criterion (b) of HOU13- . It is accessible by public transport</i></p> <p>The site is located along Albertbridge Road which is an Arterial Route. There are various bus stops within 70m of the site, served by the Glider service as well as Metro and Ulsterbus. It is therefore considered that the proposal would satisfy this criterion.</p> <p><i>Criterion (c) of HOU13 - It is sited within an existing tourism cluster or in close proximity to a visitor attraction</i></p> <p>The applicant has provided a list of visitor attractions including Eastside Visitor Centre (290m/4 min walk), CS Lewis Square (400m, 5 min walk). There is also access to the Comber Greenway, Templemore Baths Heritage Experience (500m /7mins walk) and Glentoran FC’s Oval (800m / 11mins walk). Having considered all the attractions in close proximity, it is concluded that the site is located within an existing “tourism cluster”, or “in close proximity” to a visitor attraction. The proposal therefore satisfies criteria c. of HOU13.</p> <p><i>Criterion (d) of HOU13. Has appropriate management arrangements in place to ensure a positive and safe living environment whilst minimising any potential negative impacts;</i></p> <p>An Accommodation Management Plan has been provided. It provides specific details on the management company, guest screening and booking policy, noise management measures, antisocial behaviour prevention, check-in and check-out procedures, communication with neighbours, emergency procedures and monitoring and review. It is considered to be acceptable and robust and will be conditioned within the decision notice. It is deemed that the proposal meets criterion d. of HOU13.</p> <p><i>Criteria (e) of HOU13. The site is not located within a designated HMA (see policy HOU10), unless it can be demonstrated that the development is needed to meet a specific unsatisfied demand in that location</i></p> <p>The application site does not fall within a designated Housing Management Area (HMA) and therefore satisfies this criterion.</p> <p><i>Criteria (f) of HOU13. In the case of a change from permanent residential use, part of the property must be retained as permanent residential housing.</i></p> <p>The proposal does not involve a change from residential use, therefore this criterion is not engaged.</p>

	<p>Officers note concerns by residents regarding the impact of the proposal on residential housing including affordable housing, however as criterion (f) is not engaged, and the proposal meets the other relevant criteria, this is considered acceptable. Concerns regarding community cohesion are noted, however there is no evidence to suggest that the proposed use would have a negative impact on same.</p> <p><b>Character, Design &amp; Appearance</b></p> <p>7.6 The proposal seeks to erect a four-storey building to create 29 no. short term let units. Policy DES1 – Principles of Urban Design applies. It is noted that the scale, height and character of the proposed building has been designed to reflect and integrate with the approved apartment scheme adjacent under approval LA04/2016/2183/F. This approval has not yet been built out, evidence of commencement has been submitted alongside this application however nothing has formally been submitted under a certificate of lawfulness; therefore, the Council cannot consider the approval to be extant.</p> <p>7.7 Nonetheless, the overall scale, height and massing of the proposal when assessed on its own merits is considered acceptable. The building is four storeys and will measure 12.5m in height. The surrounding area is predominately mixed-use characterised by two-storey residential buildings and 3-4 storey commercial buildings further along the Albertbridge Road. The building line of the proposal respects the established building line defined by the adjacent paint shop and the previous restaurant that once occupied the application site. The proposal will retain the existing footpaths along the Albertbridge and Skipton Street frontages and ensure passive surveillance and activity at ground floor level by introducing ground floor windows from the main habitable rooms.</p> <p>7.8 The fenestration is of a vertical emphasis with four openings extending across each level facing onto Albertbridge Road and Skipton Street to the rear, this reflects the surrounding area and is considered an acceptable design. The front and rear windows will also have Juliet balconies from first to third floor level. The roof will be flat with solar panels to the south facing roof slope. The materials will be a mix of red brick and smooth white render which help break up the massing of the building, the doors and windows will be finished in grey uPVC. The materials and overall design reflect the surrounding area and are considered acceptable. The character, design and appearance is therefore compliant with DES1 of the LDP.</p> <p><b>Impact on Amenity</b></p> <p>7.9 As discussed above, criterion (d) of Policy HOU13 requires that all proposals (for short term let accommodation) must demonstrate the ability to manage accommodation satisfactorily.</p> <p>7.10 A robust Accommodation Management Plan has been submitted which includes management of general behaviour of occupants and promotion of good practice and will be conditioned in order to protect surrounding residential amenity. There are no neighbouring dwellings to the rear and those to the front are facing the other side of the Albertbridge Road. All properties within the neighbour engagement area as identified in the Management Plan will be contacted prior to the operation of the short-term let accommodation. There is not considered to be any overlooking, overshadowing or loss of daylight for any neighbouring properties. Belfast City Council Environmental Health has been consulted on the application and has</p>
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	<p>considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations. They offer no objections subject to conditions.</p>
7.11	<p><b>Residential Policy consideration</b></p> <p>Point 7.1.89 under Policy HOU13 of the Council's Plan Strategy states that “<i>as short-term let accommodation falls outside of the residential use class, the change of use to permanent residential use is considered a material change of use requiring planning permission. Such an application would be assessed in line with the wider policy requirements for residential development. Where proposals for short-term let accommodation fail to meet minimum standards for residential accommodation, conditions will be used to limit use of the property to short-term lets only (i.e rentals to the same person(s) for no longer than 90 consecutive nights).</i>” The proposed short-term let accommodation comprises 1-bed units. Appendix C of the Plan Strategy states that the minimum space standard for 1-bed residential accommodation is 35sqm. The proposed units are under this minimum standard (unit size ranges from 21.75sqm to 25.9sqm). The proposal would also not provide adequate amenity and open space and includes units which are wholly in the rear of the property, failing a number of points within Policy RD1 – New Residential Developments. The proposal would not be appropriate for long term residential use and a condition is therefore recommended to limit use of the property to short-term lets only to no longer than 90 consecutive nights.</p>
7.12	<p><b>Parking</b></p> <p>Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. Beyond areas of parking restraint, a reduced level of car parking provision may be acceptable where the development is in a highly accessible location well served by public transport and where the development would benefit from spare capacity available in nearby public car parks or adjacent on-street car parking, amongst other criteria. The proposal does not include on-site car parking and given the accessibility to sustainable forms of transport in the area including bus and glider stops, this is considered acceptable. A Parking Statement has also been provided which demonstrates adequate on-street capacity in the area. DfI Roads have been consulted on the application and offer no objections.</p>
7.13	<p><b>Climate Change</b></p> <p>The submitted Drainage Assessment includes SuDS measures including ‘Gravity Over Engineered’ pipes to provide the on-line storage and a Vortex Flow Control as the flow restrictor limited to the approved flow of 10 l/s/hectare which will effectively mitigate the flood risk to the proposed development and from the development. Solar panels are proposed on the roof, box planters are provided at ground floor level and all main habitable rooms have windows to reduce reliance on artificial lighting. All building control regulations will be met in terms of energy efficiency, insulation and air tightness as well as EPBD requirements. The proposal is considered to comply with policies ENV2, ENV3 and ENV5 of the Belfast LDP Plan Strategy.</p>

7.14	<p><b>Environmental protection</b></p> <p><b>Contaminated land</b></p> <p>Environmental Health (EH) has reviewed the contamination assessment and have no objection subject to a condition regarding unexpected contamination. NIEA Regulation Unit has also been consulted in respect of contamination and offer no objections.</p> <p><b>Air quality</b></p> <p>EH has not raised any concerns with regards to air quality subject to a condition regarding heating sources and in this regard, the proposal is considered compliant with Policy ENV1.</p> <p><b>Noise</b></p> <p>EH states that '<i>the proposed development is to be located on a main arterial route and is in close proximity to existing commercial uses and may therefore be impacted by noise. We would advise that the onus lies with the developer, as the agent of change, to incorporate appropriate noise mitigation measures, as may be necessary, to ensure the commercial success of the proposed development and to prevent complaints from the end users regarding existing noise sources within the area.</i>' EH has stated that conditions are not necessary and in this regard, the proposal is considered compliant with Policy ENV1.</p>
	<p><b>Flood risk and drainage</b></p> <p>Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.</p> <p>DfI Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed subject to condition.</p>
	<p>NI Water has objected to the proposal on grounds insufficient network capacity within Combined Storm Overflows (CSOs). It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.</p>

7.17	<p>DAERA has been consulted and is concerned that the sewage loading associated with the proposal has the potential to cause adverse environmental impact. As the proposal would result in clear intensification of the use of the land, consultation has been undertaken with Shared Environmental Services (SES) to assist the consideration of the Habitats Regulations. Belfast City Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 21/07/2025. This found that the project would not have an adverse effect on the integrity of any European site. Having regard to this advice, it is considered necessary to impose a condition to mitigate any likely significant effects on Belfast Lough. Having regard to all relevant material considerations, the proposal is considered compliant with Policy NH1 of the Belfast Local Development Plan, Plan Strategy 2035 and paragraphs 6.176 and 6.177 of the Strategic Planning Policy Statement.</p> <p><b>Natural Heritage</b></p> <p>7.18</p> <p>Policy ENV1 (Environmental quality) requires new development to protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment.</p> <p>NIEA: Natural Environment Division and Shared Environmental Services were consulted and consider that there would be no negative impact on priority habitats or priority species as detailed under the Floodrisk and Drainage section. The proposal therefore accords with Policy NH1.</p> <p><b>Waste Management</b></p> <p>7.19</p> <p>A Service and Waste Management plan has been submitted. Belfast City Council Waste Management Team have been consulted and are requesting further information. Delegated authority is sought to resolve this matter.</p>
8.0	<p><b>Recommendation</b></p> <p>8.1 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, Waste Management Plan and deal with any other issues that arise, provided that they are not substantive.</p> <p>8.2 All representations and associated issues have been fully considered in the assessment of the proposal.</p> <p>8.3 The proposal complies with policies HOU13 and DES1 of the Belfast Local Development Plan. Where it strengthens and diversifies short term let accommodation, is located close to public transport, within walking distance from a tourist attraction, appropriate management arrangements and is not located within an HMA.</p>

<b>9.0</b>	<b>Conditions</b>
9.1	<p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
9.2	<p>Notwithstanding the Planning (Use Classes) Order (Northern Ireland) 2015 and Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting those orders with or without modification), the bed spaces shall not be used other than short-term let units. The maximum stay by the same occupant shall be no more than 90 days in any 12-month period, in accordance with written records which shall be made available to the Council at all reasonable times.</p> <p>Reason: Residential use of the building would require further consideration by the Council having regard to the Local Development Plan and relevant material considerations.</p>
9.3	<p>The short-term let accommodation hereby permitted shall be managed and maintained in accordance with the approved Accommodation Management Plan, uploaded to the planning portal on 01/05/025 at all times.</p> <p>Reason: In the interest of residential amenity.</p>
9.4	<p>The development hereby approved shall not be occupied unless the climate change measures have been implemented in accordance with the supporting climate change statement. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p>
9.5	<p>All external facing and roofing materials shall be carried out as specified on the approved plans.</p> <p>Reason: In the interests of the character and appearance of the area</p>
9.6	<p>Prior to the construction of the drainage network, the Applicant shall submit a Drainage Assessment, compliant with 4.8 and Appendix E of SPG, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%).</p> <p>Reason: In order to safeguard against surface water flood risk.</p>
9.7	<p>The development hereby permitted shall not become operational unless weather protected cycle parking has been fully provided in accordance with the approved plans.</p>

9.8	<p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
9.9	<p>Prior to the installation of any centralised combustion sources (boilers, CHP, biomass or generators) at the hereby approved development, where there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management document - Land-use Planning &amp; Development Control: Planning For Air Quality (January 2017), an Air Quality Impact Assessment shall be submitted to and approved in writing by the Planning Authority prior to installation of the plant. Any submitted assessment shall include details of the combustion plant to be installed, emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations associated with the operation of the proposed combustion plant and with the overall development.</p>
9.10	<p>Reason: Protection of human health</p> <p>Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p>

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Development Management Report	
<b>Committee Date:</b> 17 <sup>th</sup> February 2026	
<b>Application ID:</b> LA04/2024/0015/F	
<b>Proposal:</b> Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works.	<b>Location:</b> Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4
<b>Referral Route:</b> Application for Major development	
<b>Recommendation:</b> Approval subject to conditions and Section 76 planning agreement	
<b>Applicant Name and Address:</b> Fermac Properties and Tealstone Developments Limited 33 Ferryquay Street Derry / Londonderry BT18 9JQ	<b>Agent Name and Address:</b> Gravis Planning 1 Pavilions Office Park Kinnegar Drive Holywood BT18 9JQ
<b>Date Valid:</b> 05/12/2025	
<b>Target Date:</b> 03/07/2026	
<b>Contact Officer:</b> Ed Baker, Planning Manager (Development Management)	
<p><b>Executive Summary:</b></p> <p>This application seeks full planning permission for the erection of 53 residential units (including 43no dwellings and 10no apartments), including ancillary works for the creation of an access from Upper Newtownards Road, internal roads, landscaping and associated works.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of housing in this location</li> <li>• Housing density</li> <li>• Affordable housing</li> <li>• Housing mix</li> <li>• Adaptable and accessible accommodation</li> <li>• Design, placemaking and landscape impact</li> <li>• New open space</li> <li>• Impact on heritage assets</li> <li>• Climate change</li> <li>• Residential quality and impact on amenity</li> <li>• Open space</li> <li>• Access parking, and transport</li> <li>• Health impacts</li> <li>• Environmental protection</li> <li>• Flood risk and drainage</li> <li>• Waste-water infrastructure</li> <li>• Natural heritage</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul>	

The site is located within the development limits of Belfast. In the Belfast Urban Area Plan 2001, the site is un-zoned “white land”. The site is within a Local Landscape Policy Area (LLPA) in both the draft Belfast Metropolitan Area Plan 2015 (v2004) and (v2014), with the exception of the south east corner which is “white land”. The site also encroaches into the edge of a Site of Local Nature Conservation Importance (SLNCI) in the draft BMAP 2015 (v2014). The north east corner of the site is identified as open space.

There is a listed building within the application site boundary (red line), but which is excluded from this proposal.

The proposal is within the development limits of the city and is a sustainable location for new housing. The proposal would result in a loss of a small area of open space, but additional open space is to be provided as part of the scheme. As such, the principle of housing at this location is acceptable.

The density of the proposal is less than the guidance band but taking account the low density of the surrounding area and the previous permission for conversion of the Listed Building to apartments this is on balance acceptable.

The overall design, height, scale, massing, layout, and road configuration is considered to be acceptable and compliant with planning policy.

There is a Tree Preservation Order (TPO) on the site, but adequate mitigation measures would be in place to ensure no trees are lost or damaged from during the construction phase if planning permission is granted.

No affordable housing is proposed on the grounds of viability. The applicant's viability assessment has been appraised by an independent Quantity Surveyor who concurs with the with the assessment.

There are no objections to the proposal from statutory or non-statutory consultees. A list and summary of consultees is contained within the main body of the report.

Two third-party representations have been received in opposition to the proposal. These are both from the same household and the issues are addressed in the main report.

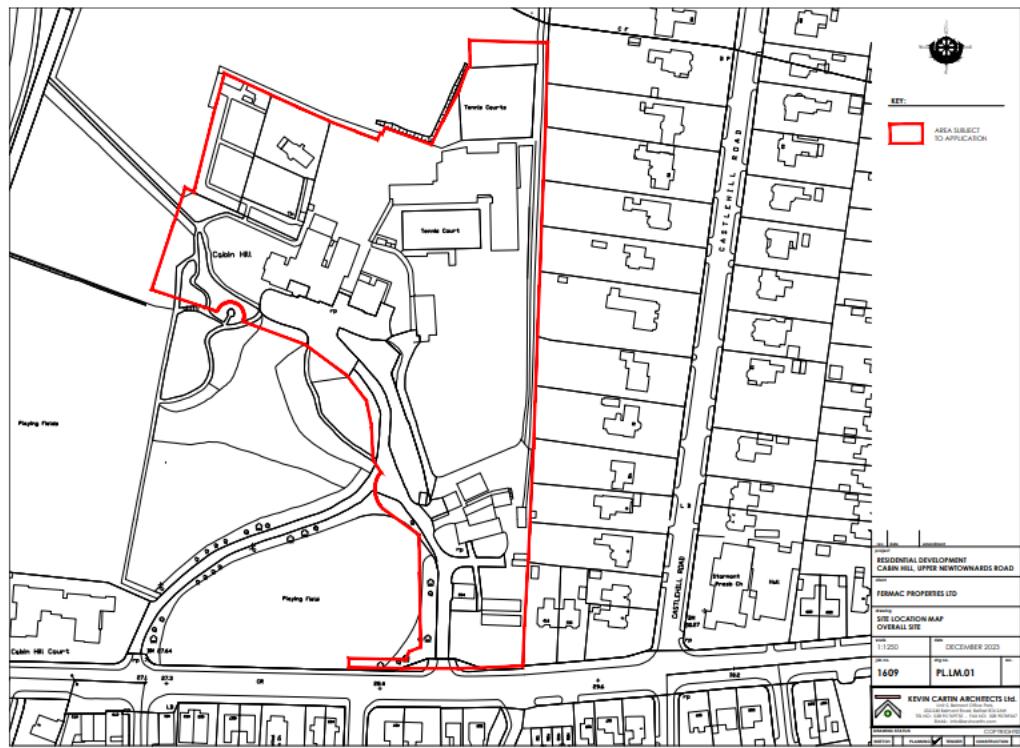
### **Recommendation**

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

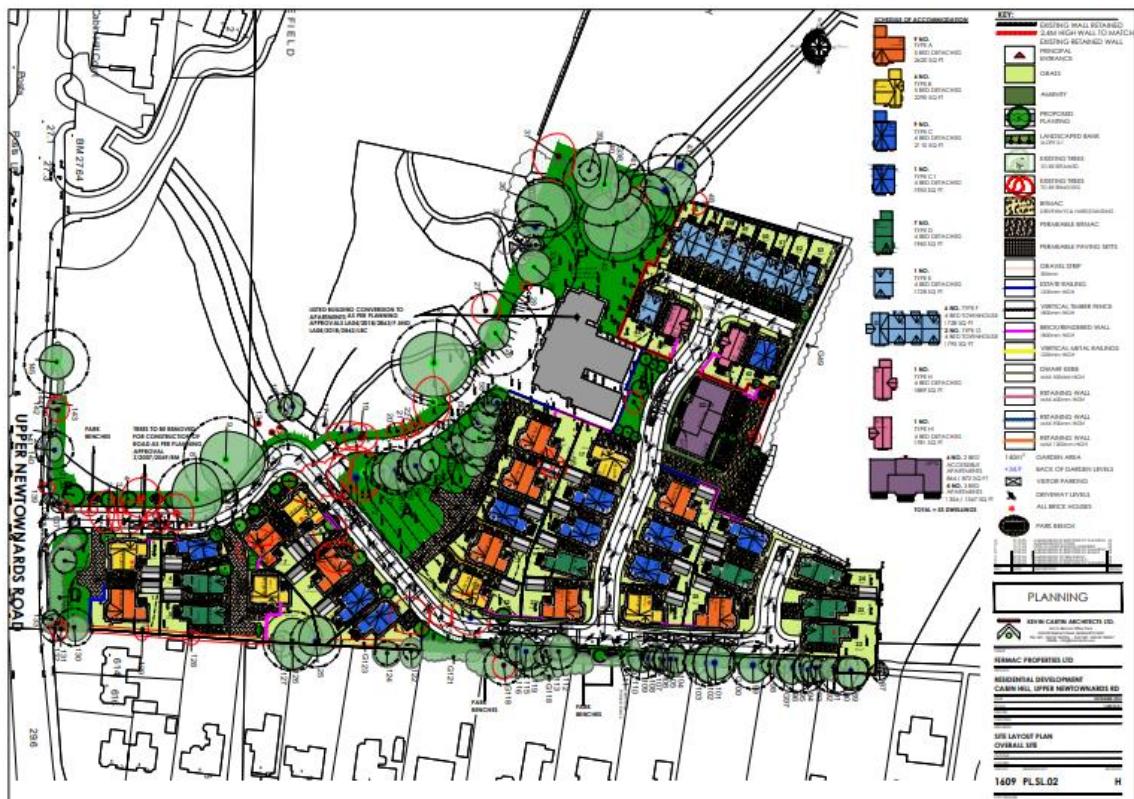
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, provided the issues are not substantive.

## DRAWINGS AND IMAGERY

## Site Location Plan:



## Proposed site layout:



## Proposed Open Space



## Proposed Landscaping:



## Sample Proposed Elevations (House Type A):



PRINCIPAL ELEVATION

PLANNING  
 KEVIN CARMICHAEL ARCHITECTS LTD.  
 100-102 BROWNLOW ROAD, BELFAST, N.I. BT7 1QH  
 TEL: 028 9026 1000 FAX: 028 9026 1001  
 E-MAIL: [KEVINCARMICHAEL@BT.COM](mailto:KEVINCARMICHAEL@BT.COM)  
 FERMAC PROPERTIES LTD  
 CARRICK HILL  
 UPPER NEWTOWNARDS ROAD, BELFAST  
 BT7 1QH  
 TEL: 028 9026 1000 FAX: 028 9026 1001  
 HOUSE TYPE A HANDED | DETACHED  
 PRINCIPAL ELEVATION  
 1609 PLA.04

**HOUSE TYPE A** 5 BED DETACHED



REAR ELEVATION



FLANK ELEVATION

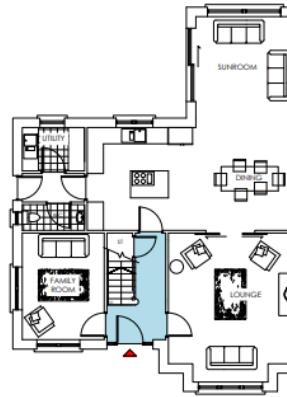


FLANK ELEVATION

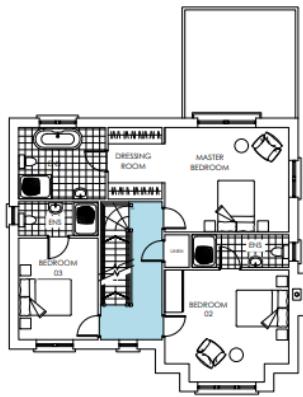
PLANNING  
 KEVIN CARMICHAEL ARCHITECTS LTD.  
 100-102 BROWNLOW ROAD, BELFAST, N.I. BT7 1QH  
 TEL: 028 9026 1000 FAX: 028 9026 1001  
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 FERMAC PROPERTIES LTD  
 CARRICK HILL  
 UPPER NEWTOWNARDS ROAD, BELFAST  
 BT7 1QH  
 TEL: 028 9026 1000 FAX: 028 9026 1001  
 HOUSE TYPE A - DETACHED - SUBBROOK  
 REAR & FLANK ELEVATIONS  
 1609 PLA.05

**HOUSE TYPE A** 5 BED DETACHED

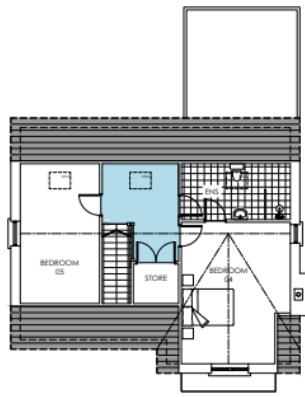
## Sample Proposed Floor Plans (House Type A):



GROUND FLOOR PLAN  
2610 SQ FT



FIRST FLOOR PLAN



SECOND FLOOR PLAN



## HOUSE TYPE A 5 BED DETACHED

## Sample Proposed Elevations (House Type B):



PRINCIPAL ELEVATION



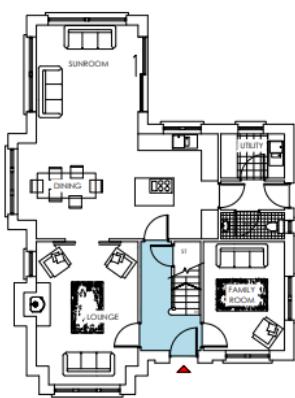
## HOUSE TYPE B 5 BED DETACHED



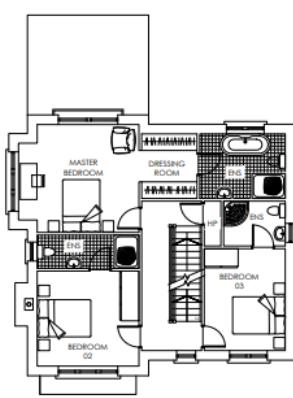
PLANNING  
 KEVIN CARMN ARCHITECTS LTD.  
 1609 PLB.05

FIRMAC PROPERTIES LTD.  
 CARM HILL  
 UPPER NEWTOWNARDS ROAD, BELFAST  
 HOUSE TYPE B - DETACHED  
 REAR & FLANK ELEVATIONS

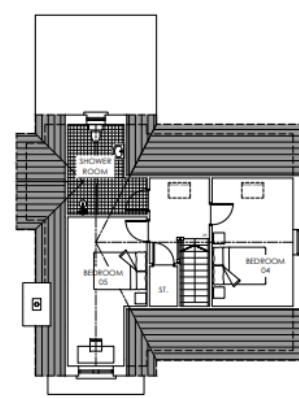
### Sample Proposed Floor Plans (House Type B):



GROUND FLOOR PLAN  
 2284 SQ FT



FIRST FLOOR PLAN



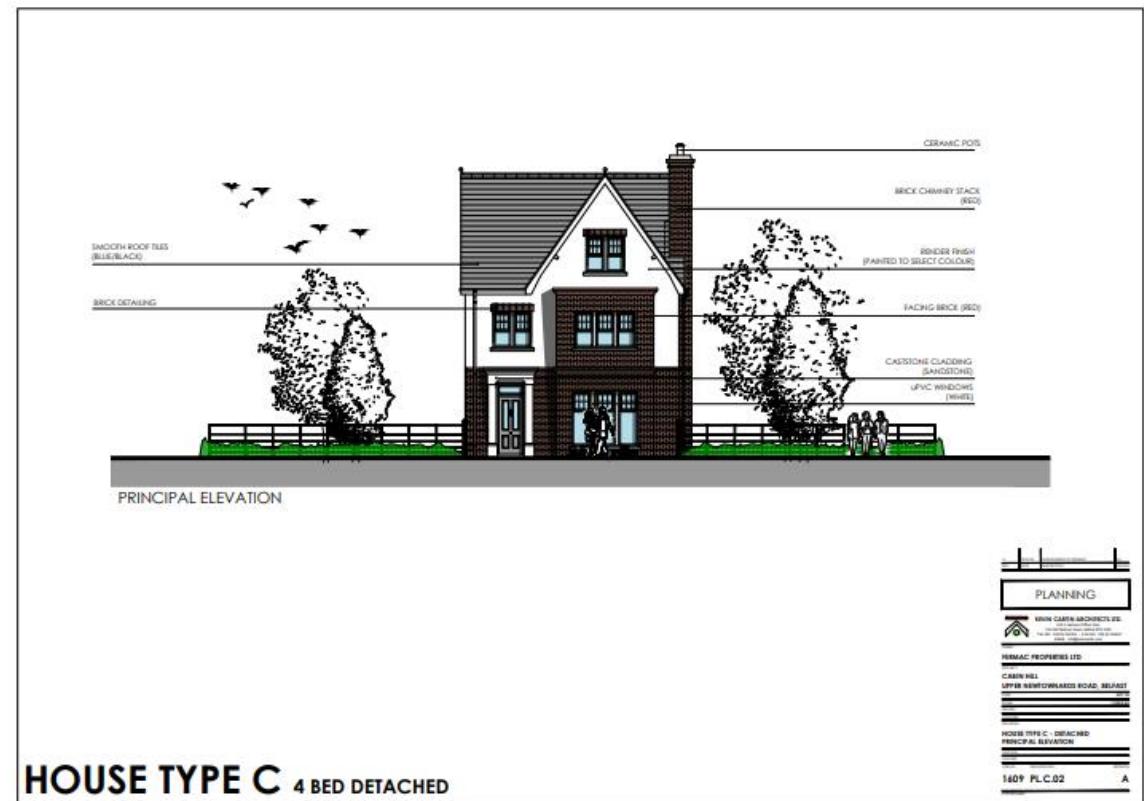
SECOND FLOOR PLAN

PLANNING  
 KEVIN CARMN ARCHITECTS LTD.  
 1609 PLB.01

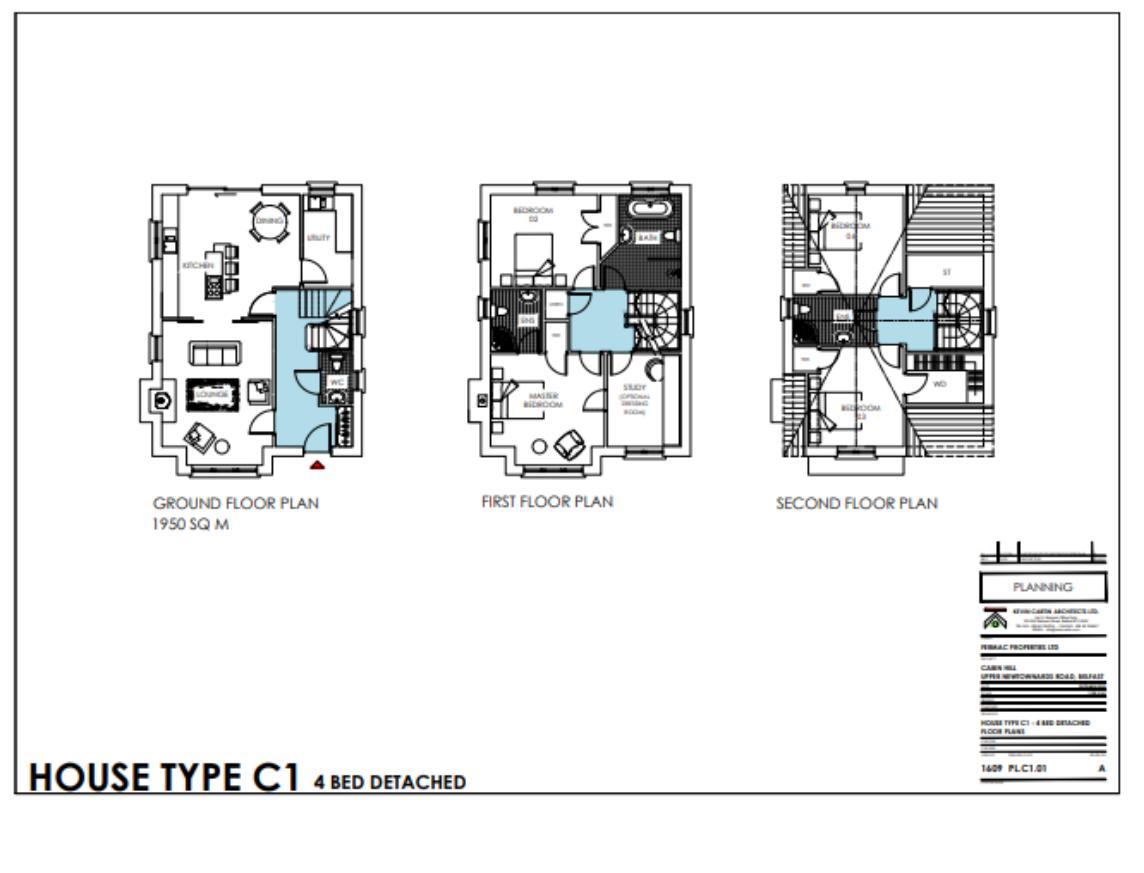
FIRMAC PROPERTIES LTD.  
 CARM HILL  
 UPPER NEWTOWNARDS ROAD, BELFAST  
 HOUSE TYPE B - DETACHED - SUNROOM  
 FLOOR PLANS

**HOUSE TYPE B** 5 BED DETACHED

## Sample Proposed Elevations (House Type C):



## Sample Floor Plans (House Type C):



**Sample Proposed elevations (House Type D):**



PRINCIPAL ELEVATION



**HOUSE TYPE D** 4 BED DETACHED

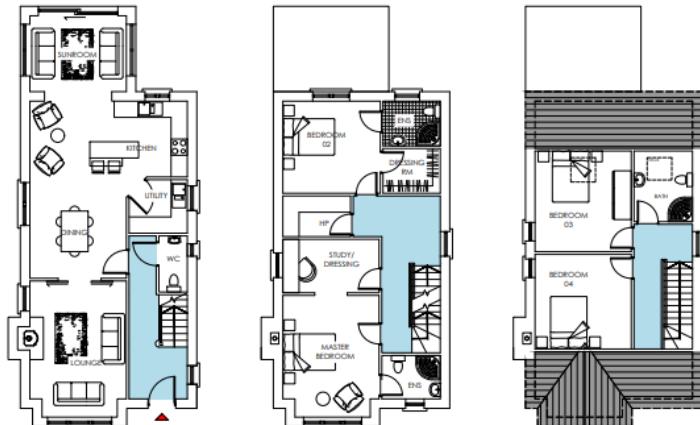


FLANK ELEVATION



**HOUSE TYPE D** 4 BED DETACHED

## Sample Proposed Floor Plans (House Type D):



GROUND FLOOR PLAN  
1990 SQ FT APPROX.

