

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



**Belfast
City Council**

15th July, 2020

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet remotely, through Microsoft Teams, on Tuesday, 21st July, 2020 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Routine Matters**

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

2. **Planning Decisions Issued (Pages 1 - 18)**

3. **Planning Appeals Notified (Pages 19 - 20)**

4. **Planning Applications**

- (a) LA04/2018/2876/F - Residential development comprising 16 units (10 semi-detached and 6 detached) on Lands opposite 13, 15, 17 and 32 Somerdale Park. (Pages 21 - 36)
- (b) LA04/2020/0639/F - Alteration and extension to Church hall Braniel Methodist & Presbyterian Church, Lower Braniel Road. (Pages 37 - 46)

- (c) LA04/2020/0474/F - Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works on lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park). (Pages 47 - 70)
- (d) LA04/2020/0446/F - Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 26-44 Little Patrick Street (Temporary) (Pages 71 - 84)

5. **Miscellaneous Items**

- (a) Departmental Performance Update (to 31 March 2020) (Pages 85 - 104)
- (b) Award of Contract to replace Planning Portal (Pages 105 - 108)
- (c) LDP Timetable and Update (**Restricted**) (Pages 109 - 124)

Decisions issued between 8 June and 10 July 2020

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2017/2538/LBC	Local	26 Sans Souci Park Belfast BT9 5BZ	Amendment to previous approved scheme LA04/2015/0046/F to create 7no. apartments, works to include internal and external alterations, car parking and landscaping. (amended description)	PERMISSION GRANTED
LA04/2017/2594/F	Local	26 Sans Souci Park Belfast BT9 5BZ	Amendment to previous approved scheme LA04/2015/0046/F to create 7no. apartments, works to include internal and external alterations, car parking and landscaping	PERMISSION GRANTED
LA04/2018/0448/F	Major	Lands at former Sirocco Works Short Strand and adjacent to Bridge End and the River Lagan Belfast	Erection of 13 storey Grade A office building with ground floor, first floor and mezzanine cafe/bar/restaurant uses (sui generis), ground floor retail unit, lobby/reception area, basement and deck car parking, servicing (refuse/recycling/cycle storage/changing facilities), landscaping/public realm works, temporary pocket park, pedestrian/ cycle access route from Bridge End, temporary pedestrian/cycle access to riverfront, associated access arrangements to Short Strand and Bridge End and other associated infrastructural works	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2018/0471/F	Major	The Boys Brigade Recreation Centre 108 Belvoir Drive Belfast BT8 7BA	Upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stand, toilet blocks, turnstiles, additional car parking and associated ground works (amended description & proposal)	PERMISSION GRANTED
LA04/2018/0811/O	Major	Lands at former Sirocco Works Short Strand and adjacent to Bridge End and the River Lagan Belfast	Mixed use development comprising offices, residential apartments (including affordable), hotel and serviced apartments, retail and professional services, community and cultural, leisure uses, cafes, bars, restaurants, with associated car parking, circulation and servicing arrangements; public realm works, landscaping, replacement of existing pedestrian bridge fixed to railway bridge and associated access works to Short Strand and Bridge End with other infrastructural works, and demolition of existing structures including boundary walls. (revised description and amended/additional info)	PERMISSION GRANTED
LA04/2018/1904/F	Local	30C Sydney Street West Town Parks Belfast BT13 1RQ.	Demolition of existing warehouse building and erection of 10 No. two storey dwellings with associated car parking	PERMISSION GRANTED
LA04/2018/2093/F	Local	Site adjacent and to East of Merkland Place Belfast.	Proposed development of 14No. commercial units (Class B1, B2 & B4) and associated works (Amended plan)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2018/2110/F	Local	2A Derryvolgie Avenue Belfast BT9 6FL.	Retrospective change of use & retention of musical theatre/dance classes with ancillary office accommodation.	PERMISSION GRANTED
LA04/2018/2738/F	Local	4 Sandhurst Road Belfast BT7 1PW.	Removal of chimneys (Retrospective)	PERMISSION REFUSED
LA04/2019/0068/F	Major	Westgate House 2-4 Queen Street Belfast.	Demolition of existing building and construction of 54no. apartments with associated landscaping and a retail unit at ground floor.	PERMISSION GRANTED
LA04/2019/0121/DCA	Local	Westgate House 2-4 Queen Street Belfast.	Demolition of existing building and construction of 54No. studio apartments with associated landscaping and a retail unit at ground floor.	PERMISSION GRANTED
LA04/2019/0171/F	Local	Ex Ulster Bank 54 Boucher Road Belfast BT12 6HR	Change of use and extension of ex Ulster Bank building to create two hot food retail outlets with takeaway facilities	PERMISSION GRANTED
LA04/2019/1100/F	Major	721-739 Lisburn Road Belfast BT9 7GU.	Mixed use commercial and residential development providing 79 apartments with associated amenity space, c.8999 sq ft of retail floorspace in 6 units, c.6950 sq ft Gym, 67 car parking spaces, bin storage and assoc. site and access works and public realm improvements.	PERMISSION GRANTED
LA04/2019/1292/A	Local	26-44 Little Patrick Street Belfast.	1No. Entrance signage mounted over entrance doors to read 'Little Patrick Street'	PERMISSION GRANTED
LA04/2019/1493/DC	Local	49 Derryvolgie Avenue Malone Lower Belfast BT9 6FP.	Discharge of condition no. 6 of Z/2000/0441/F (archaeological remains)	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1519/F	Local	2 Cairnburn Dell Belfast BT4 2ER.	Single storey extension to rear and first floor side extension.	PERMISSION GRANTED
LA04/2019/1594/LBC	Local	Existing Telecoms Installation Rooftop of Owen O'Cork Mill 288 Beersbridge Road Belfast BT5 5DX.	Replacement of 6No. existing pole mounted antenna and 4no. dishes with 12No. antenna and 4No. dishes on a new 7.5m stub mast plus all associated ancillary equipment and cabling all within a new four sided GRP screen.	PERMISSION GRANTED
LA04/2019/1693/F	Local	26 Duncairn Gardens Town Parks Belfast BT15 2GG.	Change of use of ground floor office space to yoga studio and first floor storage area to office. Proposed 2no first floor windows on side elevation and proposed door rear elevation.	PERMISSION GRANTED
LA04/2019/1782/F	Major	15 Wildflower Way Boucher Road Belfast BT12 6TA.	Demolition of buildings and clearing of site for a retail warehouse building, associated car parking and accesses.	PERMISSION GRANTED
LA04/2019/1983/DC	Local	Kings Hall and RUAS site South of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North-East of Balmoral Golf Club Belfast BT9 6GW.	Discharge of condition No.13 LA04/2018/0048/LBC	CONDITION DISCHARGED
LA04/2019/1987/LDE	Local	56 Rugby Avenue Belfast BT7 1RG.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2215/F	Local	14 Malone View