FIRST FLOOR PLAN

SECOND FLOOR PLAN

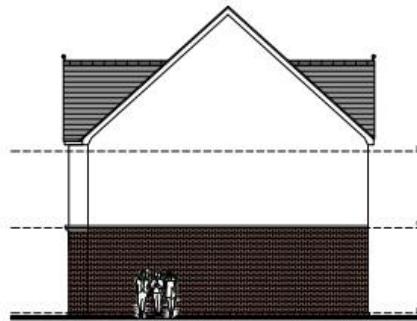


## HOUSE TYPE D 4 BED DETACHED

## Sample Proposed Elevations (House Type E):



PRINCIPAL ELEVATION



FLANK ELEVATION



REAR ELEVATION

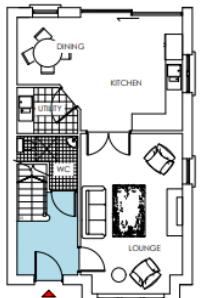


FLANK ELEVATION

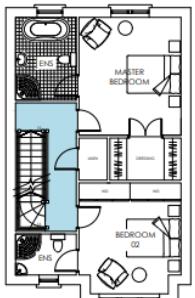
## HOUSE TYPE E 4 BED DETACHED



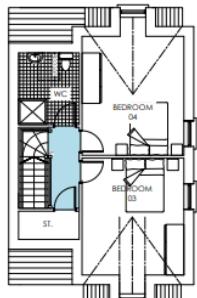
## Sample Proposed Floor Plans (House Type E):



GROUND FLOOR PLAN  
1710 SQ.FT



FIRST FLOOR PLAN



SECOND FLOOR PLAN

## HOUSE TYPE E 4 BED DETACHED



## Sample Proposed Elevations (House Type F-G):



PRINCIPAL ELEVATION

## HOUSE TYPE F-G 4 BED TOWNHOUSE - PLOTS 46-49





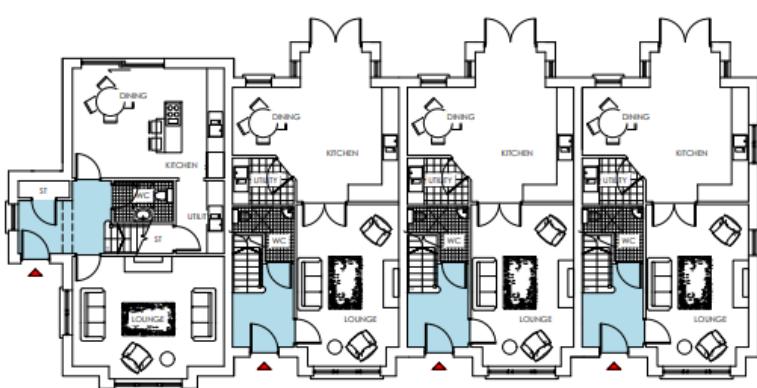
FLANK ELEVATION

FLANK ELEVATION

## HOUSE TYPE F-G 4 BED TOWNHOUSE - PLOTS 46-49



### Sample Proposed Floor Plans (House Type F - G):



GROUND FLOOR PLAN  
G - 1910 SQ.FT  
F - 1746 SQ.FT

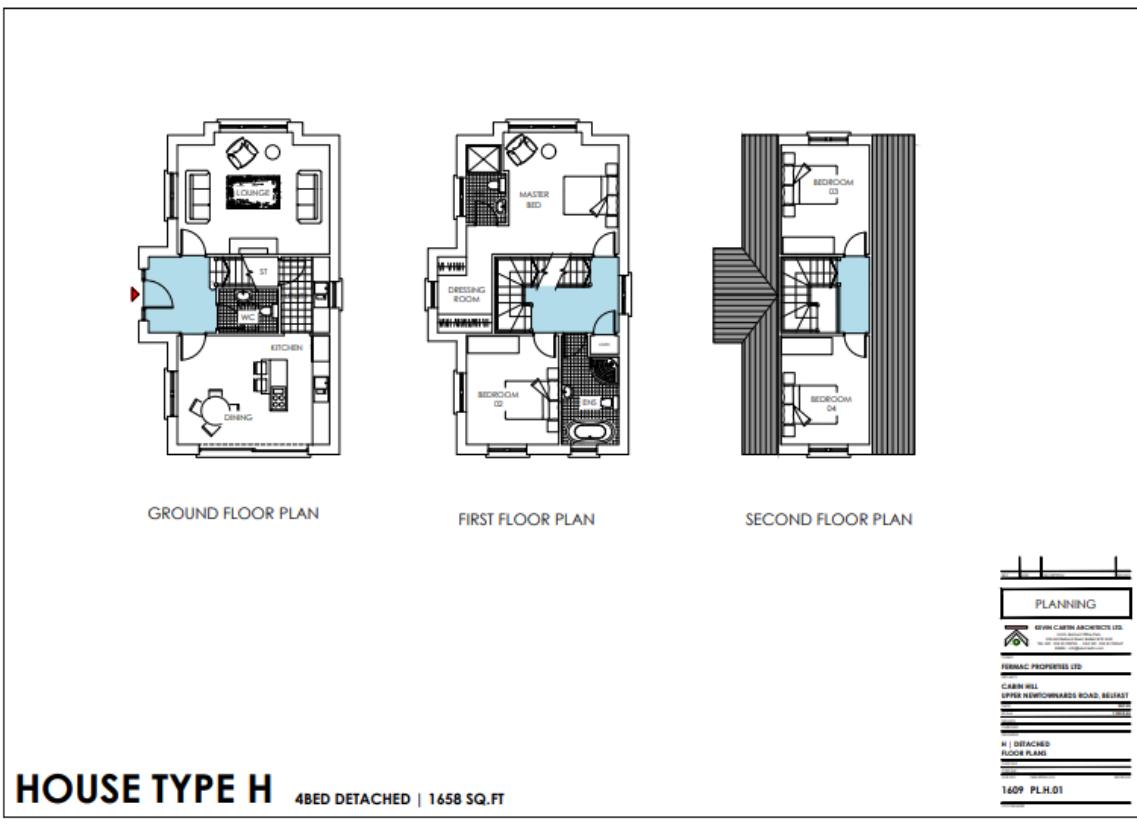
## HOUSE TYPE F-G 4 BED TOWNHOUSE



## Sample Proposed Elevations (House Type H):



## Sample Proposed Floor Plans (House Type H):

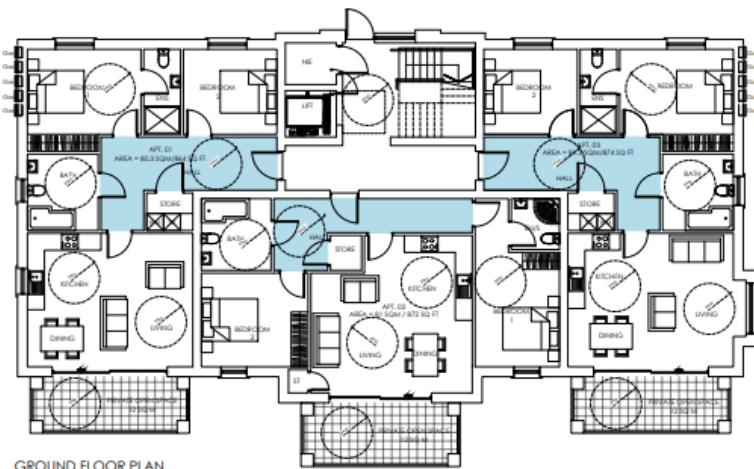


## Proposed elevations (apartment block)



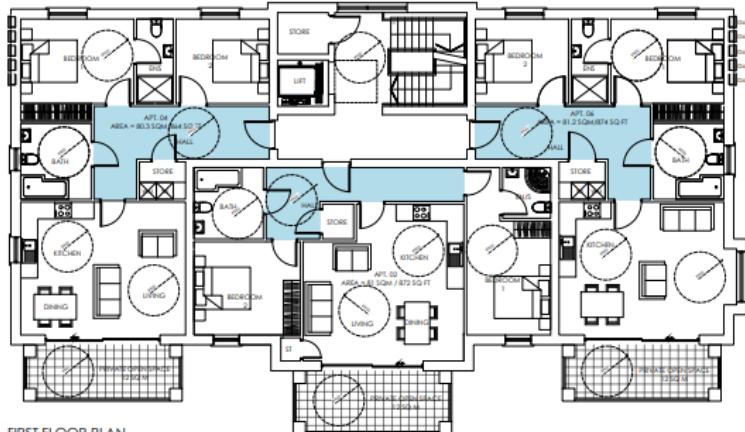


## Proposed Floor Plans (apartments):



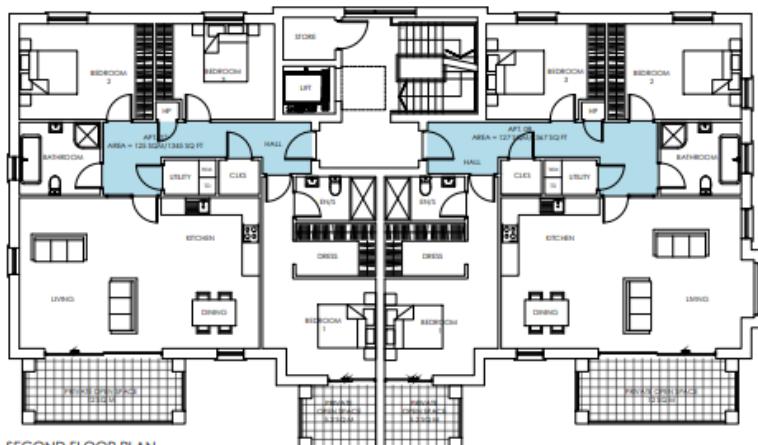
## GROUND FLOOR PLAN





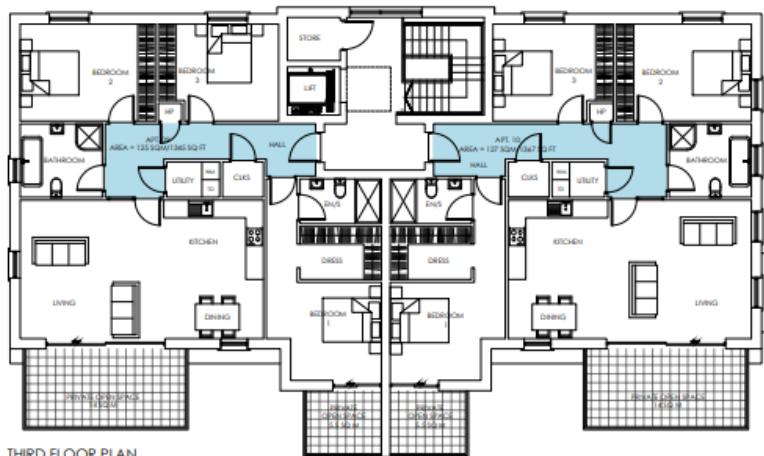
FIRST FLOOR PLAN

PLANNING  
 KEVIN CAHIN ARCHITECTS LTD.  
 100 NEWTONARDS ROAD, BELFAST, N.I. BT7 1QH  
 TEL: 028 9066 1111 FAX: 028 9066 1112  
 E-MAIL: [info@kevinaughn.com](mailto:info@kevinaughn.com)  
 FIRMAC PROPERTIES LTD  
 CARRIAGHILL,  
 UPPER NEWTONWARDS ROAD, BELFAST  
 BT7 1QH  
 TEL: 028 9066 1111 FAX: 028 9066 1112  
 E-MAIL: [info@firmac.com](mailto:info@firmac.com)  
 10 BLOCK APARTMENTS  
 FIRST FLOOR PLANS  
 1609 PL.APT.02 B



SECOND FLOOR PLAN

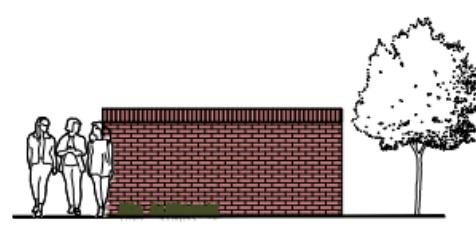
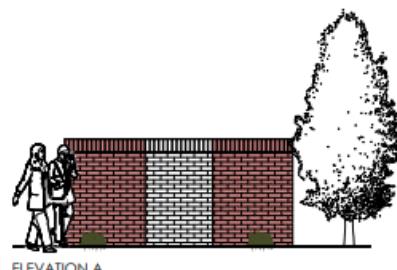
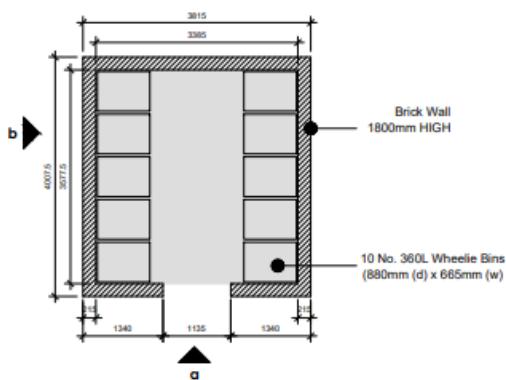
PLANNING  
 KEVIN CAHIN ARCHITECTS LTD.  
 100 NEWTONARDS ROAD, BELFAST, N.I. BT7 1QH  
 TEL: 028 9066 1111 FAX: 028 9066 1112  
 E-MAIL: [info@kevinaughn.com](mailto:info@kevinaughn.com)  
 FIRMAC PROPERTIES LTD  
 CARRIAGHILL,  
 UPPER NEWTONWARDS ROAD, BELFAST  
 BT7 1QH  
 TEL: 028 9066 1111 FAX: 028 9066 1112  
 E-MAIL: [info@firmac.com](mailto:info@firmac.com)  
 10 BLOCK APARTMENTS  
 SECOND FLOOR PLANS  
 1609 PL.APT.03 A



THIRD FLOOR PLAN

PLANNING  
 KEVIN CARTIN ARCHITECTS LTD.  
 100 NEWCASTLE ROAD, BELFAST, N.I.R.  
 THE ROYAL INSTITUTE OF BRITISH ARCHITECTS  
 MEMBER OF THE ASSOCIATION OF ARCHITECTS  
 IN NORTHERN IRELAND  
 FIRMAC PROPERTIES LTD  
 CAIN HILL  
 UPPER NEWTOWNARDS ROAD, BELFAST  
 10 BLOCK APARTMENTS  
 THIRD FLOOR PLAN  
 1609 PLAPT.04 A

### Bin Store (apartments)



PLANNING  
 KEVIN CARTIN ARCHITECTS LTD.  
 100 NEWCASTLE ROAD, BELFAST, N.I.R.  
 THE ROYAL INSTITUTE OF BRITISH ARCHITECTS  
 MEMBER OF THE ASSOCIATION OF ARCHITECTS  
 IN NORTHERN IRELAND  
 FIRMAC PROPERTIES LTD  
 RESIDENTIAL DEVELOPMENT  
 CAIN HILL, UPPER NEWTOWNARDS RD  
 10 BLOCK APARTMENTS  
 THIRD FLOOR PLAN  
 1609 PLBS.01

<b>1.0</b>	<b>Characteristics of the Site and Area</b> <p>1.1 The application site is the grounds of a former prep school. It is partly occupied by several derelict school buildings, including a listed building. Whilst the latter is included within the application site (red line), it does not form part of the proposals.</p> <p>1.2 The site contains mature trees that are subject of a Tree Preservation Order. The site includes areas of open space that has become overgrown.</p> <p>1.3 Levels decline towards the east boundary. The rear gardens of domestic properties at Castlehill Road back onto the site along its east boundary. The site is bounded by open space and trees on its southwest, west and north sides. The site is accessed from Upper Newtownards Road to the south of the site.</p> <p>1.4 The surrounding area is characterised by open space, commercial, community and residential uses in buildings of eclectic styles and sizes.</p> <p><b>Description of Proposed Development</b></p> <p>1.5 The application seeks full planning permission for residential development comprising the erection for 43 dwellings and 10 apartments (53 residential units in total), including improvement to the existing access, internal roads, landscaping and associated works.</p> <p>1.6 The application follows a Pre-Application Discussion (PAD) which was not concluded and with issues remaining outstanding at the point of submission of the planning application.</p>
<b>2.0</b>	<b>PLANNING HISTORY</b> <p>2.1 Relevant planning history is summarised below.</p> <p>LA04/2023/3808/PAN – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast. Amendments to extant approval Z/2007/2609/RM to include reduced density and revisions to layout and house types.</p> <p>2.2 LA04/2023/2777/PAD – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Proposed amendment to Reserved Matters approval Z/2007/2069/RM to include reduced unit number (42 units), reconfiguration of internal road and associated ancillary works. The current planning application was submitted before the PAD process was completed.</p> <p>2.3 LA04/2022/0664/LDP – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast. Confirmation that proposed completion of Unit 9 of planning permission ref. Z/2007/2069/RM would be lawful. Approved 19/01/2023.</p> <p>2.4 LA04/2018/2863/F and LA04/2018/2862/LBC – Cabin Hill House, Upper Newtownards Road, Belfast. Conversion and restoration of former preparatory school to 12No. private apartments including removal of inappropriate extensions. Approved on 19/06/2019</p> <p>2.5 LA04/2024/1085/CLOPUD – Lawful commencement of Planning Permission LA04/2018/2863/F and associated Listed Building Consent LA04/2018/2862/LBC by insertion of ground floor window in the southeast elevation. Approved 08/11/2024.</p>

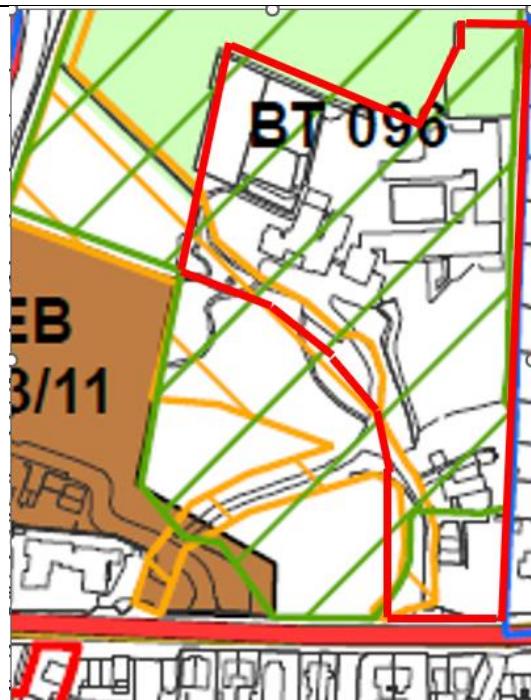
2.6	Z/2007/2069/RM – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast, BT4. Residential development of 66 units. Approved. Historical.
2.7	Z/2003/2938/O – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast, BT4. Residential Development (Outline Permission). Approved. Historical
<b>3.0</b>	<p><b>PLANNING POLICY</b></p> <p><b>Development Plan – Plan Strategy</b></p> <p>3.1 <u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery  Policy SP2 – sustainable development  Policy SP3 – improving health and wellbeing  Policy SP5 – positive placemaking  Policy SP6 – environmental resilience  Policy SP7 – connectivity  Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>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</p> <p>Policy DES1 – Principles of urban design  Policy DES2 – Masterplanning approach for major development  Policy RD1 – New residential developments  Policy CI1 – Community Infrastructure  Policy BH1 – Listed Buildings  Policy BH5 – Archaeology  Policy HC1 – Promoting healthy communities  Policy TRAN1 – Active travel – walking and cycling  Policy TRAN 2 – Creating an accessible environment  Policy TRAN4 – Travel plan  Policy TRAN6 – Access to public roads  Policy TRAN8 – Car parking and servicing arrangements  Policy ENV1 – Environmental quality  Policy ENV2 – Mitigating environmental change  Policy ENV3 – Adapting to environmental change  Policy ENV4 – Flood Risk  Policy ENV5 – Sustainable drainage systems (SuDS)  Policy GB1 – Green and blue infrastructure network  Policy OS3 – Ancillary open space  Policy TRE1 – Trees  Policy NH1 – Natural Heritage  Policy LC1 – Landscape impact  Policy LC1C – Local Landscape Policy Areas (LLPAs)</p>

	<u>Supplementary Planning Guidance</u>
3.2	Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation
3.3	<b>Development Plan – zoning, designations and proposals maps</b> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
3.4	<b>Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (Edition 2, 2025) (SPPS)
3.5	<b>Other Material Considerations</b> Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)
<b>4.0</b>	<b>CONSULTATIONS AND REPRESENTATIONS</b>
4.1	<u>Statutory Consultees</u> DFI Roads – No objection, subject to conditions. DFI Rivers – No objection in principle. NI Water – No objection. NIHE – Supports the proposal for social housing.
4.2	<u>Non-Statutory Consultees</u> Environmental Health – No objection. BCC LDP Housing – No objection. BCC LDP Environment – No objection. BCC Trees and Landscape – No objection.
4.3	Representations The application has been advertised in the press and neighbours notified. 2No. third party representations have been received. One of these failed to provide any comments. The other forwarded a letter that they sent directly to the agent.
4.4	The following concerns were raised within the third-party letter than was submitted: <ol style="list-style-type: none"> <li>Claims that the information outlined in the Pre-Application Community Consultation Report (PACCR) is factually incorrect. The information brochure, that was distributed to households was not delivered to Castlehill Road residents until after the public event.</li> <li>Also claims that the information brochure was incomplete as it excluded drawings and elevations of the 'property type'.</li> <li>No consultation was made with local residents when trees, protected by a TPO, were removed from the site prior to the submission of the application.</li> <li>The proposal will impact on protected trees.</li> </ol>

	<p>5. The proposal 'does not mirror' the architecture of existing properties in close proximity to the application site.</p> <p>6. Strongly object to the proposed road adjacent to the rear of properties at Castlehill Road due to potential for noise and light pollution from car headlights.</p> <p>7. Heights of proposed apartment block is diametrically opposed to the existing housing on Castlehill Road and will result in loss of light and overlooking.</p> <p>8. The proposed changes between the 2007 application and the proposal 'are radically different' and will be closer to the common boundary (Castlehill Road) than the previous permission.</p> <p>9. The developer is attempting to disguise fundamental design changes as an amendment or revision to the previous planning permission (ref. LA04/2007/2069/RM) granted in 2009. The proposal is a completely different design proposal, with an increase in the scale and heights of buildings.</p> <p>10. Despite the unit numbers decreasing, the density has increased in parts of the site in comparison to the 2009 planning permission.</p> <p>11. No information has been submitted on how the developer plans to meet statutory obligations to protect bats.</p>
4.5	Regarding points 1 and 2, in accordance with legislation, the applicant has submitted a Pre-Application Community Consultation report (PACCR) outlining how they carried out their statutory public consultation. They state in this report that they distributed leaflets to all properties within 200m of the site one week prior to holding the public event. A copy of the leaflet did not include the plans or drawings, nor is there a legal requirement to do so. However, the brochure did include a link to a website where these were viewable for a limited period.
4.6	Not all of the trees on the site are protected by the TPO. However, consent was given for tree surgery in 2019 (see ref. LA04/2019/2603/CONTPO). There is no duty to publicise or notify neighbours on applications for works to trees.
4.7	In respect of points 4-7 and 10, these are material planning considerations and are addressed in the assessment within the main body of this report.
4.8	The concerns raised in points 8 and 9 have been noted and the Planning Service advised the applicant to revise the description of the proposal to remove reference to the proposal being a modification to the planning permission granted in 2009 under ref. LA04/2007/2069/RM. The amended description was readvertised in the press on 22 <sup>nd</sup> November 2024. Neighbours were also re-notified.
4.9	The original submission included an ecology report outlining how habitats of protected species, including bats, will be managed during and after the construction phase. DAERA NIEA has been consulted and after several rounds of further information, is content with the revised information submitted by the applicant.
5.0	<p><b>PLANNING ASSESSMENT</b></p> <p><b>Development Plan Context</b></p>
5.1	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.

5.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
	<p><u>Operational Policies</u></p>
5.4	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1.</p>
	<p><u>Proposals Maps</u></p>
5.5	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.6	<p><b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “whiteland” within the development limit.</p>
5.7	<p><b>Belfast Metropolitan Area Plan 2015 (v2004)</b> – the site is within the development limit. It is within a Local Landscape Policy Area (LLPA) within the draft Belfast Metropolitan Area Plan, with the exception of the southeast corner which is “whiteland”.</p>
5.8	<p><b>Belfast Metropolitan Area Plan 2015 (v2014)</b> – the site is within the development limit. It is within a Local Landscape Policy Area (LLPA) within the draft Belfast Metropolitan Area Plan, with the exception of the southeast corner which is whiteland. The site also encroaches into the edge of a Site of Local Nature Conservation Importance (SLNCI).</p>
	<p><u>Environmental Impact Assessment</u></p>
5.9	<p>The proposed development falls within Category 10(b) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 and therefore the Council is required under Regulation 12(1) to make a determination as to whether the proposal is EIA development. The Planning Service has determined that the proposal is unlikely to have any significant environmental effects in the context of the regulations and is not EIA development. Therefore, the application does not require to be accompanied by an Environmental Statement.</p>

	<b>Main Issues</b>
5.10	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of housing in this location</li> <li>• Housing density</li> <li>• Affordable housing</li> <li>• Housing mix</li> <li>• Adaptable and accessible accommodation</li> <li>• Design, placemaking and landscape impact</li> <li>• New open space</li> <li>• Impact on heritage assets</li> <li>• Climate change</li> <li>• Residential quality and impact on amenity</li> <li>• Open space</li> <li>• Access and transport</li> <li>• Health impacts</li> <li>• Environmental protection</li> <li>• Flood risk and drainage</li> <li>• Waste-water infrastructure</li> <li>• Natural heritage</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul>
	<p><b><u>Principle of housing in this location</u></b></p> <p><i>Protection of open space:</i></p>
5.11	<p>Policy OS1 'Protection of Open Space' states a general presumption in favour of retaining open space, whether specifically identified in the LDP or not. This presumption against the loss of existing open space will apply irrespective of ownership, public access, physical condition or appearance.</p>
5.12	<p>Policy OS1 states that development resulting in the loss of open space will only be considered in exceptional circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. In all circumstances, the council must be satisfied that the loss of any open space would not result in detriment to the overall green infrastructure provision.</p>
5.13	<p>The application site is shown in red in the extract from draft BMAP 2015 (v2014) at <b>Figure 1</b>, overleaf. This shows that the site is mostly "white-land" with the exception of the northeast corner which was previously used as ancillary tennis courts for Cabin Hill school but forms part of a wider parcel of land beyond the site boundary that is specifically identified as existing open space in the development plan.</p>
5.14	<p>The tennis court is approximately 1,875 sqm in size. The proposed housing scheme would include areas of open space amounting to 3,242 sqm, resulting in a net increase of around 1,350 sqm. Having regard to the repositioning of open space elsewhere within the development, the proposal is considered acceptable having regard to Policy OS1.</p>



**Figure 1: Extract from dBMAP 2015 (v2014)**

*Windfall housing:*

- 5.15 The application site is located within a partly previously developed site (windfall) within 'rest of Belfast city'. Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the 'rest of Belfast city' and 2,000 windfall homes.
- 5.16 Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.
- **The site is suitable for housing** –the site is a sustainable location and for the reasons set out previously in relation to loss of open space, is considered suitable in principle for housing.
  - **The location is accessible and convenient to public transport and walking / cycle infrastructure** – the site is on the Glider route and close to cycling / walking routes and is highly accessible to shops, services, amenities and public transport.
  - **Provision is made for any additional infrastructure required as a result of the development** – suitable infrastructure is in place to support the proposal.
- 5.17 The proposal will provide quality general needs housing that will add to the variety of housing stock offered in this location.
- 5.18 The site benefits from extant planning permission for housing as confirmed by an application for a Lawful Development Certificate (LA04/2022/0664/LDP). The previous permission is a material planning consideration.

5.19	The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.
	<b><u>Housing density</u></b>
5.20	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.21	The proposal is for 53 residential units in a location where Policy HOU4 states a target density of 25 - 125 dwellings per hectare (ha). The site area is 2.8ha, therefore, the proposed development equates to a density of only 19 dwellings per ha (dpa), which is outside the density band. However, there is already an extant approval for the conversion of the listed school building into 12 residential units. This is within the application site redline boundary and shares the same access. As such it could reasonably be included in the overall density of dwellings on this site, which raises the dpa to 23. This is closer to the target density of 25-125 for this area.
5.22	Policy HOU4 states that these bands are for guidance only and development proposals outside these bands will be considered on their merits. The immediate area contains lower density residential development in the form of houses with gardens which is similar to that as proposed. On balance, the density is considered acceptable, having regard to Policy HOU4.
	<b><u>Affordable housing</u></b>
5.23	Policy HOU5 of the Plan Strategy states that planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.
5.24	The proposal is for 53 residential units, therefore, Policy HOU5 requires a minimum of 11 of the residential units (rounded up) to be provided as affordable housing.
5.25	However, the applicant states that the provision of affordable housing would make the scheme unviable. The applicant originally submitted a viability assessment to the Council in June 2024. This was independently appraised on behalf of the Council by Brian Jennings Quantity Surveyor (BJQS). This concluded that the scheme was unviable as a fully market housing scheme without affordable housing.
5.26	Given the passage of time since the original viability assessment, the applicant submitted an updated assessment in November 2025. This has again been independently appraised by BJQS on behalf of the Council. The independent appraisal again concludes that the scheme is unviable as a fully market housing scheme without affordable housing. Developer profit would have to drop to around 5% for the scheme to be marginally viable, which would be well below the assumption of 15% developer profit advised by the Council's <i>Affordable Housing and Housing Mix Supplementary Planning Guidance</i> (SPG).
5.27	Policy HOU5 states that ' <i>Where it can be demonstrated that it is not sustainable or viable for a proposed development to meet the requirements of this policy in full, the council will consider suitable alternatives on a case-by-case basis.</i> ' The amplification text of Policy HOU5 set out in para 7.1.36 of the LDP provides further clarity on this matter and states that: ' <i>It is recognised that there may be occasions where a particular housing site in Belfast might not be able to meet the affordable housing demands in full, so flexibility has been built into the policy to ensure that viability can be taken into account on a case-by-case basis. Where a developer is able to demonstrate, through</i>

	<p><i>evidence provided in accordance with agreed assessment approaches to viability testing, that the development is unviable if affordable housing obligations are met in full, alternative approaches will be considered. This could include varying the mix of affordable housing units, the provision of affordable housing on a suitable alternative site within the local area or, in exceptional circumstances, a reduction in the proportion of affordable housing in lieu of a financial contribution to an affordable housing development elsewhere in the district.'</i></p>																																			
5.28	<p>Further guidance is contained in the Affordable Housing and Housing Mix SPG on the alternative approaches referred to above which are set out and considered below.</p> <ol style="list-style-type: none"> <li>1. A deferral in the timing of affordable housing requirements pertaining to the site (i.e. a phasing option);</li> <li>2. A variation in the required mix of tenure, size or type of affordable units on the site, in accordance with the hierarchy of products outlined above;</li> <li>3. A reduction in affordable units on the site;</li> <li>4. Provision of the affordable housing units on an alternative site within the same local housing area; or</li> <li>5. Commuted sum, equivalent to cost of constructing affordable unit(s) on site.</li> <li>6. The maximum viable financial contribution in lieu of affordable provision.</li> </ol>																																			
5.29	<p>However, given the significant level of unviability of the scheme, it is not considered that the above options are realistic or reasonable. BJQS has advised that all the options listed above would, to varying degrees, reflect additional cost and render the scheme even more unviable than as currently appraised.</p>																																			
5.30	<p>The applicant has agreed to a viability review mechanism which would require a fresh viability assessment to be undertaken within 12 months of the last independent appraisal to ascertain whether the economic conditions have sufficiently changed to allow the development to include an element of affordable housing or provide a Financial Developer Contribution in lieu of on-site provision. This would be secured through a Section 76 planning agreement.</p>																																			
5.31	<p>In conclusion, the proposal does not provide affordable housing and is contrary to Policy HOU5. However, having regard the viability of the scheme and its benefits in terms of delivering new housing, and subject to the requirement for the viability review mechanism, this is considered acceptable.</p>																																			
5.32	<p><b><u>Housing mix</u></b></p> <p>The proposal comprises the following housing mix:</p> <table border="1"> <thead> <tr> <th><b>House Type</b></th> <th><b>Beds</b></th> <th><b>Floorspace sq/m</b></th> <th><b>Number</b></th> <th><b>Proportion</b></th> </tr> </thead> <tbody> <tr> <td>Detached</td> <td>5</td> <td>212 – 243</td> <td>15</td> <td>28.3%</td> </tr> <tr> <td>Detached</td> <td>4</td> <td>165 - 196</td> <td>20</td> <td>37.7%</td> </tr> <tr> <td>Townhouse</td> <td>4</td> <td>158 - 167</td> <td>8</td> <td>15.1%</td> </tr> <tr> <td>Apartment</td> <td>3</td> <td>125-126</td> <td>4</td> <td>7.5%</td> </tr> <tr> <td>Apartment</td> <td>2</td> <td>80-81</td> <td>6</td> <td>11.3%</td> </tr> <tr> <td></td> <td></td> <td></td> <td><b>Total</b></td> <td><b>53</b></td> </tr> </tbody> </table>	<b>House Type</b>	<b>Beds</b>	<b>Floorspace sq/m</b>	<b>Number</b>	<b>Proportion</b>	Detached	5	212 – 243	15	28.3%	Detached	4	165 - 196	20	37.7%	Townhouse	4	158 - 167	8	15.1%	Apartment	3	125-126	4	7.5%	Apartment	2	80-81	6	11.3%				<b>Total</b>	<b>53</b>
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5.33	<p>Policy HOU6 and the Affordable housing and Housing Mix Supplementary Planning Guidance (SPG) note that the Plan Strategy sets out an overall housing mix requirement for Belfast over the plan period, which can be summarised as a 30:70 split</p>																																			

	<p>of flats/apartments to houses and a split of 40:60 of properties with 2 bedrooms or less to those with at least 3 bedrooms.</p>
5.34	<p>The current mix proposed of 47no. 3+ bed units and 6no. 2 bed units provides a 11:89 split between 2 bedroom and larger properties. The mix of flats to houses is approximately 20:80 split. However, there is a Listed Building (Cabin Hill House) within the application site (red line) that has an extant planning approval for conversion to 12no residential apartments with 8no 2 bed units and 4no 3 bed units. This development shares the same access as the proposal and could form part of the same development when implemented. When taking into account these units, the ratio of 2 bedroom to larger properties changes to approximately 20:80; and apartments to houses to approximately 30:70. However, it is acknowledged that the conversion of the Listed Building to apartments is not certain and may not be delivered.</p>
5.35	<p>The applicant has also provided information from a local estate agent who argues that in their opinion the housing mix reflects the local housing needs and responds positively to the existing housing characteristics in the immediate vicinity. They also state that smaller homes in this area would be contextually inappropriate, in respect of market demand, and better suited to Ballyhackamore, Belmont, Barnets Road, Knock and the adjacent suburbs. However, this information of itself is not considered to justify the proposed housing mix.</p>
5.36	<p>Nevertheless, having regard to the other considerations set out above, whilst it would be preferable to have more smaller units within the development, on balance, the proposed housing mix is considered acceptable, having regard to Policy HOU6.</p>
	<p><b><u>Adaptable and accessible accommodation</u></b></p>
5.37	<p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The Policy also requires that at least 10% of units in residential developments, of 10 units or more, to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet.</p>
5.38	<p>The proposed plans demonstrate how the development would be capable of meeting all of the criteria of Policy HOU7. All dwellings have generous space provision, downstairs WCs and accessible bathrooms on the same floor as main bedroom. It has been demonstrated that 6no (11%) of the 10no proposed apartments are wheelchair accessible, therefore meeting the minimum requirement. Each of those units is supported by a parking space for disabled users that are located directly to the front of the main entrance door to the apartment block, which also has a canopy to shelter from the weather. All surfaces to the entrance from the car parking spaces are level or gently sloping with a firm surface. The proposed private amenity areas for these units are balconies / terraces with hard surfaces with dimensions that would be able to accommodate wheelchairs. It is therefore considered that all relevant criteria of Policy HOU7 has been satisfied.</p>

	<b><u>Design, placemaking and landscape impact</u></b>
5.40	<p>The proposal has been assessed against the SPPS, <i>Creating Places and Policies</i> SP5, DES1, DES2, RD1, and RD3 of the LDP: Plan Strategy (PS). Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale, height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.</p>
5.41	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, (a) to (k).</p> <p><i>Layout:</i></p>
5.42	<p>The proposal comprises a residential cul-de-sac with ingress and egress via the same access, which is from the Upper Newtownards Road. The road layout is to be traditional and consist of two main roads through the site onto which most houses will face towards. Open space will be subdivided into 5 separate 'areas' throughout the development. Dwellings will be positioned mostly in linear form along the road and on their own plots. This form is not unlike the layout of the adjacent housing development at Lacefield. As such, it is considered to be in conformity with the general character of the surrounding residential area. Given the separation distances, a buffer zone of trees and the proposed orientation of the dwellings, it is considered that any conflict with existing neighbouring dwellings is unlikely.</p>
5.43	<p>In respect of visual impact, external views of the development from the existing public realm will be limited due to the depth and width of the site, and screening from existing housing at Castlehill Road to the east and Lacefield to the west. Trees on lands abutting the front of the site, many of which are protected, will also assist integration of the proposal and provided screening. Internally, parking for the apartment block is to the rear and mostly screened from public view from the main road through the development. Therefore, the proposal is considered to comply with Policy RD1 a. and b, and Policy DES1 a. and c.</p> <p><i>House types:</i></p>
5.44	<p>The proposal consists of a block of apartments containing 10no units over 4 storeys and 43 dwellinghouses. The houses come in a ranges of different house types of a standard two-storey design. Whilst most are detached, a number of townhouses are also provided. Each house will be gabled with chimneys. This will be in keeping with the eclectic character of the surrounding streets. This complies with Policy RD1 (a) and Policy DES1 a and b.</p> <p><i>Finished Materials:</i></p>
5.45	<p>Each house will be finished in either red brick, render or a mix of both, in keeping with the area. Roof tiles will be black / blue smooth tiles. Samples of these will be requested by condition if permission is granted.</p>

	<p><i>Boundary treatments:</i></p> <p>5.46 The front curtilages of all dwellings will be defined by low beech (<i>Fagus sylvatica</i>) hedge rows with the exception of plots 46 to 53. The rear gardens will be defined by 1.8 metre timber fencing. Elsewhere, rendered brick walls and metal railings will be used where sides of gardens abut common areas or carriageways. This is compliant with Policies DES1 and RD1.</p>
	<p><i>Existing trees and shrubs:</i></p> <p>5.47 Many of the existing trees on the site are protected by a confirmed Tree Preservation Order (TPO). These are to be retained where feasible and compensatory tree planting will be implemented where existing trees are to be felled either due to poor condition or to facilitate the development. A tree survey and report has been submitted in support of the proposal which includes tree protection measures in accordance with recognised industry standards outlined in BS 5837:2012 '<i>Trees in relation to design, demolition and construction – Recommendations</i>'.</p>
5.48	<p>The Council's Tree Officer has been consulted and is content with the proposal. This is considered to be in adherence with Policy TRE1.</p>
	<p><i>Proposed Planting:</i></p> <p>5.49 The proposed planting consists of a mix of different species of trees including rowan, beech, apple, cherry, ornamental pear, lime 'greenspire' and acers planted between heights of 2.5m - 5m within the site at various locations including open spaces, site boundaries and garden trees in each individual plot. These will be supplemented with shrub planting within the site to help promote visual amenity offering.</p>
5.50	<p>The submitted landscape management and maintenance plan set out how the existing trees along with proposed landscaping features will be maintained to ensure they form landscaping features within the site for future years which will promote visual amenity and have future surgery to help mitigate future risks from arising. This is compliant with Policies TRE1, DES1 and RD1.</p>
	<p><i>Levels:</i></p> <p>5.51 The topography of the site is undulated with gentle slopes rising from the south (front) to a central plateau in the middle of the site. Levels decline in the middle towards the east boundary and the rear of adjoining properties at Castlehill Road and towards the north (rear). The proposal responds to these levels with minimal requirement for cut-and-fill. Where cut-and-fill will occur, retaining walls of between 600mm and 1200mm max will be required to ensure levels are usable. The existing driveway that runs adjacent to the east boundary will be close to where part of the new road will meander through the site. This will require an increase in levels by between 1 and 1.5 metres approx. at this point. However, this will be screened from the rear of existing properties along Castlehill Road by buffer zone several metres wide of retained trees augmented with new planting. This is compliant with Policy RD1 a. and the associated Residential Design SPG (paragraph 3.1.6).</p>

	<p><i>Landscape character:</i></p> <p>5.52 The site is part of a wider Local Landscape Policy Area (LLPA). Policy LC1 is applicable to all new development within any designated landscape. This states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape.</p> <p>5.53 In this case, the proposal includes the retention of existing mature trees and hedgerows which would limit the impact of the proposal on the wider landscape. It will also incorporate the wall of an historic walled garden and is sympathetic to a listed building on the site (see section on <b>Impact on Heritage Assets</b>).</p> <p>5.54 Policy LC1C specially applies to proposals within LLPAs. Given the existing character of the site, which is overgrown and containing several derelict school buildings, its natural screening and location on the edge of the wider LLPA, the proposal would not have a significant impact on the amenity, character, environmental quality or natural or built and cultural heritage features within the LLPA.</p> <p>5.55 The proposal is considered compliant with Policies LC1 and LC1C.</p>
	<p><i>Amenity Space:</i></p> <p>5.56 Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. Each house is on a private plot with ample garden space whilst each apartment will have its own private terrace or balcony.</p> <p>5.57 The Departmental design guide <i>Creating Places</i> advises that private open amenity space within new residential development schemes in suburban areas should have an average 70sq/m per unit, while no unit should have private open space under 40sqm. Each dwelling has private amenity space behind the building line. The minimum rear garden size is 50sq/m for any individual house and the largest is 220sq/m. This exceeds the minimum size of 40sq/m and the overall average for the development exceeds 70sqm per unit. This is compliant with Policy RD1 criterion a.</p> <p>5.58 The justification and amplification of Policy RD1 outlines private open space for apartments may take the form of recessed balconies and roof terraces. <i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit. This is accepted in the form of private communal open space in the form of landscaped areas, courtyards or roof gardens. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally, developments in inner urban locations and other high-density areas will tend towards the lower figure. Therefore, in this case, the figure should be towards the higher figure. Each apartment will have its own private balcony ranging from 12sq/m to 19.5sq/m. The average size of individual balconies will be 14.69sq/m. This is greater than the minimum standard of 10sq/m as per the guidance but is lower for a suburban area. However, the residents will be able to avail of the communal open space within the wider development as well as access to existing open space in the wider locality, which is deemed acceptable under the policy. The communal open space is assessed, below.</p> <p>5.59 The proposal is therefore considered to comply with the paragraphs 4.23 to 4.36 of the SPPS, Policies DES1 and RD1 of the LDP PS, and <i>Creating Places</i>.</p>

	<b><u>New open space</u></b>
5.60	Policy OS3 'Ancillary open space' states that all new residential developments of 25 units or more will only be granted where open public space is provided. A normal expectation is at least 10% of the total site area.
5.61	<p>The application site has a total site area of 2.9ha. 10% of this is required for shared open space provision (<math>29,046\text{sqm} / 10 = 2,904.6\text{sqm}</math>). The applicant indicates total open space as 3,242sqm (11.16%). This is broken this down into four separate areas:</p> <ul style="list-style-type: none"> <li>• <b>Area A</b> (1,451sqm) contains a significant number of protected trees (refer to Tree Retention Plan);</li> <li>• <b>Area B</b> (263sqm) marginally encroaches into the redline boundary of the planning permission for the change of use of the apartments, but this is not significant and does not impact on the approval;</li> <li>• <b>Area C</b> (663sqm) is unusable open space as it lined with protected trees (refer to Tree Retention Plan) and acts as a buffer between the site and rear gardens at Castlehill Gardens;</li> <li>• <b>Area D</b> (422sqm) appears to be useable, but it is adjacent to the access road and is only a narrow strip.</li> </ul>
5.62	The Justification and amplification of Policy OS3 (paragraph 10.1.18) states that open space must be of recreational or amenity value i.e. 'useable'. However, proposed Areas A (1,451sqm) and C (663sqm) contain significant tree cover and therefore are not fully "useable". Discounting these areas, it would reduce the useable open space to 1,128sqm, which is less than 5% of the overall site.
5.63	However, Policy OS3 states that provision at a rate of less than 10% may be acceptable where it would benefit from ease of access to areas of existing public open space. The applicant has demonstrated that the site is within walking distance from several existing public open spaces that have various amenity functions. These include Stormont Estate (500 metres from application site) which includes various public amenities such as an outdoor gym, woodland trails, BBQ area, and children's playpark. In addition, Thornhill Parade public green (400m); and Comber Greenway (550m) are close by.
5.64	Having regard to the proximity of the site to existing open space, the proposal is considered acceptable having regard to Policy OS3.
	<b><u>Impact on heritage assets</u></b>
5.65	Cabin Hill Preparatory School building is within the curtilage of the site and is a Listed Building. DfC HED (Historic Buildings) has assessed the proposal against policies within the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12 (setting) and Policy BH1 (Listed Buildings) of the Plan Strategy, and advised that it is content that the proposal would not have any negative impact on this building, subject to a condition regarding samples of brick materials for use in the adjacent walled garden being made available for inspection. This condition is recommended.
5.66	It is considered that the proposal would not adversely affect the setting of the listed building or other heritage assets, compliant with the relevant provisions of the SPPS and Policy BH1.

	<b><u>Climate change</u></b>
5.67	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
5.68	This policy also places an expectation for development proposals to seek to avoid demolition were feasible. The applicant has stated that it is not possible to avoid demolition in this case as existing buildings are in an extremely poor state of repair with collapsed roofs and walls and the buildings on site are both physically and functionally obsolete and many of them are structurally unsound. A site visit by officers confirms that the buildings are in a poor state due to years of dereliction.
5.69	Policy ENV2 states that where demolition is proposed, measures should be included to minimise waste through reuse of building materials. The following measures are proposed: <ul style="list-style-type: none"> <li>• Recovery of suitable brick, timber and steel from existing buildings for re-use on site;</li> <li>• All hardcore materials will be crushed on site and re-used throughout the site for construction purposes.</li> <li>• It is estimated that c.90% of materials from demolished buildings will be recycled and reused with all hardcore (c.75%+ of building makeup) being reused on site, with only a small proportion incapable of reuse (i.e. fixtures and fittings).</li> </ul>
5.70	The above measures can be secured by condition should permission be granted.
5.71	Policy ENV2 also promotes the incorporation of sustainable design features where feasible. The applicant has provided details on the various sustainable design features which will be incorporated into the development. These measures include: <ul style="list-style-type: none"> <li>• where possible, dwellings have been orientated to maximise solar gain;</li> <li>• all houses will be constructed to “A” rated EPC standards and the lifetime operational costs of the houses will be minimised to ‘Near Zero’ carbon buildings standards’ traditional block construction will mean that houses will last significantly longer than the typical 60-year design lifetime of a house, thereby making their real-world embodied carbon similar or lower to timber frame construction; and the houses will also be more easily recycled than timber frame at the end of their life cycle, as there are less hard-to-recycle plastics required in the wall make up of traditional construction, thereby improving their end-of-life sustainability.</li> </ul>
5.72	Overall, the proposal incorporates appropriate and feasible measures to mitigate environmental change and incorporates sustainable design features. Again, these can be secured by condition if permission is granted.
5.73	Policy ENV3 states that permission will be granted for proposals that incorporate measures to adapt to environmental change. The policy includes 9 criteria (a to i) of measures that may be included in development proposals. This proposal includes the following measures: <ul style="list-style-type: none"> <li>• The use of traditional block construction to ensure resilience and safety of each house during extreme weather events, by providing a higher tolerance to prolonged damp and wet conditions (criteria c and g);</li> </ul>

	<ul style="list-style-type: none"> <li>• In addition to having high levels of thermal insulation, the use of traditional block construction techniques will provide important thermal mass within the buildings to store solar gain in sunny weather and to passively regulate the internal temperature of the houses during excessively warm periods, thereby reducing heating requirement of the houses in winter and avoiding the need for air conditioning within the houses during summer periods (criterion d);</li> <li>• The main storm drainage system throughout the site is designed to SuDS standards and the discharge of storm water from the site is below the green-field runoff rate for the site to avoid excessive discharge from the site into local watercourses. This will avoid any potential for localised flooding (criterion f and i);</li> <li>• The proposal also incorporates permeable paving around the patio and driveway areas of dwellings, which will further minimise the runoff of storm water from the site (criterion f and i);</li> <li>• The site is not located near an existing floodplain area. The site is quite elevated relative to the Upper Newtowards Road, and the houses are set on average 200mm above the surrounding ground level, meaning that they are resilient in a flash-flood event (criterion i);</li> <li>• The proposal retains the vast majority of the trees on the site, and the proposal will introduce bat boxes to the trees and houses to enhance biodiversity of the site (criterion b and e); and</li> <li>• Additional bio-diversity enhancement measures throughout the site include the planting of additional native trees, shrubs and flowers and the introduction of new green amenity space within the scheme, to help promote biodiversity and facilitate increased permeability of rainfall in storm events (criterion b).</li> </ul>
5.74	<p>Overall, the proposal incorporates appropriate measures to adapt to environmental change and incorporates sustainable design features, which includes resilience to current and future climate conditions. These measures are considered to satisfy Policies ENV2 and ENV3.</p> <p><i>Sustainable Urban Drainage Systems:</i></p>
5.75	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. As pointed out above, the site includes extensive communal green open space areas, trees and shrubs and grass lawns in gardens in addition to the proposed use permeable bitmac and paving in driveways and patios areas. The main storm drainage system throughout the site is designed to SuDS standards and the discharge of storm water from the site is below the green-field runoff rate for the site to avoid excessive discharge from the site into local watercourses. These measures are considered to help minimise flood risk and therefore the proposal is acceptable having regard to Policy ENV5.</p>
5.76	<p><b><u>Residential quality and impact on amenity</u></b></p> <p>Policies DES1, and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>

	<p><i>Impact on neighbouring amenity:</i></p> <p>5.77 The nearest existing residential properties to the application site are on its east boundary at Castlehill Road. However, potential for impact on existing residential amenity such as overlooking, dominance and overshadowing will be minimised by a buffer zone of existing trees and proposed planting along this boundary from the rear boundaries of numbers 12 to 22 Castlehill Road. The new access road through the site will run parallel to this buffer, further reducing impacts from the siting of new dwellings. Impacts on numbers 614 Upper Newtownards Road, numbers 6-10 and 24 Castlehill Road will be minimal due to orientation of dwellings and levels and new boundary screen planting.</p> <p>5.78 The side gable of Plot 22 faces towards the rear of number 24 Castlehill Road. There are two upper floor windows in this gable wall; however, these are to be treated with obscure glass. The same occurs at site 3, which faces onto the rear of number 6 Castlehill Road. These windows will also be treated with obscure glass. This can be secured via a condition.</p> <p>5.79 The orientation of the dwellings, at a 90-degree angle from rear of existing dwellings, will also minimise potential for overlooking whilst separation distances from any new dwelling to the rear of any existing dwelling is in excess of the 20 metres.</p> <p>5.80 Internally, the separation distances between all dwellings adhere to the minimum standards as advocated by <i>Creating Places</i> where these are back-to-back. This is considered to adhere to the relevant provisions of the SPPS Policy RD1 and Policy DES1.</p>																								
	<p><b><u>Waste Management</u></b></p> <p>5.81 Criterion I of Policy RD1 states that planning permission will only be granted if provision is made for the disposal and storage of waste. Each house will have ample storage space for bins. The apartments will have a dedicated communal bin storage area with an area of 21sq/m approx. at a distance of 14.5m from the main entrance of the apartment block. This is sufficient to store the number of bins required for 12 units. The waste provision for the apartment blocks is broken down as follows:</p>																								
	<table border="1"> <thead> <tr> <th>Waste Type</th> <th>Number</th> <th>Area Required</th> <th>Total Area Required</th> </tr> </thead> <tbody> <tr> <td>1100L Bins</td> <td>2</td> <td>3.1m x 3.2m</td> <td>9.92</td> </tr> <tr> <td>660L Bins</td> <td>2</td> <td>2.2m x 3.0m</td> <td>6.60</td> </tr> <tr> <td>140L Bins</td> <td>3</td> <td>2.0m x 1.8m</td> <td>3.60</td> </tr> <tr> <td><b>Total Area required</b></td> <td></td> <td></td> <td><b>20.12</b></td> </tr> <tr> <td><b>Total Area provided</b></td> <td></td> <td></td> <td><b>21.00</b></td> </tr> </tbody> </table>	Waste Type	Number	Area Required	Total Area Required	1100L Bins	2	3.1m x 3.2m	9.92	660L Bins	2	2.2m x 3.0m	6.60	140L Bins	3	2.0m x 1.8m	3.60	<b>Total Area required</b>			<b>20.12</b>	<b>Total Area provided</b>			<b>21.00</b>
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5.82	This is compliant with standards outlined in the Planning and Waste Infrastructure SPG.																								
5.83	Policy DES1 states that any external bin storage areas should not have a negative impact at street level which would result in the creation of dead frontage or unnecessary clutter. There are no external bin storage areas which will have a negative impact at street level. Therefore, no negative impact is provided at street level that would result in the creation of dead frontage or unnecessary clutter. General waste will be collected kerbside on a fortnightly basis by the Council and will be collected by a medium size refuse vehicle.																								

5.84	<p>The proposed development is therefore considered to be in compliance with Policies RD1 and DES1.</p> <p><u>Access, transport and parking</u></p> <p><i>Accessibility:</i></p> <p>5.85 The site is a highly accessible location within the city having direct access to the road network and public transport including the Glider. It is within short walking and cycling distance of local shops, services, leisure and employment opportunities. Provision is made for sheltered and secure cycle parking within the proposed apartment block. The proposal accords with Policy TRAN1.</p> <p><i>Travel Plan:</i></p> <p>5.86 The applicant has provided a Travel Plan that demonstrates that the proposed development is currently easily accessible to residents and visitors by alternative and sustainable modes of transport. The site is a highly accessible location within the city having direct access to the road network and public transport. The Upper Newtownards Road is serviced by the Glider. The Travel Plan also identifies several cycle routes linking the site to the wider cycle path network whilst 10No. cycle stands are to be provided within the grounds of the proposed apartment block.</p> <p>5.87 The Travel Plan commits to a travel fund of £99,343.20 to fund green travel measures for promoting alternative to car use, including the option of travel cards, car club membership, bicycle vouchers and Belfast Bikes membership. The Travel Plan and travel fund would be secured by means of a Section 76 planning agreement.</p> <p><i>Parking provision:</i></p> <p>5.88 <i>Creating Places</i> design guide outlines parking requirements for residential developments.</p> <p>5.89 The number of spaces required by the guidance is determined by the house type and the number of bedrooms per unit. The total number of spaces required for this development based on this guidance will be 144 spaces.</p> <p>5.90 In respect of spaces for dwellinghouses, the guidance allows for parking provision that is divided between off-street and on-street parking.</p> <p>5.91 In this case, each dwellinghouse would have 2no spaces in-curtilage, which equates to 86no spaces. An additional 42no spaces would be provided on-street within the proposed development, which gives a cumulative total of 128no spaces.</p> <p>5.92 There is a requirement of 1.75 spaces per apartment unit for 3 bed apartments and 1.5 spaces for 2 bed apartments (there are 6no 2-bed; and 4no 2-bed units proposed), which equates to a requirement of 16.5 no spaces for the 10no apartments. A total of 20no spaces are proposed for the apartments.</p> <p>5.93 The table below shows the breakdown of car park spaces required per house type juxtaposed to the number of spaces proposed.</p>
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	House Type	Beds	Number	Spaces Required	Spaces Proposed (incuntilage)	Spaces Proposed (communal)	
	Detached	5	15	48	30	18	
	Detached	4	20	60	40	20	
	Townhouse	4	8	20	16	4	
	Apartment	3	4	7	8	0	
	Apartment	2	6	9	12	0	
		Total	53	144	106	42	
					Total	148	

5.94 The level of car parking spaces within the development is complaint with the Departmental *Creating Places and Parking Standards*.

5.95 DfI Roads have no objection to the parking and travel arrangements for the proposed development, subject to conditions. The proposal is considered acceptable having regard to the relevant provisions of the SPPS and Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN8.

Health impacts

5.96 Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.

5.97 The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure amenities, playing pitches and public parks. The proposal would provide a suitable quality residential environment for people to live in including a natural environment with ample tree coverage. The proposal is considered to satisfy the requirements of Policy HC1.

Environmental protection

5.98 Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.

5.99 Environmental Health has been consulted and advised that it is generally satisfied in respect of contaminated land, air quality, noise and odour, subject to conditions. These conditions are recommended as appropriate. The proposal is considered compliant with the relevant provisions of the SPPS and Policy ENV1.

	<b><u>Flood risk and drainage</u></b>
5.100	Flood Maps (NI) indicates that the development does not lie within the 1 in 100 year climate change fluvial or 1 in 200 year climate change coastal flood plain. As such a Flood Risk Assessment is not required.
5.101	The proposal meets the thresholds for the submission of a Drainage Assessment (DA) in that it proposes residential development comprising of 10 or more dwelling units and the site area is in excess of 1 hectare. The applicant submitted a DA as required and DfI Rivers has reviewed this and advised that it has no reason to disagree with its conclusions. The proposal is considered compliant with the relevant provisions of the SPPS Policy ENV4.
	<b><u>Waste-water infrastructure</u></b>
5.102	NI Water has been consulted and is content, advising that there is sufficient capacity at the nearest waste-water treatment works. This satisfies Policy SP1a which requires that necessary infrastructure is in place to support new development.
	<b><u>Natural heritage</u></b>
5.103	The application site contains bat species protected by The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The applicant submitted a Bat Survey which outlined measures to ensure bats would not be disturbed during the construction phase, which included the installation of bat boxes at various locations throughout the site. NIEA Natural Environment Division (NED) has considered this information and is content with these measures.
5.104	There are no other aspects of natural heritage that would be adversely affected by the proposal.
5.105	It is considered that the proposal is in compliance with the relevant provisions of the SPPS Policy NH1.
	<b><u>Section 76 planning agreement</u></b>
5.106	If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable: <ul style="list-style-type: none"> <li>• <b>Viability Review Mechanism</b> – to be required if development does not commence within 12 months of the latest independent viability appraisal. The viability review will assess whether economic market changes would allow an affordable housing contribution to be made.</li> <li>• <b>Green travel measures</b> – Travel Plan and Travel Fund of £99,343.20 to fund the option of travel cards; car club membership, bicycle vouchers and/or Belfast Bikes membership.</li> <li>• <b>Management of Open Space</b>.</li> </ul>
5.107	The draft Section 76 planning agreement has been agreed in principle between the applicant and Planning Service.

	<b><u>Pre-application Community Consultation</u></b>
5.108	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.
5.109	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.
5.110	<p>The applicant states that they actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> <li>Published a notice in the press 11 days prior to the public event to highlight information about the proposals and provide notification of the public information event;</li> <li>A leaflet containing details of the public consultation event (Appendix 6) was designed and distributed to all properties within a 200m radius of the site, over one week in advance of the public event;</li> <li>Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback;</li> <li>Online consultation was undertaken to provide an opportunity for the local community to view plans of the proposed development digitally and provide feedback. This consultation ran between Monday 18th September 2023 and Friday 8<sup>th</sup> December 2023, on a webpage within the Gravis Planning (planning agent) website.</li> </ul>
5.111	Feedback from stakeholders was generally positive with no objections to the principle of the proposal.
5.112	The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.
5.113	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.
<b>6.0</b>	<b>Recommendation</b>
6.1	Having regard to the Development Plan and material considerations, on balance, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, provided the issues are not substantive.

6.0	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The construction of the development hereby permitted shall not be sequenced unless in accordance with the Phase Plan, submitted on 3 February 2026 and uploaded to the Planning Portal. Reason: To allow the phased discharge of conditions.</li> <li>3. No external facing or roofing materials shall be applied unless in accordance with the approved plans. Reason: In the interests of the character and appearance of the area.</li> <li>4. No works to the retained walled garden wall shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. Reason: In the interests of protecting the special architectural or historic qualities of the listed building and its setting.</li> <li>5. No phase of the development shall be occupied unless all communal and private open space and amenity areas for that phase, including public open space, gardens, roof terraces, balconies, have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times. Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</li> <li>6. The residential units 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. Reason: In the interests of amenity.</li> <li>7. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the upper floor windows in the east side gables of Plots 3 and 22, as shown on the approved plans, shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves. Reason: To safeguard the privacy of adjacent properties.</li> <li>8. No dwelling or apartment shall be occupied until its respective waste storage area/s have been provided in accordance with the approved plans and shall be permanently retained as such at all times. Reason: To ensure that appropriate provision is made for storage and disposal of waste.</li> </ol>
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9. No phase of the development shall be occupied unless the measures to mitigate climate change for that phase have been implemented in accordance with the Gravis Planning letter dated 24 September 2025 and written verification of such has been submitted to the Council. 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.

10. The materials from the existing buildings on the site to be demolished shall be recycled and re-used in accordance with the Gravis Planning letter dated 24 September 2025.

Reason: To mitigate climate change.

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

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

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

Reason: In the interests of visual amenity.

13. No development shall be carried out unless in accordance with the approved Tree Impacts and Protection Plan, published to the Planning Portal on 29 August 2024. The measures set out in the Tree Impacts and Protection Plan shall be in place prior to the commencement of development and shall remain in place until the completion of the construction.

Reason: To safeguard existing trees in the interests of visual amenity.

14. Within twenty-four hours prior to demolition, all buildings shall be checked for bat presence by a competent ecologist, under license where necessary, and all demolition works shall be monitored by a competent ecologist. A report with any observations from the ecologist during demolition works shall be submitted to the Council within 2 weeks of completion of the demolition.

Reason: To ensure protection to bats and their roosts.

15. During the construction and occupation phase of the development, there shall be no lighting of greater than 1 lux impacting upon retained Building E, as shown in the Aspen Bat Survey.

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

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

Reason: To ensure adequate car parking within the site.

17. The apartment building hereby approved shall not be occupied unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

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

18. No development shall commence on site (other than that required to fulfil this condition) unless the access, including visibility splays and any forward sight lines, have been provided in accordance with the approved plans. The access and visibility splays shall be retained in accordance with the approved plans at all times.

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

19. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway 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 interest of road safety and the convenience of road users.

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

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

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 as indicated on Drawing No:1021 Rev E and 1022 Rev D bearing the Department for Infrastructure determination date stamp 20/5/25.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

22. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in (verges/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 or obstruction to services.

23. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500 mm shall be carried out in (verges/service strips) determined for adoption.  
 Reason: In order to avoid damage to and allow access to the services within the service strip.
24. 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 / the development.)  
 Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.
25. No construction of the drainage network shall commence on site unless an updated Drainage Assessment has been submitted to and approved in writing by the Council. The Drainage Assessment shall demonstrate the safe management of any out of sewer flooding emanating from the surface water drainage network in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%), and a programme for implementation. The development shall not be carried out unless in accordance with the approved details.  
 Reason: In order to safeguard against surface water flood risk.
26. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.  
 Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

#### **DRAFT INFORMATIVES**

1. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures an affordable housing viability review, travel plan, green travel fund and management of the public open space.
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. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
4. The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.
5. The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:
- Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;
  - Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
  - Deliberately disturb such an animal in such a way as to be likely to:
    - affect the local distribution or abundance of the species to which it belongs;
    - Impair its ability to survive, breed or reproduce, or rear or care for its young; or
    - Impair its ability to hibernate or migrate;
  - Deliberately obstruct access to a breeding site or resting place of such an animal; or
  - To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.

6. The applicant is advised that no works shall be carried out on the building known to contain roosting pipistrelle bats (Building L in the Aspen Bat Survey) until a NIEA Wildlife Licence has been obtained.
7. The applicant is advised that the bat box positioned on tree 4 as shown in the Aspen Bat Survey must not be relocated until a NIEA Wildlife Licence has been obtained.

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## Development Management Report

Summary	
<b>Committee Date:</b> 17 <sup>th</sup> February 2025	
<b>Application ID:</b> LA04/2023/2633/F	
<p><b>Proposal:</b> Proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 3G 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.</p>	<p><b>Location:</b> St Teresa's GAC, 2 Glen Road Heights, Belfast BT11 8ER</p>
<b>Referral Route:</b> Application for Major development	
<b>Recommendation:</b> Approval subject to conditions	
<p><b>Applicant Name and Address:</b> Liam McGoldrick St Teresa's GAC 2 Glen Road Heights Belfast BT11 8ER</p>	<p><b>Agent Name and Address:</b> McGurk Architects 33 King Street Magherafelt BT45 6AP</p>
<b>Date Valid:</b> 14 <sup>th</sup> March 2023	
<b>Target Date:</b> 10 <sup>th</sup> October 2023	
<b>Contact Officer:</b> Lisa Walshe, Principal (Development Management)	
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for a proposed extension to the existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 3G training pitch with integrated ball walls. Proposed annex building with club store and matchday shop. Site works include increased parking, fencing, catch nets, floodlighting, dugouts, paths, and other associated amenities.</p> <p>The site is located at St Teresa's GAC, 2 Glen Road Heights in West Belfast. On-site there are 2 no large sports pitches with a clubhouse and associated parking. There is also an existing pre-school within the red line of the site opposite the existing clubhouse.</p> <p>The site is bounded with residential development to the southeast, southwest (as well as the Holy Spirit Church) and northwest of the site. There is open space to the northeast and north of the site. The land surrounding the site rises to the northwest of the site. The immediate site boundaries are characterised by fencing and vegetation.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> <li>• Principle of the proposed use</li> <li>• Impact on the character and appearance of the area</li> </ul>	

- Impact on amenity
- Open space
- Access and transportation
- Climate change
- Health impacts
- Wastewater Infrastructure
- Flood Risk
- Environmental protection
- Impact on Built Heritage
- Impact on Natural heritage
- Trees

Statutory consultees have raised no objection, however at the time of writing, final comments from Shared Environmental Services (SES) and DfI Rivers Agency are outstanding.

Following advertisement in the local press as well as neighbour notification, 14 letters of objection have been received from local residents, raising issues which are detailed in the main report.

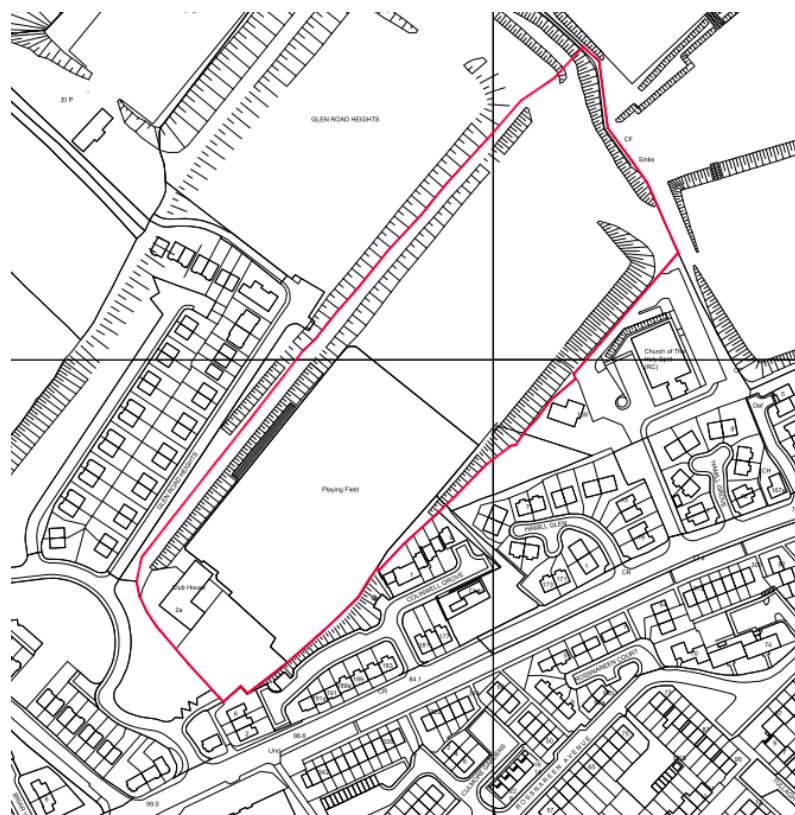
### **Recommendation**

Having regard to the development plan and other material considerations, the proposal is acceptable. It is recommended that planning permission is approved. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, resolve final consultation responses from SES and DfI Rivers and deal with any other issues that arise, provided that they are not substantive.

## Case Officer Report

## DRAWINGS AND IMAGERY

## **Site Location Plan:**



## Proposed Site Layout:



### Proposed phasing plan:



### Proposed Elevations:



## Proposed Landscaping:



1.0

## Characteristics of the Site and Area

- 1.1 The site is located at St Teresa's GAC, 2 Glen Road Heights, Belfast. The site encompasses playing fields, an existing clubhouse, a nursery and is enclosed with fencing.
  - 1.2 The site is approximately 4.1 hectares (ha) in size and relatively flat. It is bounded with residential development to the southeast, southwest (as well as the Holy Spirit Church) and northwest of the site. There is open space to the northeast and north of the site. The land surrounding the site rises to the northwest. The immediate site boundaries are characterised by fencing and vegetation.
  - 1.3 The clubhouse, nursery and area for car parking lie to the south of the site adjacent to the entrance. In dBMAP 2015, the site is zoned as an Area of Existing Open Space designated, with a very small area of car parking as undefined white land. In dBMAP (v2004), the southern half of the site is designated as an Area of Existing Open Space, whereas the northern half is unzoned white land. The land is unzoned white land in Belfast Urban Area Plan (2001) BUAP.

1.4	<p><b>Description of Proposed Development</b></p> <p>The application seeks full planning permission for a proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 3G training pitch with integrated ball walls. Proposed annex building with club store and matchday shop. Site works include increased parking, fencing, catch nets, floodlighting, dugouts, paths, and other associated amenities.</p>
2.0	<p><b>Relevant Planning History</b></p> <p>2.1</p> <ul style="list-style-type: none"> <li>- Z/1991/2146 – Construction of clubhouse and provision of car park and playing fields – Permission granted 11/04/91</li> <li>-</li> <li>- Z/1995/2628 – Extension to existing clubhouse building to provide changing room accommodation. – Permission Granted 27/09/95</li> <li>- Z/2014/0209/F – Erection of modular building and associated site works (daycare facility)- Permission Granted 11/08/14</li> </ul> <p>2.2</p> <p>Since the proposal falls under the category of Major development, Pre-Application Community Consultation (PACC) was necessary and a Proposal of Application Notice (LA04/2022/1940/PAN) was submitted to set out the applicant's proposals for the consultation. The resulting PACC report submitted with the planning application states that 18 people attended the public event, with feedback as "overwhelmingly positive". Some questions were raised at the event relating to proposed floodlighting, amount of space allocated to the storage of sports equipment and traffic. Each of these issued were addressed within Section 5 of the PACC.</p>
3.0	<p><b>PLANNING POLICY</b></p> <p>3.1</p> <p><b>Development Plan – Plan Strategy</b></p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1 – Growth Strategy  Policy SP1A – managing growth and supporting infrastructure delivery  Policy SP2 – Sustainable development  Policy SP3 – Improving health and wellbeing  Policy SP5 – Positive placemaking  Policy SP6 – Environmental resilience  Policy SP7 – Connectivity  Policy SP8 – Green and blue infrastructure network</p> <p><i>Operational Policies:</i></p> <p>Policy DES2 – Masterplanning approach for major development  Policy CI1 – Community Infrastructure  Policy OS5 – Intensive sports facilities  Policy OS7 – Floodlighting</p> <p>Policy ENV1 – Environmental quality</p>

	Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS)  Policy HC1 – Promoting healthy communities Policy BH5 – Archaeology  Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources  Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements
3.2	<b><u>Supplementary Planning Guidance</u></b>  Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Planning and Flood Risk
3.3	<b>Development Plan – zoning, designations and proposals maps</b> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
3.4	<b>Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
3.5	<b>Other Material Considerations</b> Belfast Agenda (Community Plan) Promoting Healthy Communities Technical Advice Note 1

4.0	<b>CONSULTATIONS AND REPRESENTATIONS</b>
4.1	<p><b>Statutory Consultees</b></p> <p>DFI Roads – No objection subject to conditions.  NI Water – No objection subject to conditions.  DfI Rivers – Awaiting final comments  DfC HED – No objection.  DAERA – No objection subject to conditions.</p>
4.2	<p><b>Non-Statutory Consultees</b></p> <p>Environmental Health – No objection subject to conditions.  BCC Landscape and Development – No objection.  BCC Tree Officer - No objection subject to conditions.  Shared Environmental Services (SES) – Awaiting final comments.</p>
4.3	<p><b>Representations</b></p> <p>The application has been advertised in the newspaper and neighbours notified. A total of 14 representations were received have been received from local residents, raising the following issues (summarised):</p> <ul style="list-style-type: none"> <li>• Out of character for residential area</li> <li>• Noise</li> <li>• Traffic and parking</li> <li>• Access for emergency vehicles</li> <li>• Floodlighting</li> <li>• Impact on children's health and safety</li> <li>• Impact on mental health</li> <li>• Loss of green space and views</li> <li>• Impact on wildlife and biodiversity</li> <li>• No community consultation</li> <li>• Overdevelopment</li> <li>• Air pollution</li> <li>• Blocking natural light</li> </ul> <p>A number of representations stated they were opposed to the proposal but did not outline specific reasons why.</p>
5.0	<b>PLANNING ASSESSMENT</b>
	<p><b>Main Issues</b></p>
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of the proposed use</li> <li>• Impact on the character and appearance of the area</li> <li>• Impact on amenity</li> <li>• Open space</li> <li>• Access and transportation</li> <li>• Climate change</li> <li>• Health impacts</li> <li>• Wastewater Infrastructure</li> </ul>

	<ul style="list-style-type: none"> <li>• Flood Risk</li> <li>• Environmental protection</li> <li>• Impact on Built Heritage</li> <li>• Impact on Natural heritage</li> <li>• Trees</li> </ul>
	<b>Development Plan Context</b>
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 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.
5.5	<b><u>Operational Policies</u></b> The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.
5.6	<b><u>Proposals Maps</u></b> 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 (“Departmental Development Plan”), 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	<b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “white land” within the development limit.
5.8	<b>Draft Belfast Metropolitan Area Plan 2015 (2004 &amp; 2014)</b> –In dBMAP 2015, the site is zoned as an Area of Existing Open Space designated, with a very small area of car parking as undefined white land. In dBMAP (v2004), the southern half of the site is designated as an Area of Existing Open Space, whereas the northern half is unzoned white land.

5.9	<p><b>Principle of Development</b></p> <p>The site is located within the development limit in the BUAP 2001 and both versions of dBMAP 2015. Given the proposal retains recreational use and seeks to extend this, the use of the site has already been established.</p>
5.10	<p>The proposal seeks to extend the existing clubhouse, formalise the existing car parking area and add a 3G training pitch adjacent. This is proposed in the existing car parking area as well as part of one of the existing sports pitches. Two pitches are proposed directly adjacent to this area extending in a NE direction (where the existing large pitches are currently); a GAA grass football pitch and a smaller GAA grass training pitch.</p>
5.11	<p>As stated previously the site is un-zoned “white land” in the BUAP and includes Existing Open Space in both versions of BMAP.</p>
5.12	<p>The proposal does result in a net loss of open space - approximately 7% of the site. The predominant use is for recreation and the proposal seeks to complement the existing recreational use in terms of extending the facilities it is considered in accordance with the requirements of Policy OS1. The principle of use is therefore acceptable.</p>
	<p><b>Impact on the character and appearance of the area</b></p>
5.13	<p>Policy OS5 (intensive sports facilities) details criteria which the development for intensive sports facilities must meet within development limits. In general, buildings and structure should be designed to a high standard, be of a scale appropriate to the local area or townscape and be sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment.</p>
5.14	<p>Concerns were raised by objectors that the proposal would result in a loss of their view of the landscape nearby however it is considered that the proposed pitches would have a negligible visual impact on the locality. Public views of the surface would read as green space/playing surface. The associated fencing and in particular floodlights would have a greater visual impact. Public views of such structures would largely be limited to near distance views from Colinwell Grove and Glen View Heights. New trees are proposed on both of these boundaries however which will aid integration.</p>
5.15	<p>The extension to the clubhouse will have no greater visual impacts than the existing building on site. All buildings and structures are of a scale and character that would be reasonably expected at a sports facility. The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. On balance, the proposal would not result in adverse visual impacts.</p>
	<p><b>Impact on Amenity</b></p>
5.16	<p>Policy CI1 relating to community infrastructure expresses that the Council will seek to protect and provide development opportunities for community health and leisure among other facilities based on local need. The application has attracted objections on grounds that the proposal would detrimentally impact amenity due to noise and light disturbance. Policies OS5 and OS7 require consideration of these issues. Policy OS5 (intensive sports facilities) requires proposals to ensure there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated. Policy OS7 (floodlighting) similarly ensures there is no unacceptable impact on visual</p>

	amenity, character, natural or built heritage interests and that public safety is not impacted.
5.17	In assessing these impacts, Environmental Health (EH) has been consulted with noise and lighting assessments submitted by the applicant. Environmental Health Officers also engaged directly with consultants and additional information was submitted throughout the assessment. In relation to floodlights, EH has no objection subject to very specific conditions preventing the operation of the floodlights at sensitive times for nearby residents as well as conditioning the submission of an Artificial Obtrusive Light Verification report prior to the operation of the floodlighting. This must be in compliance with guidance published by the Institute of Lighting Professionals (ILP). These Conditions are detailed in Section 7.0 Draft Conditions.
5.18	With regard to noise, EH has informally indicated conditions to be included should approval be granted. A number of these relate to usage of the floodlighting to control cumulative noise impact in the evenings. Times of usage of the clubhouse, as well as amplified music etc will also be conditioned in order to protect residential amenity against adverse noise impact.
5.19	There should be no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated.
<b>Open Space</b>	
5.20	Policy OS1 sets out a presumption against the loss of open space. The policy provides for exceptions where the loss of open space is justified subject to demonstration that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area. Para 10.1.15 of the justification and amplification of Policy OS1 states that such exceptions take account of other benefits that new development may bring, including reinvestment in the remaining facilities, provision of alternative facilities and other mitigating factors.
5.21	The proposal will result in the loss of approximately 2600m <sup>2</sup> of green space, which is approximately 7% of the overall site, albeit that there is additional green space outwith the red line of the development. The proposal's small footprint in relation to the facility as a whole will not negatively impact the availability of open space.
5.22	Officers are therefore satisfied that on balance, the loss of open space would not result in detriment to the overall green infrastructure provision. There would be no adverse landscape or biodiversity impacts, and the proposal would have minimal impact on SuDS given the large areas of surrounding grassed open space. In addition, a condition is recommended to require the incorporation of additional SuDS measures in the design of the building and landscaping. The proposal is also consistent with the strategic aims of the Plan Strategy to improve health and wellbeing under Policy SP3. For these reasons, whilst the proposal is contrary to Policy OS1, the proposal is acceptable.
5.23	Policy OS5 relating to intensive sports facilities states that planning permission will be granted for the provision of new and extended intensive sports facilities where it is located within settlement limits, is accessible and there are no unacceptable impacts on the amenity of people living near-by.
5.24	The proposal complies with this policy, it is located within an accessible location within a settlement and will not impact on the amenity of near-by residents as for the reasons

	<p>previously stated.</p> <p><b>Access and transportation</b></p> <p>5.25 The scale of development and transport implications of the proposal were assessed by DFI Roads and considered to be acceptable. Car parking is proposed adjacent to the entrance to the site between the clubhouse and proposed 3G pitch. The existing car park is somewhat informal with no spaces delineated. There are 73 spaces in total proposed, 4 of which are for disabled parking.</p> <p>5.26 The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN6, and TRAN 8. Transportation considerations in the SPPS are set out at pages 106-110. Policy requirements essentially repeat the provisions of the Pan Strategy and accordingly no conflict arises.</p> <p><b>Climate change</b></p> <p>5.27 Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposed extension to the clubhouse displays zinc cladding and roofing as an external material. The Climate Change Statement submitted states as a material this requires much less energy to produce than other traditional materials such as aluminium for example. At the end of its life it can be completely recycled also. It is also the intention of the Club to install PV panels in the future for energy saving.</p> <p>5.28 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. A condition will be included with regards to SUDS detailed above. The proposal naturally includes large areas of open green space and landscaping and therefore complies with Policy ENV5.</p> <p><b>Health Impacts</b></p> <p>5.29 Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods. The site is highly accessible and will provide an excellent community infrastructure that will help contribute to the health and wellbeing of the community over a long-term basis. The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><b>Wastewater infrastructure</b></p> <p>5.31 Policy SP1A requires that necessary infrastructure is in place to support new development. NI Water initially recommended the proposal be refused due to network capacity issues. They highlighted the downstream catchment is constrained by overloaded sewage infrastructure. Following engagement with the Applicant and NI Water, a phasing plan was submitted and forwarded to NI Water for comment. The plan shows the proposal to be constructed in 2 phases. The extension to the clubhouse and</p>
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	<p>car parking arrangements fall within Phase 2, with the rest of the development delivered as Phase 1. NI Water have agreed to this approach and this will be conditioned accordingly. The floodlighting and pitches will have no impact on foul drainage capacity meaning Phase 1 is acceptable, however Phase 2 (comprising the extension and refurbishment of the existing building) shall not be brought into use until a scheme of wastewater network engineering works, designed to mitigate the identified foul capacity issues has been approved in writing by the Council (in consultation with NI Water), implemented in full, and is operational.</p>
5.32	<p>DAERA: Water Management Unit (WMU) also highlighted concerns with respect to sewage disposal and suggested this should be agreed in writing with NI Water or a Consent to Discharge granted prior to commencement of development. They noted the most recent response from NI Water also.</p>
5.33	<p>WMU noted further advice for the Applicant relating to surface materials and the installation of an oil / petrol interceptor to prevent oil from the vehicle park areaa leaving the site. It has been noted on plans as well as supporting information the pitch surface materials will be of a natural crumb. A 3G Infill Management Plan was submitted alongside this information and forwarded to both DAERA and SES for comments. DAERA have no objections, and at the time of writing SES comments are outstanding Delegated authority is sought to resolve a final response.</p>
	<p><b>Flood Risk</b></p>
5.34	<p>The site does not lie within the 1 in 100-year climate change fluvial event or 1 in 200-year climate change coastal flood plain. A portion of the site lies within an area of predicted pluvial flooding. A Drainage Assessment was submitted in support of the proposal however the Pre-Development Enquiry from NI Water was not included. This has since been forwarded to DfI Rivers and at the time of writing their comments are outstanding. Delegated authority is sought to resolve a final response.</p>
	<p><b>Environmental Protection</b></p>
5.35	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and odour impacts. EHO have no objection to the proposal subject to Conditions relating to noise as detailed before, but they have also suggested a Condition relating to Air Quality. In the event that any substantial centralised combustion sources (generators, boilers, CHP or biomass) are proposed as part of this development an Air Quality Assessment shall be submitted and agreed in writing with the Council.</p>
	<p><b>Impact on Built/Archaeological Heritage</b></p>
5.36	<p>Policy BH5 relates to archaeological considerations. Enclosure ANT 060:060 is noted by Historic Environment Division (Historic Monuments) to be located in the vicinity of the application site. DfC HED is content this enclosure would not be harmed, offering no objection to the proposal. The proposal is considered compliant with Policy BH5, and relevant provisions of the SPPS.</p>
	<p><b>Impact on Natural heritage</b></p>
5.37	<p>Policy NH1 relates to the protection of natural heritage resources. Whilst acknowledging receipt of the Preliminary Ecological Appraisal, Biodiversity Checklist and all information</p>

	<p>relating to floodlighting, DAERA: Natural Environment Division (NED) stated they had no concerns regarding the proposed development having a significant impact on bats and other natural heritage interests.</p>
5.38	<p>It is noted within the ecological information that the site is located within proximity to a small watercourse which could provide hydrological connection to designated sites outwith the application site. NED have included a recommended condition that during construction, a buffer of at least 10m must be established and maintained between the stream and the location of all refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc.</p>
5.39	<p>NED noted that a large stand of Japanese Knotweed was recorded by the ecologist, close to the northeast boundary. The applicant's attention is drawn to Article 15 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence for any person to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9 of the Order, which includes Japanese Knotweed. NED advise that the mitigation measures proposed in section 4.1 of the PEA are implemented and recommend an invasive species management plan is developed to eradicate the invasive species.</p>
5.40	<p>The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.</p>
	<p><b>Trees</b></p>
5.41	<p>In order to help comply with Policy TRE1 and secure a net gain in tree cover within the site for future years, a proposed detailed landscaping has been submitted as part of the application. 65 x proposed trees are to be planted throughout the site including acer, alder, birch, cherry, oak, rowan and lime which when established in size and shape will offer amenity value within the context of the site and surrounding area. 37 young conifer (scots pine) whips are also proposed with hawthorn, native woodlands planting and amenity grass around the pitch also help contribute to the landscaping features. Trees to be retained shall be protected using tree protective fencing to prevent root and trunk damage during the construction phase of the proposal.</p>
5.42	<p>A landscape management and maintenance plan has also been submitted which sets out the landscape approach to show how existing and proposed landscaping features will be monitored to promote landscaping within the site which offers amenity value and promote opportunities for local biodiversity and wildlife to thrive within the site.</p>
5.43	<p>The Council's Tree Officer was consulted and provided feedback throughout the assessment. They responded with no objections subject to conditions should approval be granted. The proposal is considered compliant with TRE1 of the Plan Strategy.</p>
	<p><b>Pre-Application Community Consultation</b></p>
5.44	<p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application. Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in October 2022 (LA04/2022/1940/PAN) and confirmed by the Council as acceptable.</p>

5.45	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received.
5.46	The resulting PACC report submitted with the planning application states that 18 people attended the public event, with feedback as “overwhelmingly positive”. Some questions were raised at the event relating to proposed floodlighting, amount of space allocated to the storage of sports equipment and traffic. Each of these issued were addressed within Section 5 of the PACC. The PACC report is considered compliant with the legislative requirements.
<b>6.0</b>	<p><b>Recommendation</b></p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>All representations and associated issues have been fully considered in the assessment of the proposal.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including the further consultation response from DfI Rivers Agency and Shared Environmental Services, provided that the issues are not substantive.</p>
7.0	<p><b>Draft Conditions</b></p> <ol style="list-style-type: none"> <li data-bbox="382 1170 1462 1237">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.</li> <li data-bbox="382 1327 1462 1462">2. The floodlighting lighting scheme for the development hereby permitted shall be installed in accordance with the design submitted in the Musco Lighting report titled: 'Illumination Summary', file #225102G, dated 14-Oct-2025, uploaded on the planning portal on the 16th December 2025. Reason: To safeguard the amenities of the area.</li> <li data-bbox="382 1551 1462 1911">3. Prior to the operation of the flood lighting for the development hereby permitted, an Artificial Obtrusive Light Verification report shall be submitted to the Council for review and approval in writing. The report shall demonstrate that the lighting scheme has been installed in accordance with the approved design and shall verify that all artificial floodlighting connected with the development has been measured and/or determined and confirmed not to result in exceedance of the vertical illuminance (Lux) limits and intensity levels for Environmental Zone 3 at the windows of habitable room of the nearest residential properties as stipulated in the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01/292020. Reason: To safeguard the amenities of the area.</li> </ol>

4. Floodlighting to both the hereby approved 3G pitch and main grass pitch shall only be operational simultaneously up until 20:15hrs with just one set operational up until 21:15hrs Monday to Saturday.
- Reason: To safeguard the amenities of the area.
5. Floodlighting to both the hereby approved 3G pitch and main grass pitch shall only be operational simultaneously up until 18:15hrs on a Sunday and with just one set operational up until 19:15hrs.
- Reason: To safeguard the amenities of the area.
6. At all other times of the year when floodlighting is not required to be operational, the hereby approved 3G pitch and main grass pitch shall only be permitted to be in use simultaneously up until 20:00hrs Monday to Saturday and up until 19:00hrs on Sundays.
- Reason: To safeguard the amenities of the area.
7. Unless otherwise approved, the playing of amplified music shall not be permitted in the hereby approved extended clubhouse areas.
- Reason: To safeguard the amenities of the area.
- The clubhouse hereby approved shall not be permitted to operate between the hours of 23:00-07:00hrs.
- Reason: To safeguard the amenities of the area.
8. The rating level (dB<sub>LA</sub>,T) from the operation of all combined plant and equipment must not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.
- Reason: To safeguard the amenities of the area.
9. Commercial collections from and deliveries to the hereby approved clubhouse shall not be permitted between the hours of 23:00-07:00hrs.
- Reason: To safeguard the amenities of the area.
10. Windows and doors to the gym and fitness areas must be kept shut when in operation.
- Reason: To safeguard the amenities of the area..
11. Prior to operation of the development hereby permitted, the fence panels for around the pitches on site shall be constructed and installed to include the specified noise resilient fixings in accordance with the drawing titled: 'Pitch Fencing and Dugouts, Rev C' planning drawing. The fencing shall be retained and maintained thereafter in accordance with the approved plans.
- Reason: To safeguard the amenities of the area.

12. In the event that any substantial centralised combustion sources (generators, boilers, CHP or biomass) are proposed as part of this development and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service may request that an Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and it must demonstrate that there will be no exceedances of Air Quality Strategy objectives at relevant human receptor locations

Reason: In the interests of air quality.

13. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Environmental Construction Management Plan has been submitted to and approved in writing by the Council. The Final Environmental Construction Management Plan shall include measures to control noise, dust and vibration during the demolition / construction phase, demonstrating the use of 'best practicable means'. The CEMP shall demonstrate that noise and vibration levels will not have an adverse impact on nearby premises (including commercial premises). The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites' part 1: Noise and part 2: Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.2', dated August 2023. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Final Environmental Construction Management Plan.

Reason: To safeguard the amenities of the area. Approval is required upfront because construction works have the potential to harm the amenities of the area.

14. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.

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

15. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.

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

16. In accordance with the approved Phasing Plan, no development within Phase II shall commence until a wastewater network engineering solution to

	<p>mitigate the downstream foul capacity issues is submitted to and approved in writing by the Council..</p> <p>The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure a practical solution to sewage disposal from this site</p> <p>17. During construction a buffer of at least 10m must be established and maintained between the stream along the north-eastern boundary and the location of all refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. Storage must be on an impermeable surface to catch spills.</p> <p>Reason: To protect the aquatic environment</p> <p>18. 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.</p> <p>Reason: In the interests of visual amenity</p> <p>19. All landscaping works shall be carried out in accordance with approved details on drawing no 11D, published on 25<sup>th</sup> July 2025 on the Public Planning Portal. 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.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>20. 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 &amp; 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.</p> <p>Reason: To safeguard existing trees in the interests of visual amenity.</p> <p>21. 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.</p> <p>Reason: Reason: To safeguard existing trees in the interests of visual amenity.</p>
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	<p>22. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.</p> <p>Reason: To ensure sustainable drainage of the development. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p>

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<b>Development Management Report</b>	
<b>Committee Date:</b> 17 <sup>th</sup> February 2026	
<b>Application ID:</b> LA04/2025/1896/F	
<b>Proposal:</b> Proposed mixed use development comprising of 77 No. social housing units (mix of 26 dwellings and 51 apartments) and a new children's centre, car parking, landscaping, open space, access and all associated site works including the installation of a new substation. (amendment to planning permission ref: LA04/2024/0122/F)	<b>Location:</b> Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG
<b>Referral Route:</b> Application for Major development	
<b>Recommendation:</b> Approval subject to conditions and Section 76 planning agreement	
<b>Applicant Name and Address:</b> Newpark Developments (NW) Ltd 72-74 Omagh Road Dromore, Co. Tyrone BT783AJ	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<b>Date Valid:</b> 19 <sup>th</sup> November 2025	
<b>Target Date:</b> 4 <sup>th</sup> June 2026	
<b>Contact Officer:</b> Ciara Reville, Principal Planning Officer (Development Management)	
<b>Executive Summary:</b>  The application seeks full planning permission for mixed use development comprising of 77 No. social housing units (mix of 26 dwellings and 51 apartments) and a new children's centre, car parking, landscaping, open space, access and all associated site works including the installation of a new substation. (amendment to planning permission ref: LA04/2024/0122/F).	
Application LA04/2024/122/F was presented and approved by Planning Committee I December 2024. The key difference between applications is the amalgamation of apartment block A and the children centre to create an additional 15 apartment units; all other housing units and apartment blocks B & C remain unchanged.	
The key issues for consideration of the application are set out below.	
<ul style="list-style-type: none"> <li>• Principle of housing and community facility in this location</li> <li>• Housing density</li> <li>• Affordable housing</li> </ul>	

- Housing mix
- Adaptable and accessible accommodation
- Design and placemaking
- Public realm
- Impact on heritage assets
- Climate change
- Residential quality and impact on amenity
- Open space
- Access and transport
- Health impacts
- Environmental protection
- Flood risk and drainage
- Section 76 planning agreement
- Pre-application Community Consultation

The site is within the settlement limits for the city and un-zoned “white land” within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).

The site is a suitable location for housing being within a generally residential area; the proposal would make effective use of previously developed land; i.e. site of a former school/college building.

The height, scale and massing of the proposed buildings are in keeping with the surrounding area.

The proposal would provide dedicated in-curtilage and off-street parking, the site is in a highly sustainable location with access to public transport.

NIHE is supportive of the social housing proposals. Statutory and Non-statutory consultees in general support for proposal.

Currently awaiting comments from Environmental Health, given previous comments from EH for approval LA04/2024/0122/F it is not considered there will be any significant concerns that cannot be overcome via planning conditions.

No third-party objections have been received.

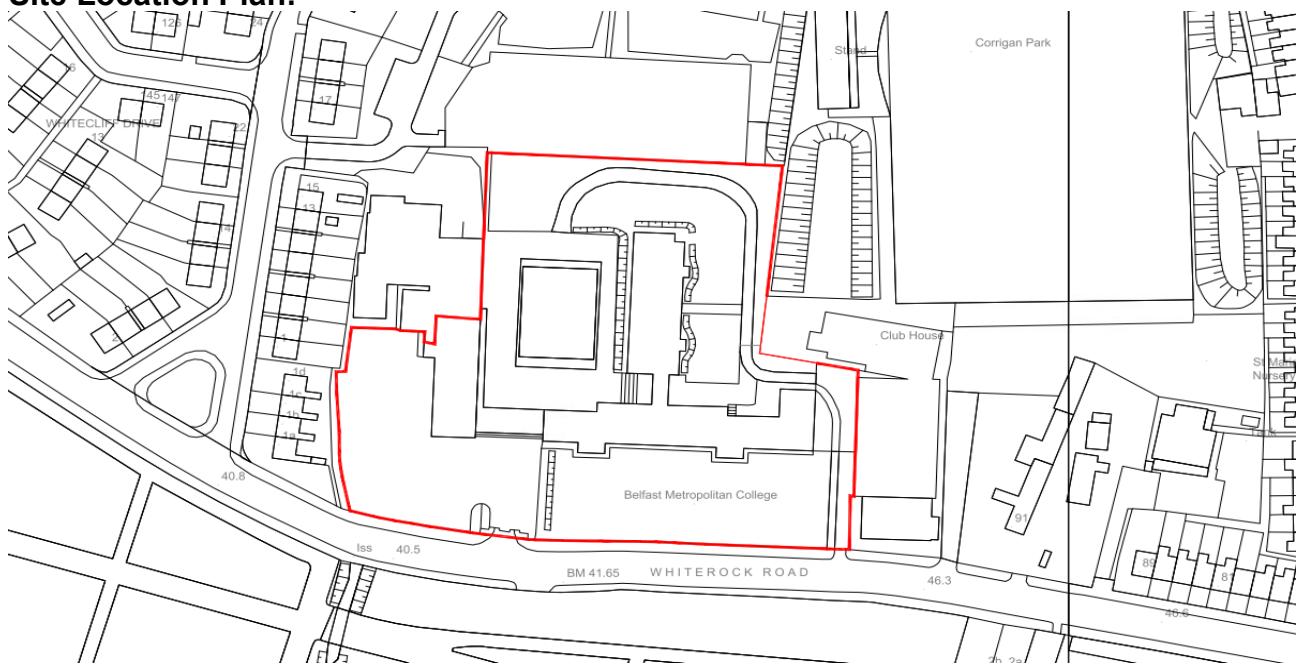
### **Recommendation**

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

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, deal with Environmental Health’s outstanding consultation, finalise the Section 76 planning agreement and deal with any other issues that arise, provided the issues are not substantive.

## DRAWINGS AND IMAGERY

### Site Location Plan:



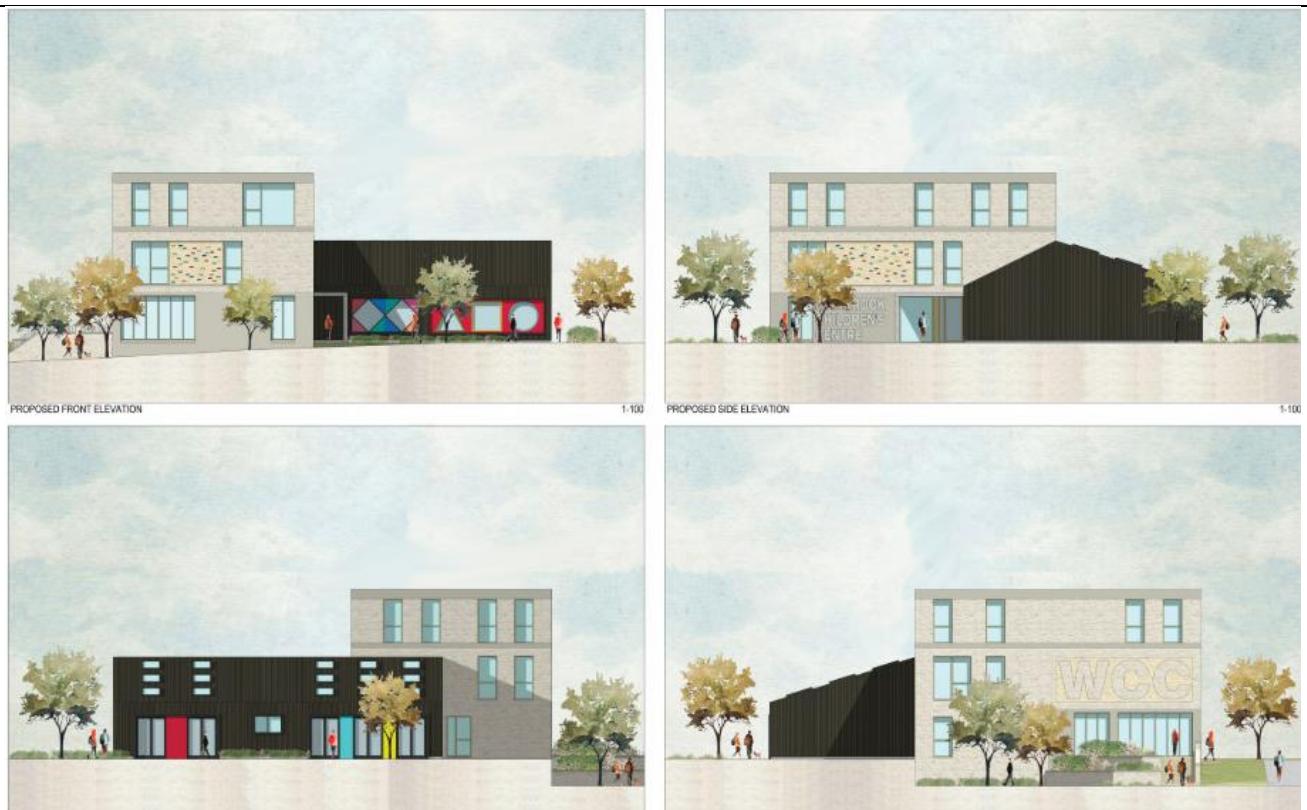
### Proposed site layout as approved under LA04/2024/0122/F:



## Proposed site layout



Proposed children centre elevation as approved under LA04/2024/0122/F:



**Proposed Apartment block A elevations as approved under LA04/2024/0122/F:**



**Children centre and Block A as proposed**



PROPOSED FRONT ELEVATION

1-100



PROPOSED SIDE ELEVATION

1-10



**Proposed Apartment block B elevations:**



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



**Proposed Apartment block C elevations**



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



**Proposed house type A & B**



1.0	<b>Characteristics of the Site and Area</b>
1.1	The site is a former school and college, which consisted of two buildings, one containing the Whiterock Childrens Centre on the eastern portion of the site and the other building is a boxing club on the western portion. The topography of the site has two distinct levels with the children centre occupying the higher area. Given the previous use of the site, there is a substantial steel fence enclosing the site. The surrounding character is mixed, consisting of residential, community infrastructure and a large cemetery on the opposite side of the Whiterock Road (to the south of the site). Demolition construction works have commenced under the previously approved scheme.
1.2	<b>Description of Proposed Development</b> The application seeks full planning permission for mixed use development comprising of 77 No. social housing units (mix of 26 dwellings and 51 apartments) and a new children's centre, car parking, landscaping, open space, access and all associated site works including the installation of a new substation. (amendment to planning permission ref: LA04/2024/0122/F).
2.0	<b>PLANNING HISTORY</b>
2.1	LA04/2025/0887/PAN Proposed mixed use development comprising of 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 (amendment to planning permission LA04/2024/0122/F).  LA04/2024/0122/F 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.

	<p>Application discussion (PAD) and Proposal of Application Notice (PAN):  LA04/2022/0965/PAD - Mixed used development, 61 social housing units, children's centre, car parking, landscaping, open space and associated site works. PAD concluded  LA04/2023/2658/PAN Proposed mixed use development comprising of c. 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and associated site and access works.</p>
<b>3.0</b>	<p><b>PLANNING POLICY</b></p> <p><b>3.1</b></p> <p><b>Development Plan – Plan Strategy</b></p> <p><u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery  Policy SP2 – sustainable development  Policy SP3 – improving health and wellbeing  Policy SP5 – positive placemaking  Policy SP6 – environmental resilience  Policy SP7 – connectivity  Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>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</p> <p>Policy DES1 – Principles of urban design  Policy RD1 – New residential developments  Policy CI1 – Community Infrastructure  Policy BH1 – Listed Buildings  Policy BH5 – Archaeology  Policy HC1 – Promoting healthy communities  Policy TRAN1 – Active travel – walking and cycling  Policy TRAN 2 – Creating an accessible environment  Policy TRAN4 – Travel plan  Policy TRAN6 – Access to public roads  Policy TRAN8 – Car parking and servicing arrangements  Policy ENV1 – Environmental quality  Policy ENV2 – Mitigating environmental change  Policy ENV3 – Adapting to environmental change  Policy ENV4 – Flood Risk  Policy ENV5 - Sustainable drainage systems (SuDS)  Policy GB1 – Green and blue infrastructure network  Policy OS3 - Ancillary open space</p> <p><b>3.2</b></p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix  Residential Design</p>

	<p>Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p> <p><b>3.3 Development Plan – zoning, designations and proposals maps</b> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>3.4 Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) (2<sup>nd</sup> Edition 2025)</p> <p><b>3.5 Other Material Considerations</b> Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<b>4.0</b>	<b>CONSULTATIONS AND REPRESENTATIONS</b>
4.1	<p><u>Statutory Consultees</u></p> <p>DFI Roads – No objection, subject to conditions. DFI Rivers Agency – No objection NIEA – No objection NI Water – No objection NIHE – Supports the proposal for social housing.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>BCC Urban Design – Generally supportive. Concerns over location of open space. Environmental Health – awaiting comments BCC Landscape and Development team – Supports the proposal, content with landscape management report, tree planting and outdoor gym.</p>
4.3	<p><u>Representations</u></p> <p>The application has been advertised in the press and neighbours notified. No third-party representations have been received</p>
<b>5.0</b>	<b>PLANNING ASSESSMENT</b>
5.1	<p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of housing and community facility in this location</li> <li>• Housing density</li> <li>• Affordable housing</li> <li>• Housing mix</li> <li>• Adaptable and accessible accommodation</li> <li>• Design and placemaking</li> <li>• Public realm</li> </ul>

	<ul style="list-style-type: none"> <li>• Climate change</li> <li>• Residential quality and impact on amenity</li> <li>• Open space</li> <li>• Access and transport</li> <li>• Health impacts</li> <li>• Environmental protection</li> <li>• Flood risk and drainage</li> <li>• Waste-water infrastructure</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul>
	<p><b>Development Plan Context</b></p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
	<p><b><u>Operational Policies</u></b></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1.</p>
	<p><b><u>Proposals Maps</u></b></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
	<p><b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “white land”.</p>
	<p><b>Belfast Metropolitan Area Plan 2015 (v2004)</b> – the site is un-zoned “white land” within the settlement limits</p>
	<p><b>Belfast Metropolitan Area Plan 2015 (v2014)</b> – the site is un-zoned “white land” within the settlement limits.</p>

	<p><b><u>Principle of housing and community facilities in this location</u></b></p> <p>5.7 Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the 'rest of Belfast city' and 2,000 windfall homes. The proposal is located within a previously developed site (windfall) within 'rest of Belfast city'.</p> <p>5.8 Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <p>5.9 <b>The site is suitable for housing</b> – the site is a sustainable location and considered suitable in principle for housing.  <b>The location is accessible and convenient to public transport and walking cycle infrastructure</b> – the site is close to cycling / walking routes and is highly accessible to shops, services, amenities and public transport.  <b>Provision is made for any additional infrastructure required as a result of the development</b> – suitable infrastructure is in place.</p> <p>5.10 The proposal is for social housing in the form of two storey semi detached housing and apartment blocks. The proposal will provide quality housing that will add to the variety of housing stock offered in this location.</p> <p>5.11 The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p> <p>5.12 The provision of a Children's Centre is also part of the proposal. There is an existing Children's Centre within the application site. Provision of community facilities are considered in accordance with policy CI1. Policy CI1 states that all proposals shall ensure there is no unacceptable impact on residential amenity or natural / built heritage and satisfactory arrangements are provided for access for all, including pedestrians, cyclists and public transport. All of these issues will be discussed later in the report.</p> <p><b><u>Housing density</u></b></p> <p>5.13 Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p> <p>5.14 The proposal is for 77 dwelling units in a location where the average density should be 25-125 dwellings per hectare (ha). The site area is 1.33 ha therefore the proposed development equates to a density of 58 dwellings per ha, compliant with Policy HOU4.</p> <p><b><u>Affordable housing</u></b></p> <p>5.15 Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p> <p>5.16 In this case, the application is seeking planning permission for solely social rented housing exceeding the minimum of 20%. To this regard, the proposed tenure for the application is a 100% social rented housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.12 of the SPG states that larger mono-tenure schemes may be considered having regard to the following considerations:</p>
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	<ul style="list-style-type: none"> <li>• <i>The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i></li> <li>• <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing;</i></li> <li>• <i>Whether a scheme is proposed as 'shared housing'</i></li> </ul>																					
5.17	Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast, <i>'this proposed development is located within Inner West Belfast Housing Need Area which has an unmet need of 1,143 social housing units for the 2023-28 period. At June 2024 there were 1,136 households in Housing Stress'</i> .																					
5.18	However, turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. Nevertheless, regard is had to the strong support for the proposal from NIHE and the largely supportive response from the local community for affordable housing during the pre-application community process. Having regard to the above, on balance, the proposed mono-tenure housing is acceptable.																					
	<p><b><u>Housing mix</u></b></p>																					
5.19	Policy HOU6 applies. It requires that provision should be made for a suitable mix of house types and sizes to promote choice and assist in meeting community needs. Provision should particularly be made for smaller homes across all tenures to meet future household requirements. The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of: <ul style="list-style-type: none"> <li>• Up to date analysis of prevailing housing need in the area;</li> <li>• The location and size of the site;</li> <li>• Specific characteristics of the development; and</li> <li>• The creation of balanced and sustainable communities.</li> </ul>																					
5.20	The proposed housing mix is shown in the table below.																					
	<table border="1"> <thead> <tr> <th>House Type Group</th> <th>Total</th> <th>Size (Sqm)</th> </tr> </thead> <tbody> <tr> <td>5 Person, 3 Bed House</td> <td>8</td> <td>90-95</td> </tr> <tr> <td>3 Person, 2 Bed House</td> <td>18</td> <td>70-75</td> </tr> <tr> <td>5 Person, 3 Bed Apartment</td> <td>3</td> <td>85-90</td> </tr> <tr> <td>3 Person, 2 Bed Apartments</td> <td>44</td> <td>60-65</td> </tr> <tr> <td>2 Person, 1 Bed Apartment</td> <td>2</td> <td>50-55</td> </tr> <tr> <td><b>Total:</b></td> <td><b>77</b></td> <td></td> </tr> </tbody> </table>	House Type Group	Total	Size (Sqm)	5 Person, 3 Bed House	8	90-95	3 Person, 2 Bed House	18	70-75	5 Person, 3 Bed Apartment	3	85-90	3 Person, 2 Bed Apartments	44	60-65	2 Person, 1 Bed Apartment	2	50-55	<b>Total:</b>	<b>77</b>	
House Type Group	Total	Size (Sqm)																				
5 Person, 3 Bed House	8	90-95																				
3 Person, 2 Bed House	18	70-75																				
5 Person, 3 Bed Apartment	3	85-90																				
3 Person, 2 Bed Apartments	44	60-65																				
2 Person, 1 Bed Apartment	2	50-55																				
<b>Total:</b>	<b>77</b>																					
5.21	As shown in the table above, the proposal is for four dwelling types designed to meet a social housing need identified by NIHE within this area of west Belfast. It is therefore considered to accord with the provisions of policy HOU6.																					

	<b><u>Adaptable and accessible accommodation</u></b>
5.22	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments, of 10 units or more, to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet. The applicant has provided acceptable evidence to demonstrate that the proposal is in accordance with criteria a. to f.
5.23	The proposal includes over 10% wheelchair accessible units (8 no. units total). Criteria h. stipulates that in-curtilage or designated car parking meets disabled parking standards. Criterion i. states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. The proposed development comprises amenity areas with associated hard landscaped public realm space; it is considered these areas will be able to accommodate wheelchairs. All surfaces are level or gently sloping. The proposal is considered to be compliant with Policy HOU7.
	<b><u>Design and placemaking</u></b>
5.24	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and RD1 of the LDP: Plan Strategy (PS). Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale, height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.
5.25	Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, (a) to (k). The proposed development is comprised of three distinct elements: a children's centre, 3 storeys apartment blocks and 2 storey housing. The proposal has been designed with the children's centre, and apartment block fronting onto the Whiterock Road creating a strong presence onto the frontage and reflecting the strong presence that the previous school buildings had on the street. two storey housing progressing into the site is reflective of the neighbouring surrounding housing. The design therefore complies with criterion (a) & (b) of policy as it responds positively to the local context and character and reinforces a sense of place. The simplicity of the site layout, the level of enclosures and open space promotes a clear and understandable urban form and creates an adaptable well connected public realm that will offer a welcoming environment for pedestrians. The orientation of the buildings offers a natural surveillance of the public realm within the site. The above measures ensure that criteria (c) to (e) of policy is satisfied.
5.26	Criterion (f) of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. As a residential proposal with a childrens centre, the design provides active frontages which contribute to a vibrant environment throughout the day and evening. Proposals are expected to promote efficient use of land; this is achieved through an appropriate housing density on land previously developed. The uses are considered compatible with the childrens centre accessed from its own separate entrance to the eastern side of the site and the apartments to the western side no conflict will arise.

	<p><b><i>Public realm:</i></b></p> <p>5.27 The proposal is considered to create an adaptable public realm which ties in with the existing area. The proposal incorporates various hard and soft landscaping features, including a community pocket garden, outdoor gym and parklets which also contributes to supporting health lifestyles. The Urban design officer has concerns with the location of open space and its usability for the local residents, advising it is peripheral edge of site location is not convenient or accessible.</p> <p>5.28 Officers are of the opinion that the open space provision is within policy requirements. The comments of the Urban Design officers regarding location of open space is noted, however there are a number of areas of communal open space throughout the development. It is considered each of the apartment blocks are in close proximity to at least one quality area of open space. 49 apartments in total are proposed, with a total provision of amenity space measuring approx. 1450 sqm, equating to an average of 29 sqm per apartment, in excess of the standards set out in <i>Creating Places</i>.</p>
	<p><b><u>Climate change</u></b></p> <p>5.29 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.</p> <p>5.30 The applicant has provided details on the various sustainable design features which will be incorporated in the development. These include highly insulated 125mm cavity walls, air tightness that complies with lifetime home requirements, the orientation of buildings to maximise solar gain and larger windows, where appropriate, to maximise natural lighting to the internal space.</p> <p>5.31 Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet criteria (b) in that the proposal incorporates various hard and soft landscaping elements. Criteria (c) is met as the buildings are located outside of the 1:100 year flood plain and sited on elevated ground with a gradient of the site designed for water run down to prevent possible flooding to dwellings.</p> <p>5.32 Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include the following SuDs measures:</p> <ul style="list-style-type: none"> <li>• Integration of rain gardens and rain butts;</li> <li>• Construction of oversized pipes to service the development;</li> <li>• Permeable or porous paving to allow percolation of surface water</li> <li>• Trees, hedgerows and ornamental planting to manage runoff.</li> </ul> <p>The proposal is considered acceptable having regard to Policy ENV5.</p>
	<p><b><u>Residential quality and impact on amenity</u></b></p> <p>5.33 Policies DES1, and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>

5.34	<p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit and an average of 70 sqm per dwelling house and none below 40sq/m. As noted in para 5.28, the provision of amenity space equates to approx. 29 sqm per apartment (1450 sqm total). It is noted that the largest area of amenity space is located within the western portion of the site (approx. 950 sqm). This area of open space is located adjacent to both blocks B and C, however is located approximately 50 metres from block A. As noted previously, there are several distinct communal amenity areas within the overall site, all closer to block A, therefore the arrangement is considered acceptable.</p>
5.35	<p>The proposed housing for the 2 bedroom units have an average of 49 sqm, none below 40 sqm and the 3 bedroom units have an average of 74 sqm. It is noted the overall average of 57 sqm falls below the <i>Creating Places</i> guidance of 70 sqm. However, as discussed, the proposal also includes a generous provision of shared outdoor amenity space circa 1450 sqm that includes play and seating areas. Officers are content that the provision of both private and public amenity space provides an overall acceptable level of amenity for the proposal.</p>
5.36	<p>The orientation, layout and external design of the proposal has been directly informed by the site's constraints, mainly being its proximity to the Whiterock Road, playing fields and neighbouring housing. The orientation of the apartment blocks A and B, have an outlook in the main towards the Whiterock Road and block C orientated towards the internal access road and parklet. Where the proposed dwellings adjoin the site boundary, the neighbouring land uses are not residential, these being a Youth Centre, Multi-Use Games Area (MUGA) and Corrigan Park. The outlook of the residential units will therefore not impinge on neighbouring amenity. The separation distances between the buildings are common for a residential area ensuring that there is no significant overlooking, loss of light or overshadowing</p>
<p><u>Open space / Landscaping</u></p>	
5.37	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context. The normal expectation for open space provision is at least 10% of the total site area. Furthermore, 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. Planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.</p>
5.38	<p>In this case, the open space proposed within the site is greater than the recommended 10%. The total site area is 11580 sqm; 10% of which equals 1158 sqm. The provision of open space equates to 1482 sqm, accounting for approximately 13% of the overall site. This figure for open space is higher than the total amenity space, as noted in para 5.36, as this figure includes areas of open space which are unlikely to be used for amenity, e.g. areas of landscaping around parking spaces.</p>
5.39	<p>BCC Landscape Planning and Development team have provided comments previously on the proposed landscaping plans, advising of no objection; the previous total open space recorded at 13.7%. Proposed tree species are acceptable, with planting of semi-mature trees helping create an immediate landscape impact, in terms of softening and screening.</p>

	<p><b><u>Access and transport</u></b></p> <p>5.40 The site is a highly accessible location within the city having direct access to the road network and public transport. It is within short walking and cycling distance of shops, services, leisure and employment opportunities. Provision is made for sheltered and secure cycle parking within the site. The proposal accords with Policy TRAN1.</p> <p>5.41 The green travel plan provided with the application will further promote active and sustainable travel. Travel cards will be offered to each residential unit for three years. The developer will also provide the tenants with promotional material advising of sustainable travel measures. This, together with the travel plan and green travel measures, need to be secured by means of a Section 76 planning agreement.</p> <p>5.42 In regard to on-site parking, the housing will be provided with in-curtilage parking and the apartments will have communal parking facilities, both on and off street. The proposal includes provision of 5 no. disabled parking spaces, three within the on-street parking at a rate of one bay per apartment block and one space for each house designed for as wheelchair accessible. The disabled parking provision is less than the number of wheelchair accessible units (7 spaces to 8 units), however it is noted this is not a policy requirement.</p> <p>DFI Roads have no objection to the proposed development, subject to conditions.</p> <p>5.43 Subject to resolution of these issues, the proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN 8.</p> <p><b><u>Health impacts</u></b></p> <p>5.44 Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p> <p>5.45 The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure amenities, playing pitches and a public park. An outdoor gym is proposed to provide further opportunities for exercise and fitness. The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><b><u>Environmental protection</u></b></p> <p>5.46 Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development is currently being assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. Previous comments from EH no issues that could not be controlled via planning conditions; it is considered the situation remains as previous.</p>
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	<u>Contaminated land</u>
5.47	Environmental Health (EH) and NIEA Regulation Unit (RU) were consulted with the information within the Preliminary Risk Assessment and Generic Quantitative Risk Assessment. NIEA RU recommend conditions in the event that planning permission is granted. EH comments are currently awaited. The proposal is therefore considered to accord with Policy ENV1 in this respect.
	<u>Air quality</u>
5.48	EH has previously referred to air quality and offered a condition, should a centralised combustion source be utilised for heating. The proposal is for independent dwelling units and a separate children centre; there is no proposal for a centralised heating system to serve the proposal.
5.49	Additionally, EH has previously confirmed the proposed development is not located within any Air Quality Management Areas and the number of vehicle movements associated with the proposal are anticipated to be below the threshold that could lead to a significant adverse effect on local air quality.
	<u>Noise</u>
5.50	A Noise Impact Assessment was submitted in support of the proposal which is under review.
	<u>Flood risk and drainage</u>
5.51	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions. The proposed development can be considered an exception to policy ENV4, as the overall proposal includes replacement of existing buildings.
5.52	The western boundary of the site is located within a floodplain, specifically the area to the west of the existing boxing club. The proposed development includes an area of open space and car parking spaces within this area. It was recommended within the FRA that those buildings closest to the flood risk area have finished floor levels of 42.4m AOD to the north of the boxing club and 41.43m to the south of the club. These figures are achieved, with the housing to the north being 42.4m and apartment block B to the south having a floor level of 41.75m. A schedule 6 agreement has been confirmed to allow the discharge of surface water in the Ballymurphy stream as currently exists. It has also been expressed that the use of the flood plain as open space grass area can have a positive impact, compared to the current arrangement, with the area in use as a hard surface parking area.
	<u>Waste-water infrastructure</u>
5.53	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has offered no objection to the proposal. It advises that existing public waste-water infrastructure is available to support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. It is proposed that surface water can be discharged into the Ballymurphy

	<p>stream. The proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p> <p><u>Section 76 planning agreement</u></p>
5.54	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> <li>• Social housing – to ensure delivery of the 77 residential units as social rented.</li> <li>• Green travel measures – travel plan; promotional material for tenants and tenancy packs</li> <li>• Employability &amp; skills</li> </ul>
5.55	<p>A draft Section 76 planning agreement has been provided with the application and will be finalised before planning permission is granted.</p> <p><u>Pre-application Community Consultation</u></p>
5.56	<p>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.</p>
5.57	<p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> <li>• Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback;</li> <li>• Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback;</li> <li>• Issued a press notice to highlight information about the proposals and provide notification of the public information event;</li> </ul>
5.58	<p>The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p>
5.59	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
<b>6.0</b>	<b>Recommendation</b>
6.1	<p>The proposal is providing new homes in a highly sustainable location and in an area of high housing need. The proposal would make very effective use of land, a finite resource. The scale, height, massing and design of the building are considered appropriate to the site's context. The approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations.</p>
6.2	<p>It is recommended that planning permission is granted subject to conditions.</p>

6.3	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, provided the issues are not substantive.</p>
7.0	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. 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. This strategy should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>. Reason: Protection of environmental receptors to ensure the site is suitable for use.</li> <li>3. After completing any required remediation works, and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use.</li> <li>4. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been Regulation Unit submitted in writing and agreed with the Planning Authority. The methodology is available at: <a href="https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf">https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf</a> Reason: Protection of environmental receptors to ensure the site is suitable for use.</li> <li>5. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with approved plan published on the</li> </ol>

Planning Portal on 6 November 2025, prior to the commencement of any other works or other development hereby permitted.

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

6. No dwelling shall be occupied until related hard surfaced areas have been constructed in accordance with the approved Plan published on the Planning Portal on 6 November 2025, to provide adequate facilities for parking. These spaces shall be permanently retained.

Reason: To ensure adequate parking in the interests of road safety and the convenience of road users.

7. No apartment shall be occupied until provision has been made for cycle parking in accordance with the approved plan. These facilities shall be permanently retained.

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

8. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays shall be retained and kept clear thereafter.

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

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

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

10. The access gradient(s) shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

11. No part of the development hereby approved shall be occupied or operated unless all redundant access/es from the site to the public road have been stopped up and closed in accordance with the approved plans. The redundant access/es shall be permanently retained as such.

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

12. The development hereby permitted shall not be commenced until any retaining wall / inspection chamber requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG 300 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 CG 300 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

13. No dwelling(s) 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 / the development.)

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling

14. In the event that any substantial centralised combustion sources (generators, boilers, CHP or biomass) are proposed as part of this development and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service may request that an Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and it must demonstrate that there will be no exceedances of Air Quality Strategy objectives at relevant human receptor locations.

Reason: Protection against adverse health effects.

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

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

16. The residential unit/s and Children's Centre 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.

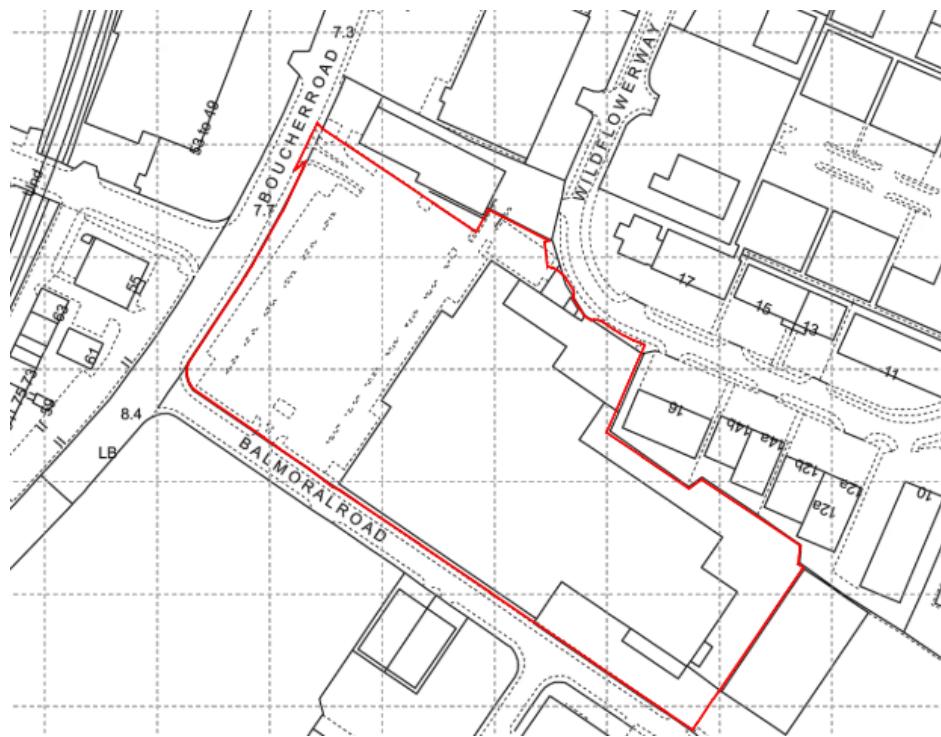
Reason: In the interests of amenity.

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<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2025/2183/F	<b>Date of Committee:</b> 17 <sup>th</sup> February 2026
<b>Proposal:</b> Removal of conditions 14 and 15 from the permission referenced LA04/2024/0714/F (Contamination)	<b>Location:</b> Units 2a and 2b 38 Boucher Road, Belfast, BT12 6HR
<b>Referral Route:</b> Section 54 Removal of Condition of Major Application.	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> R Irwin Norlin Ventures Limited Innovation Centre Queens Road Belfast BT3 9DT	<b>Agent Name and Address:</b> Pragma Planning Scottish Provident Building 7 Donegall Square West Belfast BT1 6JH
<b>Date Valid:</b> 18 <sup>th</sup> December 2025	
<b>Target Date:</b> 16 <sup>th</sup> July 2026	
<b>Contact Officer:</b> Ciara Reville, Principal Planning Officer (Development Management)	
<p><b>Executive Summary:</b></p> <p>The application seeks planning permission for the removal of conditions 14 and 15 of LA04/2024/0714/F as condition 14 is not necessary as no remediation is required. Subsequently condition 15 is not required because it relates to the Verification Report linked to condition 14.</p> <p>The key issue relevant to consideration of the application is:</p> <ul style="list-style-type: none"> <li>• Any issues that may arise from the consultation with BCC Environmental Health who previously suggested the condition.</li> </ul> <p><b>Recommendation</b></p> <p>Having had regard to the development plan, relevant planning policies, and consultation responses it is considered that the removal of the conditions should be approved.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive.</p>	

## Case Officer Report

### Site Location Plan and Site Layout



### Characteristics of the Site and Area

1.0 Description of Proposed Development	
1.1	The application seeks planning permission for the removal of conditions 14 and 15 of LA04/2024/0714/F as they are not necessary.
1.2	<p>Condition 14 of LA04/2024/0714/F states:</p> <p><i>No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Detailed Remediation Strategy has been submitted to and approved in writing by the Council. The Detailed Remediation Strategy shall consider the RPS Group Plc report entitled '38 Boucher Road, Belfast, Remedial Strategy Report, HCT-00916, Remedial Strategy Report, 38 Boucher Road, Belfast, 1.0, November 2024' and the RPS Ireland Ltd report entitled '38 Boucher Road (Former B&amp;Q), Generic Quantitative Risk Assessment Report, HCT00916 38 Boucher Road, GQRA, Final, September 2024'. The Remediation Strategy shall follow current Environment Agency and CIRIA guidance and British Standards and must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.</i></p> <p><i>The development shall not be carried out unless in accordance with the approved Remediation Strategy.</i></p> <p><i>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</i></p>

	<p>The agent has argued that the condition is not necessary as no remediation is required. The supporting information prepared by RSK (dated 29<sup>th</sup> August 2025) demonstrates that no remediation is required and as such the condition is not necessary and does not meet the legal tests for planning conditions.</p> <p>Condition 15 of LA04/2024/0714/F states:</p> <p><i>Prior to occupation or operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Detailed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.</i></p> <p><i>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</i></p> <p>The agent has argued that the condition is not necessary as no remediation is required and hence no Verification Report is required either - conditions 14 and 15 are linked. The supporting information prepared by RSK (dated 29<sup>th</sup> August 2025) demonstrates that no remediation is required hence there can be no requirement for a Verification Report and as such the condition is not necessary and does not meet the legal tests for planning conditions.</p>
<b>2.0 Description of Site</b> 2.1	<p>The building is comprised of the former B&amp;Q retail warehouse on Boucher Road, who operated from the building from 1999 until they terminated their lease in 2016. The building is located on Boucher Road, an area of mixed but mainly retail dominated uses of both comparison and convenience goods. The occupier of the remainder of the building is The Range.</p> <p>2.2 On the northern boundary of the land on which the building is located are a pair of retail warehouses, to the north of the site is a block of retail warehouses, on the opposite side of Boucher Road are more retail warehouses. To the south of the Building are a mix of uses including vehicle storage, leisure uses, self-storage and a brewery.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0 Site History</b> 3.1	<p>LA04/2024/0714/F - 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. Approved 21/01/2025</p>
<b>4.0 Policy Framework</b> 4.1	<p>Belfast Urban Area Plan 2001</p>
4.2	<p>Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014)            Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and v2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.</p>

4.3	<p><b>Belfast Local Development Plan Draft Plan Strategy</b></p> <p>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 DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the 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 the transitional period planning authorities will apply existing policy together with the SPPS.</p>
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
<b>5.0</b>	<b>Statutory Consultees Responses</b> BCC Environmental Health – Content
<b>6.0</b>	<b>Non Statutory Consultees Responses</b> None
<b>7.0</b>	<b>Representations</b>  7.1 The application was neighbour notified on 07/01/26 and no objections were received.
<b>9.0</b> 9.1	<p><b>Assessment</b></p> <p>BCC Environmental Health were consulted and responded with the following;</p> <p><i>This Service would agree with the conclusions reached in the letter (Ref: 605939_L01. Dated: 29th August 2025) and have no objection to the removal of Condition 14 and 15 of LA04/2024/0714/F.</i></p> <p>Therefore, the removal of condition 14 and 15 is acceptable.</p>
9.5	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
<b>10.0</b>	<b>Summary of Recommendation:</b>
10.1	Approval. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions.
<b>11.0</b>	<p><b>DRAFT Conditions:</b></p> <ol style="list-style-type: none"> <li>1. This planning permission has effect from the date of this decision.  Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.</li> <li>2. The existing vehicular access arrangements at Boucher Road and Balmoral Road, as generally indicated on Drawing No.03C uploaded to the Planning Portal 7th January 2025, shall be retained, and shall be available for use during all hours of operation of the development.</li> </ol>

	<p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>3. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.12A uploaded to the Planning Portal 7th January 2025 to provide for parking, servicing and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development, and shall be available for use during all hours of operation of the development.</p> <p>Reason: To ensure adequate provision has been made for parking, servicing and traffic circulation within the site.</p> <p>4. The development hereby permitted shall not become operational until cycle parking facilities, both sheltered and unsheltered, have been provided in accordance with Drawing No.12A uploaded to the Planning Portal 7th January 2025.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>5. The development hereby permitted shall operate in accordance with the Travel Plan Framework uploaded to the Planning Portal 21st June 2024.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>6. The development hereby permitted shall operate in accordance with the Service Management Plan uploaded to the Planning Portal 21st June 2024.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>7. 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: <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>8. After completing any remediation works required and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>. 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
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9. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service would request that an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection against adverse air quality.

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

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

11. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

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

## ANNEX

<b>Date Valid</b>	18 <sup>th</sup> December 2025
<b>Date First Advertised</b>	N/A
<b>Date Last Advertised</b>	16/01/2026
<b>Date of Last Neighbour Notification</b>	07/01/2026
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No

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<b>Development Management Report</b>	
<b>Committee Date:</b> 17 <sup>th</sup> February 2026	
<b>Application ID:</b> LA04/2025/1716/F	
<b>Proposal:</b> Proposed change of use from, Use class B1(a) office, to short term Transitional Care Unit, Use Class C3 b) comprising of 73 no. ensuite beds, associated ancillary facilities including café, rehabilitation suites and treatment rooms, laboratory, consulting rooms, 2 no. external terraces and all other ancillary, staff and storage rooms. Development includes ambulance drop off bay, replacement of existing windows, and all other associated site and access works.	<b>Location:</b> Santander House, 1 Mays Meadow, Belfast, BT1 3PH
<b>Referral Route:</b> Application for Major development	
<b>Recommendation:</b> Approval subject to conditions	
<b>Applicant Name and Address:</b> Life Works Developments Ltd 33a Clare Road Gilford BT63 6AG	<b>Agent Name and Address:</b> TSA 20 May Street Belfast BT1 4NL
<b>Date Valid:</b> 5 <sup>th</sup> November 2025	
<b>Target Date:</b> 3 <sup>rd</sup> June 2026	
<b>Contact Officer:</b> Ciara Reville, Principal Planning (Development Management)	
<b>Executive Summary:</b> <p>The application seeks full planning permission for change of use from, Use class B1(a) office, to short term Transitional Care Unit, Use Class C3 b) comprising of 73 no. ensuite beds, associated ancillary facilities including café, rehabilitation suites and treatment rooms, laboratory, consulting rooms, 2 no. external terraces and all other ancillary, staff and storage rooms. Development includes ambulance drop off bay, replacement of existing windows, and all other associated site and access works.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of health facility in this location</li> <li>• Impact on Transport infrastructure and road safety</li> <li>• Flood risk/ drainage</li> <li>• Health Impacts</li> <li>• Environmental impact</li> <li>• Climate change</li> <li>• Pre-application Community Consultation</li> </ul> <p>The site is within the settlement limits for the city, within the city centre and un-zoned “white land” within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).</p>	

The site is considered to be a suitable location for a health facility being within the commercial district of the city centre.

The proposal being change of use of an existing building ensures height, scale and massing are in keeping with the surrounding area.

The proposal will provide additional space for the health system for the city and wider afield.

Currently awaiting comments from DfI Roads Service, given no significant objection expressed previously, amended details to application form is required, the application is being presented to Committee for delegated powers following DfI response. NI Water and BCC Enforcement Health offered no objection to the proposal subject to planning conditions.

No third-party objections have been received.

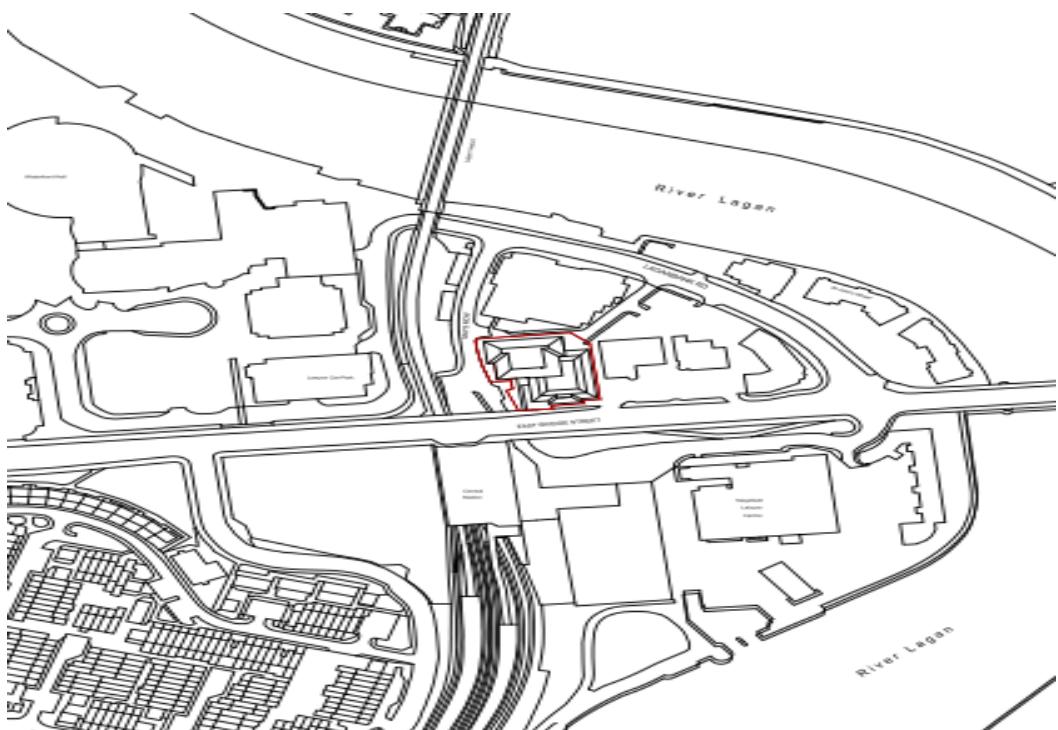
### **Recommendation**

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 deal with any other issues that arise, provided the issues are not substantive.

### **DRAWINGS AND IMAGERY**

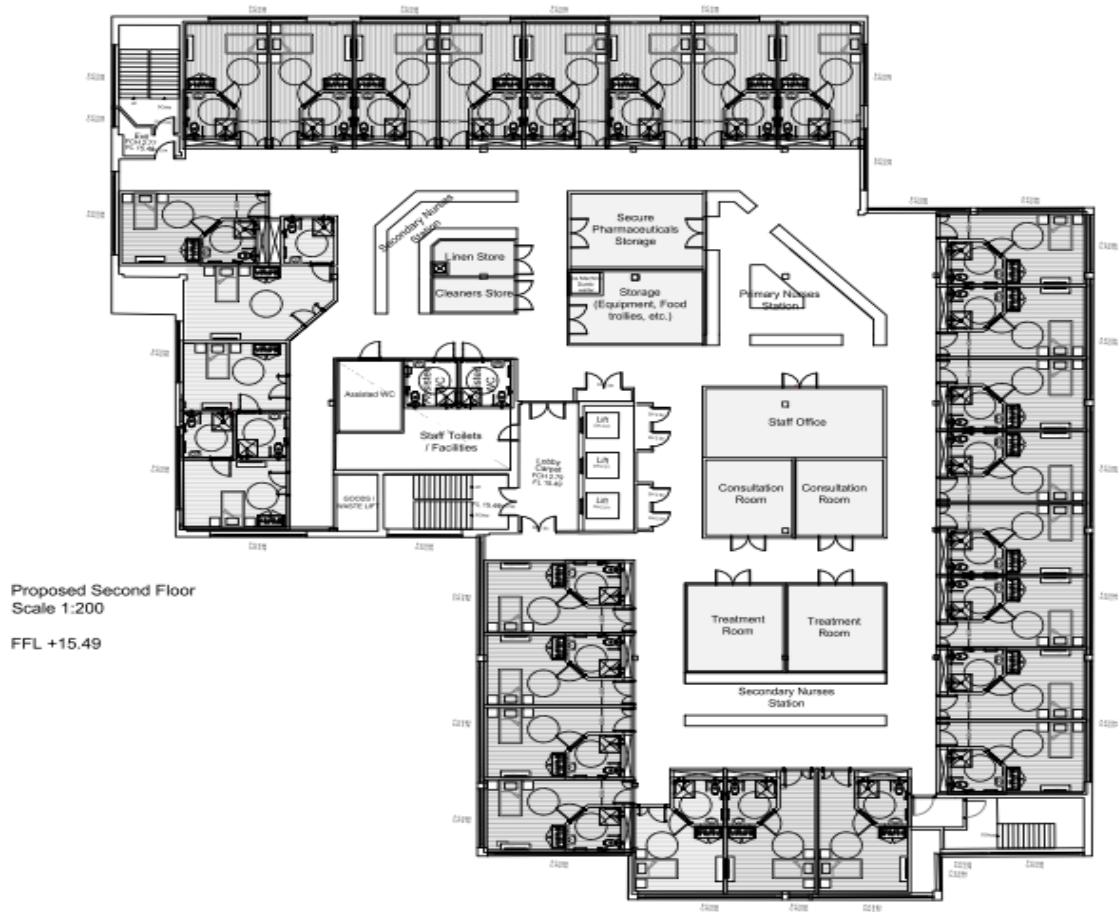
#### **Site Location Plan:**



## Site layout plan



## Typical floor layout



1.0	<b>Characteristics of the Site and Area</b> The site is a purpose-built multi-storey office building accessed off Mays Meadows; the building is constructed in yellow brick with an extensive glazing to the facades. The immediate surrounding area is mainly commercial in character with neighbouring office accommodation and Lanyon train station in close proximity. The site is within the boundary for Belfast City Centre.
1.1	
1.2	<b>Description of Proposed Development</b> The application seeks full planning permission for change of use from, Use class B1(a) office, to short term Transitional Care Unit, Use Class C3 b) comprising of 73 no. ensuite beds, associated ancillary facilities including café, rehabilitation suites and treatment rooms, laboratory, consulting rooms, 2 no. external terraces and all other ancillary, staff and storage rooms. Development includes ambulance drop off bay, replacement of existing windows, and all other associated site and access works.
2.0	<b>Planning History</b>
2.1	LA04/2025/0885/PAN Proposed change of use from class B1(a) office to short term Transitional Care Unit comprising of c.60-80 beds, associated ancillary facilities including consulting rooms, physiotherapy, laboratories and offices; minor external alterations and all other associated site and access works
3.0	<b>PLANNING POLICY</b>
3.1	<b>Development Plan – Plan Strategy</b> <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 CI1 – Community Infrastructure Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change  <b>Development Plan – zoning, designations and proposals maps</b> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)

	<p><b>Regional Planning Policy</b>            Regional Development Strategy 2035 (RDS)            Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p><b>Other Material Considerations</b>            Developer Contribution Framework (2020)  <i>Belfast Agenda</i> (Community Plan)</p>
<b>4.0</b>	<b>CONSULTATIONS AND REPRESENTATIONS</b>
4.1	<p><u>Statutory Consultees</u></p> <p>DFI Roads – waiting final reply            DfI Rivers – waiting reply            NI Water – No objection</p> <p><u>Non-Statutory Consultees</u></p> <p>Environmental Health – no objection with conditions</p> <p><u>Representations</u></p> <p>The application has been advertised in the press and neighbours notified.</p> <p>No third-party representations received</p>
<b>5.0</b>	<b>PLANNING ASSESSMENT</b>
5.1	<p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of health facility in this location</li> <li>• Climate change</li> <li>• Pre-application Community Consultation</li> </ul> <p><b>Development Plan Context</b></p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.2	
5.3	
5.4	

	<p><u><b>Operational Policies</b></u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1.</p>
5.5	<p><u><b>Proposals Maps</b></u></p> <p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.6	<p><b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “white land” and within city centre boundary.</p> <p><b>Belfast Metropolitan Area Plan 2015 (v2004)</b> – the site is un-zoned “white land” within the settlement limits and within city centre boundary.</p> <p><b>Belfast Metropolitan Area Plan 2015 (v2014)</b> – the site is un-zoned “white land” within the settlement limits and within city centre boundary.</p>
	<p><u><b>Principle of health/community facilities in this location</b></u></p>
5.7	<p>Policy CI1 pertaining to community infrastructure states that the Council will seek to protect and provide development opportunities for community, health, leisure, nurseries and educational facilities based on local need in line with projected population growth.</p>
5.8	<p>It is further expressed within the policy that permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of the proposal. all proposals are expected to ensure that there are no unacceptable impacts on residential amenity heritage assets and satisfactory arrangements are provided for access for all including pedestrians, cyclists and public transport.</p>
5.9	<p>The proposal is within an accessible city centre location, the surrounding commercial character ensures there is no impact on residential amenity. The proposal being for a change of use of an existing modern building ensures there is no impact on natural or built heritage assets. The proposal will have replacement windows fitted, these will be of a similar design and finish to the existing windows with some glazing panels replaced with opaque glazes units; this will not impact on the existing style of the building or on the surrounding character. The city centre location of the site, allows for all forms of transport to be used to access the building, the site benefits from direct access to footpaths, cycle lanes, and both bus and trains public transport.</p>
5.10	<p>The proposal is compatible with the policy requirements and is an acceptable form of development at this site.</p>
	<p><u><b>Climate change</b></u></p>
5.11	

	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.
5.12	The applicant has provided details on the various sustainable design features which will be incorporated in the development. These include new insulation and new windows operating at a higher efficiency. The reuse of an existing building is also beneficial for the environment.
5.13	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet criteria (d) in that the proposal incorporates various measures to minimise overheating and reduces reliance on air conditioning.
5.14	Policy ENV 4 relating to flooding is considered to be satisfied, a flood risk assessment was submitted and DfI Rivers consulted. Although, at this time DfI has not responded it is not considered there will be any significant impacts as the proposal is for the reuse of an existing building.
5.15	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. Given the location of the site adjacent to public roads there is no scope to include hard SuDS measure. However the external terrace and other public spaces lends itself to soft SUDs measures landscaping; a condition has been added to ensure their introduction prior to occupation of the development.
5.16	The proposal is considered acceptable having regard to Policy TRE1, ENV 2, 3, 4 & 5.
5.17	<u>Access and transport</u>
5.18	The site is a highly accessible location within the city centre having direct access to the road network and public transport. It is within short walking and cycling distance of shops, services, and leisure facilities. Provision is made for sheltered and secure cycle parking within the site. There a number of access points to the site, a pedestrian access via east bridge street, an ambulance drop off point to the rear and internal access from the under croft parking area. The proposal accords with Policy TRAN1.
5.19	Regarding on-site parking, the proposal provides 37 parking spaces within the lower ground floor level. DFI Roads Service, although not yet offered final comments, have not objected to the proposed development in their original comments. It is also not expected that there will be any significant objections to the proposal.
5.20	<u>Health impacts</u>
5.21	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.

5.22 5.23 5.24 5.25 5.26 5.27 5.28	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. The site is within short walking distance of the commercial city centre.</p> <p><u>Contaminated land</u></p> <p>Environmental Health (EH) has offered standard conditions should contamination be found on site.</p> <p><u>Air quality</u></p> <p>EH has offered conditions relating to the potential noise impacts.</p> <p><u>Noise</u></p> <p>A Noise Impact Assessment was submitted in support of the proposal. Following review of the NIA, awaiting EH comments.</p> <p>Odour</p> <p>EH has offered conditions regarding kitchen extraction methods.</p> <p><u>Pre-application Community Consultation</u></p> <p>The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.</p> <p>The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p> <p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> <li>• Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback, a website was also set up to allow comments;</li> <li>• Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback;</li> <li>• Issued a press notice to highlight information about the proposals and provide notification of the public information event;</li> </ul> <p>The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p> <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
6.0 6.1	<p><b>Recommendation</b></p> <p>The proposal is providing new health facility in a highly sustainable location and making very effective use of a vacant building. The scale, height, massing remain the same and design changes to the building are considered appropriate to the site's context. The</p>

6.2	<p>proposal would not have a harmful impact in respect of other land-use planning considerations.</p> <p>It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with outstanding consultation responses as well any other issues that arise, provided the issues are not substantive.</p>
7.0	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be begun within five years from the date of this permission.</li> </ol> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> <li>2. If contamination is encountered during the carrying out of the development, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards. In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</li> </ol> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health</p> <ol style="list-style-type: none"> <li>3. The rating level (dBLAr,T) from the operation of all combined plant and equipment must not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</li> </ol> <p>Reason: Protection of nearby amenity.</p> <ol style="list-style-type: none"> <li>4. No external plant to be installed in association with the hereby permitted development unless previously approved in writing by the Planning Authority.</li> </ol> <p>Reason: Protection of nearby amenity</p> <ol style="list-style-type: none"> <li>5. Prior to the commencement of operation of hereby permitted kitchen a fit for purpose kitchen extraction and odour abatement system shall be installed to suppress and disperse odours created from operations on the premises. The specification of the system shall be determined in line with the current EMAQ+ 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (updated in May 2022). The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above the main eaves.</li> </ol> <p>Reason: Protection of nearby amenity</p>

- |  |   |
|--|---|
|  | <p>6. The installed kitchen extraction and odour abatement system must be retained and maintained thereafter.</p> |
|--|---|

Reason: Protection of nearby amenity

7. Notwithstanding the submitted details, the development hereby permitted shall not be occupied until details of landscaping, water buts and planters, for the external terrace and any other available external space, 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 and shall be permanently retained as such thereafter.

*Reason: In the interests of amenity and to mitigate against the environmental effects of climate change.*

8. Employability and Skills. (Tbc if necessary)

<b>Development Management Report</b>	
<b>Committee Meeting Date:</b> 17 <sup>th</sup> February 2026	
<b>Application ID:</b> LA04/2025/0288/F	
<p><b>Proposal:</b> Retrospective change of use from ground floor taxi passenger terminal, cafe, office and newsagent to a Homeless Centre, Category D1(B). [The centre will provide meals, washing and changing facilities and an internal social amenity area for users. The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4:00 pm up until 10:00 pm] (Amended Description)</p>	<p><b>Location:</b> Existing taxi passenger terminal and former retail unit located within 35a King Street, Belfast, BT1 1HU</p>
<p><b>Referral Route:</b> Paragraph 3.8.7 of the Scheme of Delegation (discretion of the Director of Planning and Building Control).</p>	
<p><b>Recommendation:</b> Approval with conditions</p>	
<p><b>Applicant Name and Address:</b> Belfast Homeless Services Charity No. 108018 35a King Street, Belfast, BT1 1HU</p>	<p><b>Agent Name and Address:</b> Harry McConnell RPP Architects Ltd 155-157 Donegall Pass Belfast BT7 1DT</p>
<p><b>Valid date:</b> 11<sup>th</sup> March 2025</p>	
<p><b>Target date (15 weeks):</b> 24<sup>th</sup> June 2025</p>	
<p><b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)</p>	
<p><b>Executive Summary:</b></p> <p>This application seeks full planning permission for change the use of 35a King Street from taxi passenger terminal with café, offices and newsagents to a Homeless Centre, Category D1(B). The centre will provide meals, washing and changing facilities and an internal social amenity area for users. The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4.00pm up until 10.00pm.</p> <p>The use has been operating since May 2025 and retrospective planning permission is sought.</p> <p>The key issues for consideration of the application are:</p> <ul style="list-style-type: none"> <li>• Principle of the proposed use</li> <li>• Design and Placemaking</li> <li>• Health and Wellbeing</li> <li>• Access and Transport</li> <li>• Impact on neighbour amenity</li> <li>• Anti-social behaviour</li> </ul> <p>The site is located within Belfast City centre and is designated as Primary Retail Core in both dBMAPs.</p>	

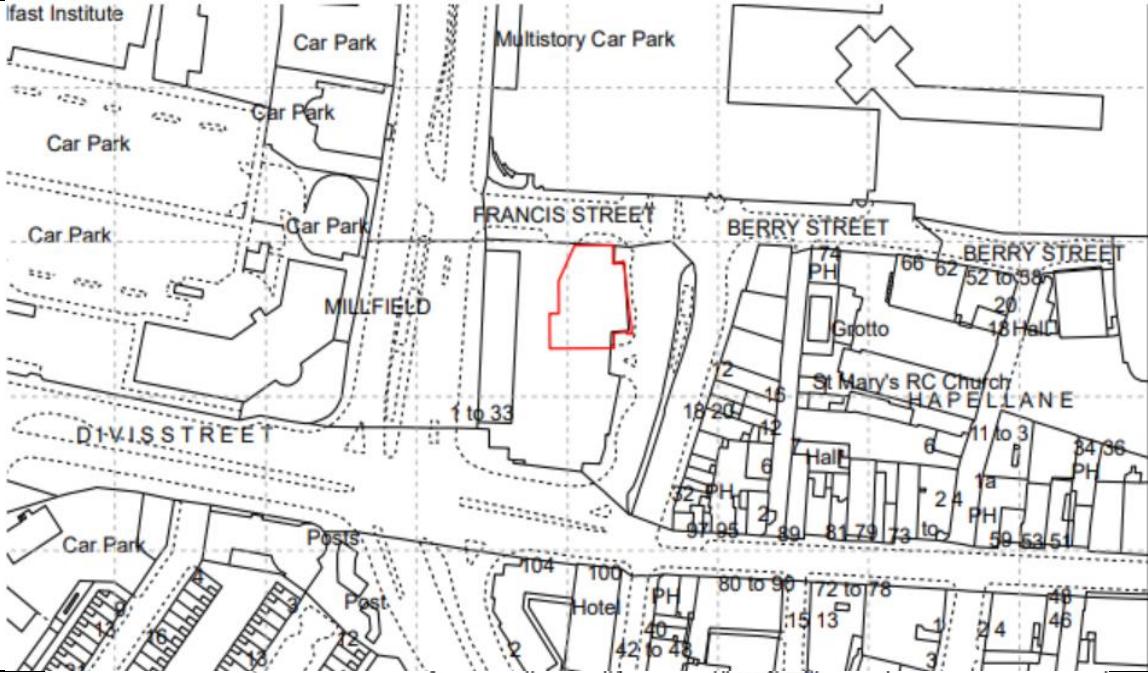
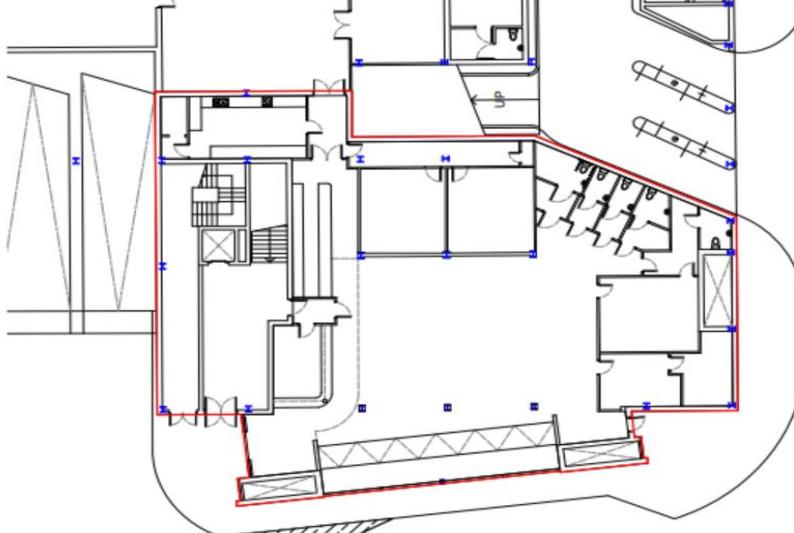
The proposal is considered to comply with Policies DES1, HC1 CI1, SP3, SP4, SP5, TRAN8 of the Belfast Local Development Plan Strategy 2035, the SPPS and Section 91(2) of the Planning Act (Northern Ireland) 2011.

### 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 conditions, environmental health final consultation response and deal with any other matters which may arise, provided the issues are not substantive.

### Officer Report

1.0	Drawings and Imagery
1.2	
1.3	

1.4	 <p>EXISTING FRONT ELEVATION</p>  <p>PROPOSED FRONT ELEVATION - NO CHANGES TO BE MADE TO FRONT ELEVATION</p>
<b>2.0</b>	<p><b>Characteristics of the Site and Area</b></p> <p>2.1 The site is located at 35a King Street, which was formally a taxi passenger terminal with café, offices and newsagents.</p> <p>2.2 The surrounding area is predominantly commercial, with a residential apartment block and multi storey car park attached to the building.</p> <p>The site is located on the edge of the city centre boundary opposite the southern entrance to Castlecourt Multi Storey Carpark. There are hotels, bars, and retail offerings in the immediate surroundings of the site commensurate with its city centre location.</p>
<b>3.0</b>	<p><b>Description of Proposal</b></p> <p>3.1 The application seeks full planning permission for change the use of 35a King Street from taxi passenger terminal with café, offices and newsagents to a Homeless Centre, Category D1(B). The centre will provide meals, washing and changing facilities and an internal social amenity area for users. The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4.00pm up until 10.00pm.</p> <p>3.2 The proposed change of use relates to the ground floor of the premises only.</p> <p>3.3 The use has been operating since May 2025 and retrospective planning permission is sought.</p>
<b>4.0</b>	<p><b>Planning Policy and Other Material Considerations</b></p> <p>4.1 <b>Belfast Local Development Plan, Plan Strategy 2035</b></p> <p>4.2 <u>Strategic policies</u></p> <p>4.3 Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing</p>

	<p>Policy SP4 – community cohesion and good relations  Policy SP5 – positive placemaking  Policy SP6 – environmental resilience  Policy SP7 – connectivity  Policy SD2 – Settlement Areas</p> <p><u>Operational policies</u></p> <p>4.4 DES1 – Principles of Urban Design  HC1 – Promoting Healthy Communities  CI1 – Community Infrastructures  TRAN8 - Car parking and Servicing Arrangements</p> <p>4.5 <b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) BUAP  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>Regional Planning Policy</b>  Regional Development Strategy 2035 (RDS)  Strategic Planning Policy Statement for Northern Ireland (SPPS) (Edition 2, 2025)</p> <p><b>Other Policies</b>  <i>Belfast Agenda</i> (Community Plan)  Creating Places (DfI)</p> <p><b>Relevant Planning History</b></p> <p>The site and surrounding area do not have any planning history of direct relevance to consideration of the application.</p>
<b>5.0</b>	<p><b>Consultations and Representations</b></p> <p><b>5.1</b> <b>Statutory Consultations</b></p> <p>DFI Roads – No objection</p> <p><b>5.2</b> <b>Non-statutory Consultations</b></p> <p>Environmental Health – Awaiting final response  PSNI – Comments (see main report)</p> <p><b>Representations</b></p> <p>5.3 The application has been advertised in the press and neighbours notified.</p> <p>5.4 67 objections have been received, raising the following concerns.</p> <ul style="list-style-type: none"> <li>• Anti-social behaviour</li> <li>• Impact on residential amenity</li> <li>• Impact on community cohesion</li> <li>• Health and Wellbeing</li> <li>• Detrimental to placemaking</li> </ul> <p>All issues have been addressed in the main body of the report.</p>

	<p>The council also note that there have been 149 letters of support received. The key points have been outlined below;</p> <ul style="list-style-type: none"> <li>- The scheme will help combat the homelessness problem within Belfast</li> <li>- The centre was successful in other locations</li> <li>- Adequate anti-social behaviour policies</li> <li>- Zero tolerance drug and alcohol policy</li> <li>- Accessible city centre location</li> <li>- Provides a local need</li> </ul>
<b>6.0</b>	<b>PLANNING ASSESSMENT</b>
	<p><b><u>Development Plan Context</u></b></p>
6.1	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.3	<p>The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.</p>
6.4	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.5	<p><b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> <p><b>Proposals Maps</b> The site is located within the City Centre in both versions of BUAP, it also falls within the Primary Retail Core</p>
	<p><b><u>Key issues</u></b></p>
6.6	<p>The key issues are in assessing the application are:</p> <ul style="list-style-type: none"> <li>• Principle of the proposed use</li> <li>• Design and Placemaking</li> <li>• Health and Wellbeing</li> <li>• Access and transport</li> <li>• Impact on neighbour amenity</li> <li>• Anti-social behaviour</li> </ul>

	<p><b>Principle of the proposed use.</b></p> <p>6.7 The council seeks to ensure that all new developments aid the needs of the community. Policy CI1 (Community infrastructures) seeks to protect and provide development opportunities for community, health, leisure, nurseries and educational facilities based on local need in line with the projected population growth. The proposal will provide an important support service for vulnerable people in a sustainable, accessible location close to public transport and local services. The use is similar to other community-type facilities. BCC Planning therefore believe the indoor facility will meet the needs of the homeless community in City Centre Belfast.</p> <p>6.8 Belfast Homeless Services previously resided at another premises location on Amelia Street. However it is understood that the building was no longer safe due to its structural condition and therefore the charity had to find another building to reside in. The proposal will provide an important support service for vulnerable people in a sustainable, accessible location close to public transport and local services. The use is similar to other community-type facilities</p> <p>6.9 It is noted that in Belfast, an average of 9,661 households with homelessness status were listed, according to data from Belfast City Council in February 2025. This number has shown a steady increase year-over-year, according to Homeless Connect. Additionally, at the end of 2023, there were 8,725 homeless households in Belfast, with North and West Belfast areas experiencing the highest concentrations</p> <p>6.10 The site lies within a mixed use commercial and residential area within the Primary Retail Core of the City Centre. The principle of a change of use from a taxi passenger terminal with café, offices and newsagents to Homeless Day Centre is considered acceptable at this location.</p> <p><b>Design and Positive Placemaking</b></p> <p>6.11 Policy SP5 of the Local Development plan relates to positive place making and Accessibility. The aim of this policy is to promote the principles of good design in the creation of buildings and spaces that strengthen civic pride, community ownership and stewardship. The built environment and its future development will have a substantial influence on the character and quality of Belfast. By way of scale, location and nature, there is no reason to suggest that the proposed use is conflicting which Policy SP5. BCC Planning service are of the view that the homeless centre is making use of a vacant city centre site and adding diversity to the area.</p> <p>6.12 The proposed homeless centre is within an existing building designed in accordance with Policy DES1, ensuring that it responds sensitively to the character and context of the surrounding area. The scale, massing, and materials respect the local built environment, avoiding any institutional appearance. The layout promotes safety and privacy for users, with clearly defined public and private spaces and inclusive access throughout. The building integrates well with the street frontage while maintaining a discreet and welcoming entrance that supports social integration and reduces stigma.</p> <p>6.13 The development also meets DES1 principles through its emphasis on sustainability, connectivity, and high-quality design. Located near public transport and key services, the centre supports active travel and accessibility for both volunteers and service users. The spaces have been designed to enhance quality of life, providing private accommodation and communal areas.</p> <p><b>Health and Wellbeing</b></p> <p>6.14 The council seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed,</p>
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	<p>constructed, and managed in ways to improve health and promote healthy lifestyles. Policy HC1 (Promoting Healthy Communities) aligns with the Belfast Agenda, which places an emphasis on healthy lifestyles, physical and emotional wellbeing, reducing health inequalities and better services for those who suffer poor health.</p>
6.15	<p>Policy HC1 states planning permission will be granted for proposals that help to sustain and improve neighbourhoods in all parts of the city. The homeless centre will be used to bring communities together by way of its accessible design, inclusive demonstrations, and educational studies, therefore complying with Policy HC1.</p>
6.16	<p>Policy SP3 of the Belfast Local Development Plan also relates health and wellbeing in that the council will support development that maximises opportunities to improve it. By introducing a day centre for the homeless in Belfast it will allow for social inclusion and enhance the daily living of its visitors.</p>
	<p><b>Access and transport</b></p>
6.17	<p>The site is highly accessible and benefits from the transport links within Belfast City Centre, therefore the council consider the proposal has met policy TRAN8 (Car parking and servicing arrangements) of the Belfast Local Development Plan. The application site is also accessible by foot due to its prime located on King Street. It is presumed that the vast majority of attendees will arrive on foot. The walking infrastructure in the city centre is of a high standard and promotes a sustainable mode of transport.</p>
6.18	<p><b>Impact on neighbour amenity</b></p> <p>The site is located in a mostly commercial area although the premises is part of a much larger building which contains apartments, as well as a retail store and multi-storey car park. Access to the apartment block is via a controlled door at the opposite corner to the centre.</p>
6.19	<p>BCC Planning note that the noise generated from the proposed use will be of no greater impact than the previous taxi passenger terminal with café, offices and newsagents. Therefore, the proposal will not harm the amenity of adjacent and nearby landuses by way of noise.</p>
6.20	<p>Environmental Health has been consulted and have raised no concerns with regard to impact on the amenity of local residents from the proposal.</p> <p>Any general disturbance in the area is for the PSNI to deal with accordingly.</p>
	<p><b>Anti-Social Behaviour</b></p>
6.21	<p>The daytime use of the centre minimises the potential for impact on residential amenity during antisocial hours, normally considered to be between 11pm and 7am.. A condition has been added to ensure that the day centre is only operated between 4pm-10pm.</p>
6.22	<p>The addition of the day centre to the city centre, will assist the issue of homelessness and ensure that there is a safe place to attend, which will be managed by staff at all times.</p>
6.23	<p>The agent has submitted a management plan to the council, section 4 covers anti-social behaviour. Please see below;</p>

6.24	<p><b>Anti-Social Behaviour (ASB) Management</b></p> <ul style="list-style-type: none"> <li>• Zero tolerance for ASB:</li> <li>◦ Guests involved in ASB (inside or outside the Centre) are issued <b>temporary exclusions</b>.</li> <li>◦ Repeat offenders face <b>permanent exclusions</b> from the service.</li> <li>◦ All incidents are reported to PSNI when necessary.</li> </ul>
6.25	<ul style="list-style-type: none"> <li>• Safety measures:</li> <li>◦ Nightly <b>Guest Register</b> with times and names.</li> <li>◦ Completion of <b>Incident Reports</b> as required.</li> <li>◦ Alcohol is <b>strictly prohibited</b> inside the Centre or outside the premises.</li> <li>◦ Protocols for safe litter disposal</li> </ul>
6.26	<ul style="list-style-type: none"> <li>• Volunteer presence:</li> <li>◦ <b>Three volunteers</b> stationed outside the Centre during operating hours to monitor compliance.</li> </ul>
6.27	<p>PSNI has been informally consulted on the application as a non-statutory consultee, and have advised:</p> <p><i>“The carefully considered opinion of my team is that it is probable there will be an increase in what is perceived as anti-social behaviour if this becomes a homeless centre. It is harder to confidently say there will be an increase in crime but again it is a potential outworking.”</i></p> <p><i>“While I have no doubt the venue will continue to be managed internally to a very high standard the staff and volunteers of Belfast Homeless Services can have little control over what will happen as persons make their way to and from the venue or if they are refused entry / removed due to how they are presenting. This will then be for the PSNI to manage.”</i></p>
6.28	<p>Whilst the proposed use has the potential for anti-social behaviour, the management plan proposed and to be conditioned, is considered sufficiently robust to deal with matters which may arise. Furthermore, the centre has been operational since mid 2025 and no evidence has been provided to show that the centre has had an unacceptable impact on the amenity of the local area.</p>
6.29	<p>On balance; it is considered that given the important and necessary support role the centre plays within the city, its daytime only use, alongside the appropriate conditioning of a robust management plan, it will therefore not significantly impact the amenity of the local area to an unacceptable degree and the application is recommended for approval.</p>
<b>7.0</b>	<b>Summary and Recommendation</b>
7.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p>

7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise conditions, deal with the final Environmental Health consultation response and any other matters which may arise as long as they are not substantive.
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**DRAFT CONDITIONS:**

1. This planning permission has effect from the date which the development hereby approved was carried out.

Reason: *As required by Section 55 of the Planning Act (Northern Ireland) 2011.*

2. The development hereby permitted shall not be operated unless in accordance with the approved management plan. (Insert name and date).

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

3. The daytime homeless shelter hereby approved shall not be operational outside the following hours: Monday, Tuesday, Wednesday and Thursday each week from 4:00 pm up until 10:00 pm.

Reason: *To safeguard the amenities of the area.*

4. *Cooking on premises- awaiting EHO response.*

**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](mailto:planning@belfastcity.gov.uk).
2. This decision relates to the following approved drawing numbers: 01,02,03,04 and 05 (Uploaded to the Public Planning Portal on 21/02/25 and 12/03/25)

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<b>Development Management Report</b>	
<b>Committee Date:</b> 17th February 2026	
<b>Application ID:</b> LA04/2024/1389/F	
<b>Proposal:</b> Community garden and improvements to existing unused space, scheme to include, allotment area, pizza and BBQ area and pathways.	<b>Location:</b> Newhill Youth and Community Centre, 261 Whiterock Road, Belfast, BT12 7FX
<b>Referral Route:</b> Application on lands to which the Council has an estate (3.8.5 (d) of the Scheme of Delegation)	
<b>Recommendation:</b> Approval subject to conditions	
<b>Applicant Name and Address:</b> Niall Enright Newhill Youth and Community Association 261 Whiterock Road, Belfast, BT12 7FX	<b>Agent Name and Address:</b> Mullin Design Associates 12 Audleystown Road, Downpatrick BT30 7LP
<b>Date Valid:</b> 9 <sup>th</sup> October 2024	
<b>Target Date:</b> 20 <sup>th</sup> January 2025	
<b>Contact Officer:</b> Ciara Reville, Principal Planning (Development Management)	
<p><b>Executive Summary:</b></p> <p>The application seeks full permission for community garden and improvements to existing unused space, scheme to include, allotment area, pizza and BBQ area and pathways.</p> <p>The site is located within the settlement limits for the city.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of proposal</li> <li>• Impact on Amenity</li> <li>• Access &amp; transport</li> <li>• Climate change</li> <li>• Environmental protection</li> <li>• Natural heritage</li> </ul> <p>The principle of the proposed uses is considered acceptable under the strategic aims of the RDS, the SPPS and the Belfast Local Development Plan: Plan Strategy. The proposal seeks, in the main, to alter existing rough ground area, to the rear of the centre, into an area for allotment beds, wildflower and planted areas and improved pathways. To the side of the centre, it is proposed the area to be used for a seating area, BBQ and pizza making and a film wall and additional hedging planting to screen this area.</p> <p>The proposed works are considered subservient to the existing building and is sympathetic to both the character of the area and the setting of the surrounding residential use.</p> <p>Consultation with Environmental Health resulted in conditions being offered regarding times of operation to protect neighbouring amenity from noise and risk of unknown ground contamination.</p> <p>One third party objection has been received and is addressed in the report.</p>	

## **Recommendation**

Having regard to the Development Plan and, all relevant 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.

## **Proposed Plans**

Site location plan:



1.0 1.1	<p><b>Characteristics of the Site and Area</b></p> <p>The site is to the rear and side of an existing community centre. The side section of the site is in hard standing set behind steel palisade fencing, centre management stated it was previously used as a location for a modular building. To the rear is an area of hard standing used as a MUGA also a pathway connecting with a rear gate and the remaining area is a rough, overgrown grass area. The boundary fencing consists of both timber fencing and steel palisade fencing. To the south and east of the site is domestic housing with back garden areas of the housing adjoining the site and to the north of the site is a childcare facility. The site and childcare facility are located on the edge of the settlements with open fields of the Black Mountain beyond.</p>
2.0 2.1	<p><b>Planning History</b></p> <p>LA04/2015/1453/F - Proposed refurbishment of community centre to comprise of the part demolition of the existing single storey building and replacement with a two-storey structure and associated site works – PP Granted</p>
3.0 3.1	<p><b>Planning Policy</b></p> <p><b>Development Plan – Plan Strategy</b></p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <ul style="list-style-type: none"> <li>• Policy SP1A – Managing growth and supporting infrastructure delivery</li> <li>• Policy SP2 – Sustainable development</li> <li>• Policy SP3 – Improving health and wellbeing</li> <li>• Policy SP5 – Positive placemaking</li> <li>• Policy SP6 – Environmental resilience</li> <li>• Policy SP7 – Connectivity</li> <li>• Policy SD2 – Settlement areas</li> </ul> <p><i>Operational Policies:</i></p> <ul style="list-style-type: none"> <li>• Policy CI1 Community Infrastructure</li> <li>• Policy TRAN6 – Access to public roads</li> <li>• Policy TRAN8 – Car parking and servicing arrangements</li> <li>• Policy ENV1 – Environmental quality</li> <li>• Policy ENV2 – Mitigating environmental change</li> <li>• Policy ENV3 – Adapting to environmental change</li> <li>• Policy ENV4 - Flooding</li> <li>• Policy ENV5 – Sustainable drainage systems (SuDS)</li> <li>• Policy NH1 – Protection of natural heritage resources</li> </ul> <p><b>Development Plan – zoning, designations and proposals maps</b></p> <ul style="list-style-type: none"> <li>• Belfast Urban Area Plan (2001) BUAP</li> <li>• Draft Belfast Metropolitan Area Plan 2015 (v2004)</li> <li>• Draft Belfast Metropolitan Area Plan 2015 (v2014)</li> </ul> <p><b>Regional Planning Policy</b></p> <ul style="list-style-type: none"> <li>• Regional Development Strategy 2035 (RDS)</li> <li>• Strategic Planning Policy Statement for Northern Ireland (2<sup>nd</sup> Edition 2025) (SPPS)</li> </ul>

4.0	<p><b>Consultations and Representations</b></p> <p>4.1 <u>Statutory Consultees</u></p> <ul style="list-style-type: none"> <li>• <b>None</b></li> </ul> <p><u>Non-Statutory Consultees</u></p> <p>4.2 <u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified, one representation was received:</p> <p>4.3 Consideration of third-party comments.</p> <ul style="list-style-type: none"> <li>• The objection stated that higher footfall to the community centre leading to noise and parking issues, potential for damage to fencing. <i>Case Officer's Response: The proposal is not designed to increase footfall to the centre but to improve an existing area of open ground to the rear and side of the centre. Potential increased noise levels have been considered by EH and a condition has been offered to ensure no unacceptable noise affecting amenity. The issue of parking on site or on adjacent road is no different from the current situation. There is no increase proposed in the number of cars attending the site the on-site parking will not change from the current level of parking.</i></li> </ul>
5.0	<p><b>PLANNING ASSESSMENT</b></p> <p><u>Main Issues</u></p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of proposal</li> <li>• Impact on Amenity</li> <li>• Access &amp; transport</li> <li>• Climate change</li> <li>• Environmental protection</li> <li>• Natural heritage</li> </ul> <p><u>Development Plan Context</u></p> <p>5.2 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>5.3 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>5.4 The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies</p>

	<p>Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><b><u>Proposals Maps</u></b></p> <p>5.5 Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (BUAP), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (dBMAP) 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 dBMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <ul style="list-style-type: none"> <li>• <b>Belfast Urban Area Plan 2001:</b> The site is located within the city centre.</li> <li>• <b>Belfast Metropolitan Area Plan 2015 (2004):</b> The site is within the city centre's Primary Retail Core and the City Centre Conservation Area.</li> <li>• <b>Belfast Metropolitan Area Plan 2015 (v2014):</b> The site is within the city centre's Primary Retail Core and the City Centre Conservation Area.</li> </ul> <p><b><u>Principle of Development</u></b></p> <p>5.6 The existing site is within the settlement limits for the city and is currently in use as a community infrastructure facility: the principle of development is acceptable having regard to planning policy and other areas of acknowledged importance such as consultee and third-party comments.</p> <p><b><u>Policy considerations:</u></b></p> <p>5.7 Policy CI1 states that the Council will seek to protect and provide development opportunities for community, health, leisure among other things based on local need in line with the projected population growth over the plan period. It further states that permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area subject to the nature and location of the proposal. It is expected that all proposals will ensure that there is no unacceptable impact on residential amenity and that access is provided for all.</p> <p>5.8 The proposal is considered to comply with the policy requirements the location is appropriate; it is accessible and neighbouring residential amenity is protected from unacceptable harm by way of appropriate planning conditions.</p> <p><b><u>Impact on Amenity</u></b></p> <p>5.9 The proposed has a hard standing area to the side of the centre which is proposed to be used for seating, BBQ and Pizza making area also included is a film wall. Having regard to this area being adjacent to gardens of neighbouring residential dwelling EH was consulted with a noise impact assessment. Having assessed the NIA EH offered no objection subject to the inclusion of a time limiting condition.</p>
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5.10	<p><b><u>Access &amp; transport</u></b></p> <p>The proposal does not include the provision for alteration to the existing access and parking provision on site. The nature of the works is not designed to attract additional visitors to the site. Given no alterations there was no requirement to consult DfI Roads Service. The proposal is considered to satisfy the relevant TRAN1, TRAN2 and TRAN8.</p> <p><b><u>Climate change</u></b></p> <p>Policy SP6 (Environmental resilience) of the Plan Strategy reinforces the RDS policy on climate change which also aligns with the Belfast Agenda, by seeking to reduce greenhouse gas emissions and adapt to a changing climate to build environmental resilience. Policy ENV1 (Environmental quality) allows for development that will maintain and, where possible, enhance environmental quality. Any proposal must protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment. Policy ENV2 (Mitigating environmental change) 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. There is a presumption in favour of retaining existing buildings. Policy ENV3 (Adapting to environmental change) states that planning permission will be granted for development that incorporates measures to adapt to environmental change. Policy ENV5 (Sustainable Drainage Systems) SuDS states that all built development should include, where applicable, SuDS measures to manage surface water effectively on site to reduce surface water runoff.</p> <p>5.11</p> <p>The proposal complies by policies ENV2 and ENV3 by contributing to soft landscaping and additional planting. The proposal maximises opportunities to incorporate of SuDS and therefore complies with policy ENV5.</p> <p>5.12</p> <p>Subject to conditions to ensure implementation of these measures, there would be no conflict with policies SP3, SP6, ENV1, ENV2, ENV3 and ENV5 of the Plan strategy, and the strategic aims of the RDS the SPPS, and the Belfast Agenda.</p> <p><b><u>Environmental protection</u></b></p> <p>5.13</p> <p>Policy SP6 (Environmental resilience) of the Plan Strategy reinforces the RDS policy on climate change which also aligns with the Belfast Agenda to build environmental resilience. Policy ENV1 (Environmental quality) requires new development to protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment.</p> <p>5.14</p> <p>Environmental Health have been consulted in regard to noise and contaminated land. The response from Environmental Health indicated no objection to the proposal subject to relevant condition. The proposal is considered compliant with Policy ENV1.</p> <p>5.15</p> <p><i>Contaminated land:</i></p> <p>5.16</p> <p>The site is not located on past land use types that have the potential to contaminate land and pose a risk to human health. A PRA was submitted for the groundworks and EH have no objections with conditions.</p> <p><i>Noise:</i></p> <p>5.17</p> <p>A Noise Impact Assessment has been submitted which proposes noise mitigation measures for the protection of the residents of the hotel. EH had no objections with conditions.</p>
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5.18	<p><b><u>Flood risk</u></b></p> <p>Policy ENV4 (Flood risk) of the Plan Strategy states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). Flood Maps (NI) indicate that an area of the site lies within a surface water flood plain. This is mainly confined to the area containing an existing basketball court. It is considered the nature of the works mainly planting and upgrade of existing pathway will have no significant impact on the current flood risk situation on site. It is also noted that from the production of the flood map the lands above the site has gained planning permission for residential development with drainage facilities that would alter the amount of water flowing downstream towards the site.</p>
5.19	<p><b><u>Natural heritage</u></b></p> <p>Policy NH1 states that the Council will adopt a precautionary approach when considering the impact of proposed development on local, national or international natural heritage resources, including designated sites, protected species and the other important interests of biodiversity and geodiversity.</p>
5.20	<p>Due to the proposed nature of the works, wildflower beds, planting, allotment beds the proposal will not significantly impact on the surrounding environment.</p> <p>The proposal is in compliance with Policy NH1.</p>
<b>6.0</b>	<p><b>Recommendation</b></p> <p>Having regard to the Local Development Plan and all material considerations, it is recommended that planning permission is granted subject to conditions.</p>
6.1	
6.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other issues arising, provided that they are not substantive.</p>
<b>7.0</b>	<p><b>CONDITIONS</b></p> <ol style="list-style-type: none"> <li>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</li> <li>2. The front and rear access gates to the site shall be kept closed and locked at all times when the building is not in operation or when no staff are present on site. Reason: to safeguard the amenity of nearby noise sensitive receptors.</li> <li>3. The hereby permitted development shall not operate outside the following hours: Monday to Thursday 09:00-21:30 Friday &amp; Saturday 09:00-23:00 Reason: to safeguard the amenity of nearby noise sensitive receptors.</li> <li>4. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards. In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation</li> </ol>

	<p>Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
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## Committee Application

Development Management Report	
<b>Committee Date:</b> 17 <sup>th</sup> February 2026	
<b>Application ID:</b> LA04/2025/2216/LBC	
<b>Proposal:</b> Installation of Façade Lighting	<b>Location:</b> Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF
<b>Referral Route:</b> The application is made by Belfast City Council and on lands to which the Council has an estate (3.8.5 (c) and (d) of the Scheme of Delegation)	
<b>Recommendation</b>	Grant Listed Building Consent
<b>Applicant Name and Address:</b> Esther Waugh Belfast City Council 9 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> Esther Waugh Belfast City Council 9 Adelaide Street Belfast BT2 8DJ
<b>Date Valid:</b>	19 <sup>th</sup> December 2025
<b>Target Date:</b>	3 <sup>rd</sup> April 2026
<b>Contact Officer:</b>	Ciara Reville, Principal Planning Officer (Development Management)
<b>Summary of Issues:</b> The application seeks Listed Building Consent for the installation of new LED linear and spotlight lighting to the exterior of the Ulster Hall. It is intended that the lighting is dimmable and flexible in how it appears in order to provide scenes appropriate to the use of the building and align with other Council buildings to allow it to celebrate/recognise significant days/dates.	
The site is located within Belfast City Centre and falls within the designated Linen Conservation Area. The Ulster Hall is a Grade A Listed Building, which is of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011. It is currently in use as an entertainment venue.	
The key issues relevant to consideration of the application are:	
<ul style="list-style-type: none"> <li>• Impact on the setting of Listed Buildings</li> <li>• Other considerations</li> </ul>	
Department for Communities; Historic Environment Division was consulted on the proposal and offer no objection to the proposed works, subject to conditions.	
<b>Recommendation</b> Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive.	

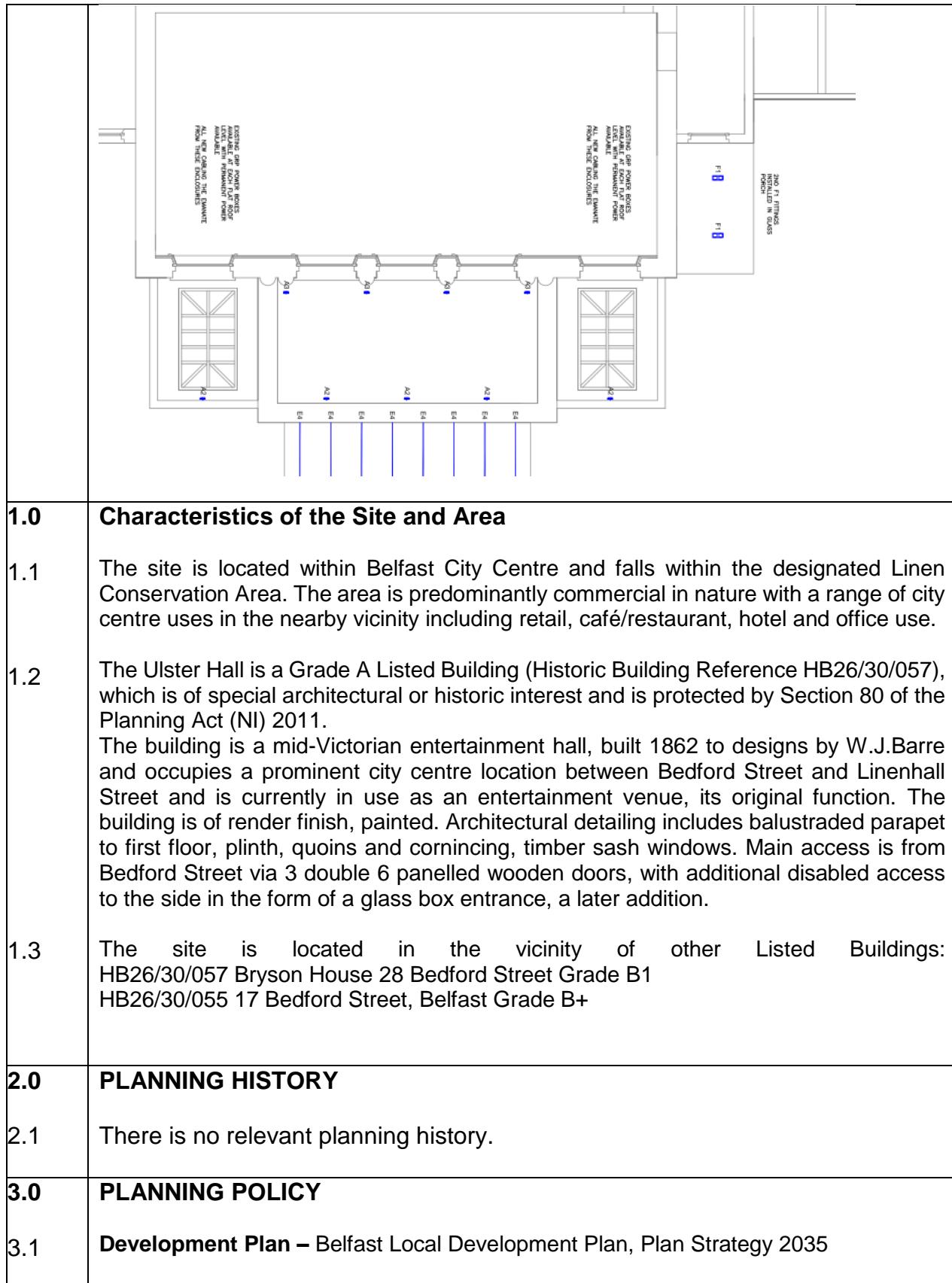
## Site Visit Report

### Site Location Plan:



## Proposed Elevations & Roof Plan





3.2 3.3	<p><i>Operational Policies</i></p> <ul style="list-style-type: none"> <li>• Policy BH1 – Listed buildings</li> </ul> <p><b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) BUAP  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>Regional Planning Policy</b>  Regional Development Strategy 2035 (RDS)  Strategic Planning Policy Statement for Northern Ireland (Edition 2, 2025) (SPPS)</p>
4.0	<p><b>CONSULTATIONS AND REPRESENTATIONS</b></p> <p><b>4.1 Consultations</b>  Department for Communities; Historic Environment Division (HED) was consulted on the proposal. HED met with the applicant team at this building on several occasions to review the location and implications of the installation. HED notes the lighting will be variable under the client requirements, to include light levels and light colours. HED offer no objection to the proposed works, subject to conditions.</p> <p><b>4.2 Representations</b>  The application has been advertised on the 9<sup>th</sup> January 2025 in line with the Planning (General Development Procedure) Order (Northern Ireland) 2015. No representations were received.</p>
5.0 5.1 5.2 5.3 5.4	<p><b>PLANNING ASSESSMENT</b></p> <p><b>5.1 Main Issues</b>  The main issues relevant to consideration of the application are set out below:</p> <ul style="list-style-type: none"> <li>• Impact on the setting of Listed Buildings</li> <li>• Other issues</li> </ul> <p><b>Development Plan Context</b></p> <p><b>5.2</b> Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p><b>5.3</b> Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p><b>5.4</b> 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</p>

	<p>strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
<b>5.5</b>	<p><b><u>Operational Polices</u></b></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.2.</p>
<b>5.6</b>	<p><b><u>Proposals Maps</u></b></p> <p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (BUAP), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (dBMAP) 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 dBMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
<b>5.7</b>	<p>It is considered that the proposal is in compliance with paragraphs 6.12-6.13 of the SPPS in that the proposed development will not cause demonstrable harm to the Listed Building.</p>
	<p><b><u>Impact on the setting of Listed Buildings</u></b></p>
<b>5.8</b>	<p>The application seeks consent for the installation of new LED linear and spotlight lighting to the external front facades of the Ulster Hall, facing onto Bedford Street. It is intended to use the existing lighting system power enclosures, where possible. Positions of the light fittings are indicated on the plans. Part of the lighting to be installed is new, and some existing lighting is to be replaced.</p>
<b>5.9</b>	<p>Policy BH1 of the Plan strategy sets out the policy context for considering proposals to alter Listed Buildings:</p> <p class="list-item-l1">f. The works preserve, restore and complement the building's features of special architectural or historical importance to ensure the existing building remains intact and unimpaired;</p> <p class="list-item-l1">g. The design respects the essential character of the existing building and/or setting;</p> <p class="list-item-l1">h. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building and/or setting;</p> <p>It is considered that the proposal meets the above policy criteria and the historic and architectural integrity of the Listed Building would be safeguarded.</p> <p>As noted above, HED were consulted and offered no objection. They have requested conditions for additional details to be provided to the council and agreed in consultation</p>

5.10	with HED with respect to design details, materials and details relating to the protection of facades or features.	
5.11	<p><b>Other Considerations</b></p> <p>The setting of the building within the Linen Conservation would not be affected as the works relate to the installation of lighting on a Listed Building. There are no significant alterations or extensions proposed that require further consideration.</p>	
	<b>Neighbour Notification Checked</b>	N/A
	<p><b>Summary of Recommendation</b></p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that Listed Building Consent is granted.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.</p>	
	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.</li> <li>2. Notwithstanding the submitted details, the following elements of the approved scheme shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council: <ol style="list-style-type: none"> <li>a. Samples of fixtures to be provided.</li> <li>b. Specific details of light and cable fixing to lead cap/flashing for fitting B1 to be provided.</li> <li>c. Specific details of light fixing type E to masonry and underside of porte cochère.</li> <li>d. Level and colour of lighting shall be adjustable (variable). Specifications to be provided with samples.</li> </ol> <p>The works shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: In the interests of protecting the special architectural and historic qualities of the Listed Building.</p> </li> <li>3. Fixings shall be non-ferrous and shall be made into joints where possible.</li> <li>Reason: In the interests of protecting the special architectural and historic qualities of the Listed Building.</li> <li>4. No works shall commence on site unless a detailed methodology for the protection of the: <ul style="list-style-type: none"> <li>• balustrading and coping at vestibule roof level,</li> <li>• glazed porte cochère,</li> <li>• windows and elevation generally at balcony level; and</li> </ul> </li> </ol>	

• upper parapet cornice (at date stone level)  
- during the construction phase has been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.  
Reason: In the interests of protecting the special architectural and historic qualities of the Listed Building.

#### **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](mailto:planning@belfastcity.gov.uk).
2. This Listed Building Consent 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 Listed Building Consent does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.

**Development Management Officer Report**  
**Committee Application**

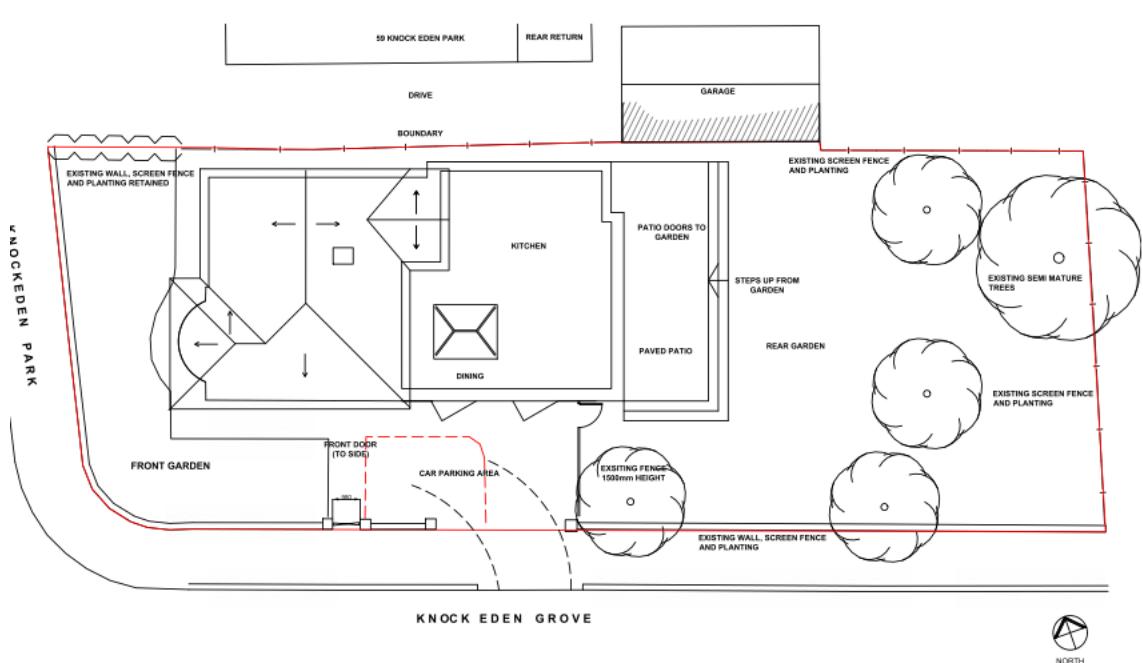
<b>Summary</b>	
<b>Application ID:</b> LA04/2025/1135/F	<b>Committee Meeting Date:</b> 17 <sup>th</sup> February 2026
<b>Proposal:</b> Demolition of first floor rear return, first floor rear extension and additional site works.	<b>Location:</b> 57 Knock Eden Park, Belfast, BT6 0JG
<b>Referral Route:</b> Application subject to paragraph 3.8.5 (d) of the Council's Scheme of Delegation for Planning December 2025, applicant is a Place and Economy staff member.	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Name Redacted 57 Knock Eden Park Belfast BT6 0JG	<b>Agent Name and Address:</b> Karl Ruddle Architects Limited 65 Hilltown Road Bryansford Newcastle BT33 0QA
<b>Date Valid:</b> 18 <sup>th</sup> July 2025	
<b>Target Date:</b> 20 <sup>th</sup> October 2025	
<b>Contact Officer:</b> Lisa Walshe, Principal Planning Officer (Development Management)	
<p><b>Executive Summary:</b></p> <p>The site is located on the corner of Knock Eden Park and Knock Eden Grove and located within the Knock Eden Park Draft Area of Townscape Character (ATC) in the draft Belfast Metropolitan Area Plan 2015 (v2014). Other large-scale extensions are present in the surrounding area.</p> <p>There is an existing single storey ground floor extension which was approved under previous planning application LA04/2018/2068/F in November 2018. The proposed 1<sup>st</sup> floor extension would sit partially on top of this existing extension.</p> <p>There are no objections from statutory or non-statutory consultees.</p> <p>There have been no representations from third parties.</p>	
<p><b>Recommendation</b></p> <p>Having regard to the development plan, planning history on the site, and other material considerations, the proposal is considered acceptable.</p> <p>It is recommended that planning permission is granted, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

**Case Officer Report**  
**Site Location Plan and approved layout**

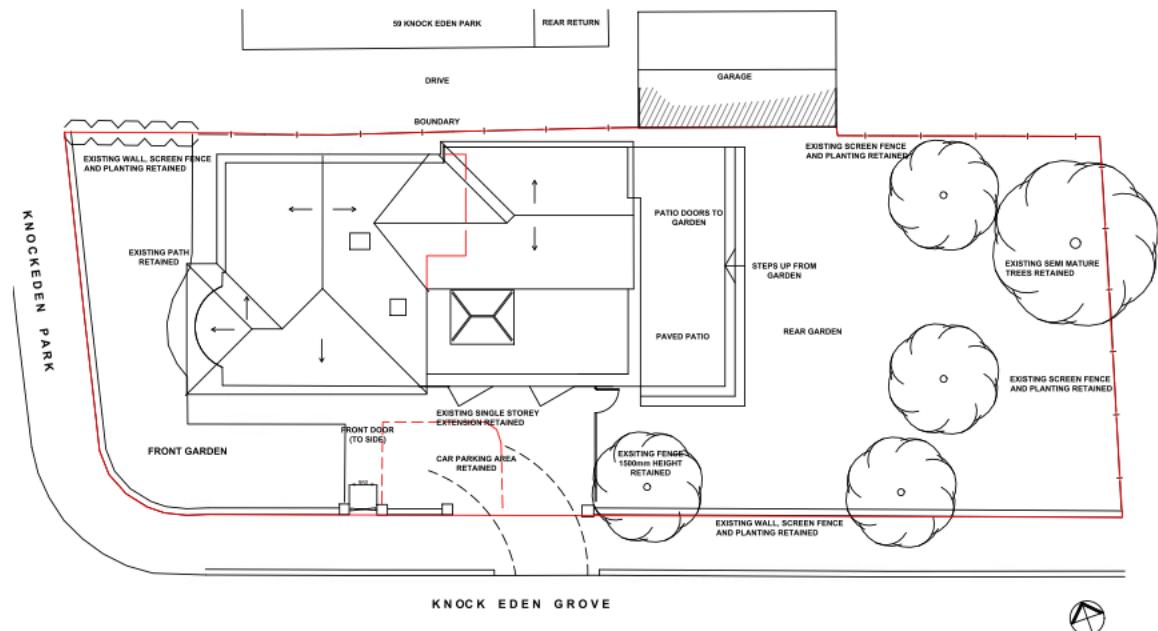
**Site location Plan**



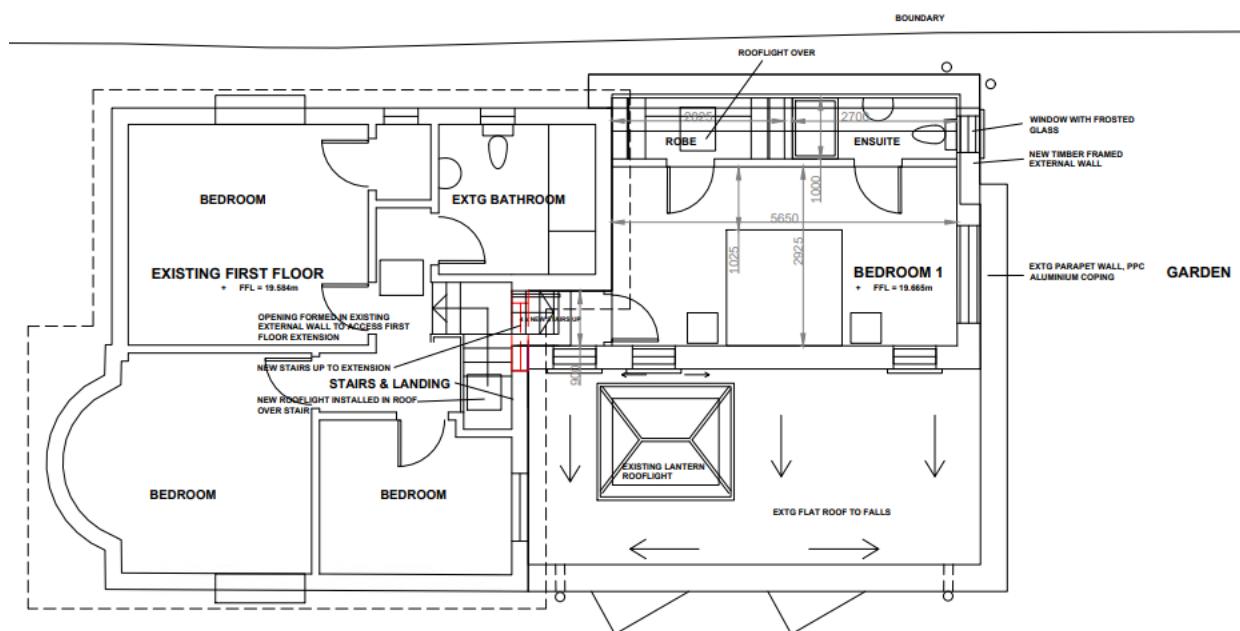
**Existing Site Location Plan**



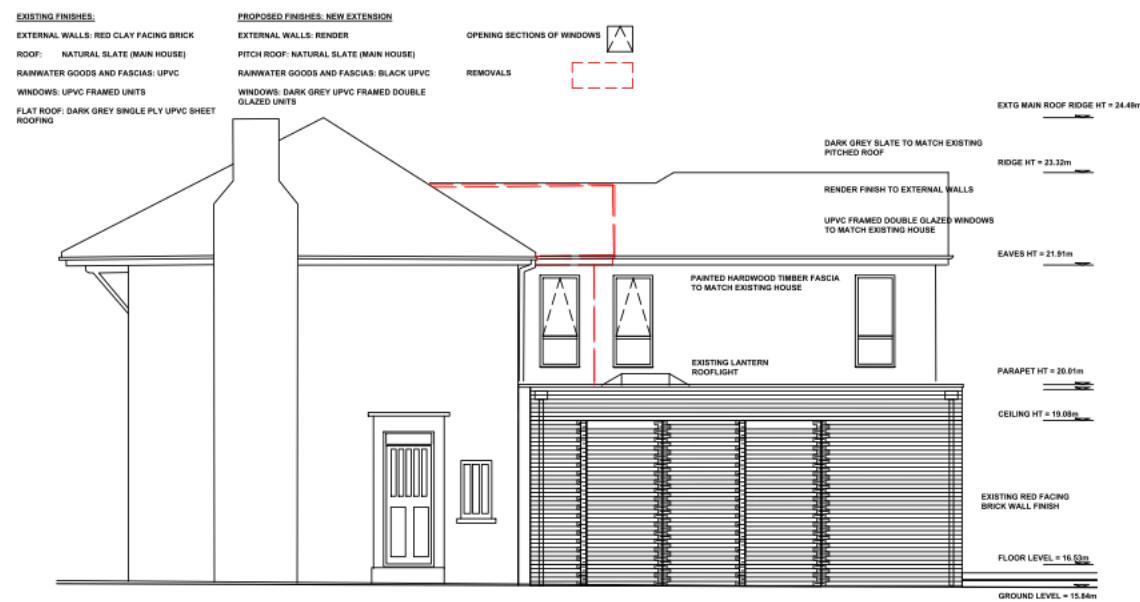
## Proposed Plan



## Proposed First Floor Plan



## Proposed Side Elevation (south)



### 1.0 Description of Proposed Development

1.1 The proposal seeks permission for a 1<sup>st</sup> floor rear extension with demolition of an existing 1<sup>st</sup> floor rear return.

### 2.0 Description of Site

2.1 The site is located on the corner of Knock Eden Park and Knock Eden Grove. The site is located within the Knock Eden Park Draft Area of Townscape Character (ATC) in the draft Belfast Metropolitan Area Plan 2015 (v2014).

2.2 The property on site is a 2-storey detached dwelling finished in red brick. The property is accessed from Knock Eden Grove with in-curtilage parking. A single storey extension which was approved in 2018 has been built on site. Mature trees and hedging are present to the rear of the site on the eastern boundary. There is sufficient boundary space remaining to the rear of the property.

### 3.0 Planning History of the application site

3.1 LA04/2018/2068/F – Single storey rear extension with vehicular gates widened. Approval granted 1<sup>st</sup> November 2018.

### 4.0 Policy Context

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

4.2 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.

4.3	<p>The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <p>DES1 Design RD2 Residential extensions and alterations BH3 Areas of Townscape Character TRE1 Trees ENV2 Mitigating Environmental Change ENV3 Adapting to Environmental Change ENV5 Sustainable Drainage System</p> <p><b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
4.4	The site is located within the Knock Eden Park Draft Area of Townscape Character (ATC) in the draft Belfast Metropolitan Area Plan 2015 (v2014).
4.5	<p><u>Regional planning policy</u></p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)</p>
5.0	<p><b>Statutory Consultees</b> N/A</p>
6.0	<p><b>Non-Statutory Consultees</b> N/A</p>
7.0	<p><b>Representations</b> No representations were received.</p>
8.0	<p><b>ASSESSMENT</b></p> <p>8.1 The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> <li>- Impact on neighbouring properties in terms of overlooking, overshadowing and dominance.</li> </ul>

	<ul style="list-style-type: none"> <li>- Impact on the Area of Townscape Character</li> </ul>
8.2	<p><b><u>Design</u></b></p> <p>The proposed first floor extension is to be located on top of the existing single storey rear extension. The addition of this extension would not take up additional garden space and would replace an existing first floor rear return. The proposed extension would extend 6m beyond the rear return which currently exists on site and would measure 7.4m from the existing rear elevation of the property once this rear return is demolished. Although it is large in scale, other extensions of this scale or larger are present in the surrounding area showcasing a mixture of both red brick and painted render. Due to the characteristics of the site and surrounding area, the proposal is considered acceptable on balance in respect of its scale, massing, design and external materials. The character and appearance of the area would be preserved. The presence of mature trees to the east of the site will prevent views of the proposed extension when approaching the site from Knock Eden Grove and will help screen the extension from wider views.</p>
8.3	<p>The proposal would not result in the loss of existing trees or existing on-site parking spaces. Suitable provision for bin storage would remain. The proposal includes appropriate measures to enable people to stay within their own home and energy efficiency enhancements.</p>
8.4	<p><b><u>Overshadowing/ loss of light</u></b></p> <p>Due to the orientation of the site and the presence of their own rear return and garage, the level of overshadowing of the rear garden of no. 59 Knock Eden Park would not be significantly greater than what is currently experienced on site. The windows located on the gable of no. 59 do not facilitate habitable rooms on the 1<sup>st</sup> floor and are fitted to a hallway and upstairs bathroom. The ground floor windows which would be affected are kitchen windows, however there is an alternative light source located on the rear elevation which facilitates the kitchen which will not be impacted by the proposal.</p>
8.5	<p><b><u>Overlooking</u></b></p> <p>There are no new windows located on the north elevation facing the property at no. 59 Knock Eden Park which would result in overlooking. Windows located on the southern elevation face onto the road leading to Knock Eden Grove and are separated from the dwelling at no.55 Knock Eden Park by approximately 23m which is in accordance with the supporting planning guidance for residential extensions and alterations. The proposed first floor window to the rear would not result in overlooking of the most private part of the rear garden of no. 59 and would be separated from the closest property of Knock Eden Grove by 25.4m. The SPG recommends at least 20m separation distance should be maintained between facing windows of the main habitable rooms.</p>
8.6	<p><b><u>Impact on Area of Townscape Character</u></b></p> <p>The proposal, by reason of its height, scale, form, materials and detailing, would maintain the overall character, and respect the built form, of the Area of Townscape Character. There would be no detrimental impact on the setting of the area and no significant loss of key views within, into and out of the ATC. Trees and other landscape features contributing to the character or appearance of the area are safeguarded and integrated in an appropriate manner.</p>
<b>10.0</b>	<b>Recommendation</b>
10.1	Having regard to the development plan, planning history on the site, and other material considerations, the proposal is considered acceptable.

10.2	<p>It is recommended that planning permission is granted, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.</p>
<b>11.0</b>	<b>Draft Conditions</b>
11.1	<p>The development hereby permitted must be begun within five years from the date of this permission.</p>
11.2	<p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p>
11.3	<p>Reason: In the interests of visual amenity.</p> <p>The roof area of the existing ground floor rear extension shall not be used as a balcony, roof garden or amenity area.</p> <p>Reason: To safeguard the amenities of the adjacent property.</p>

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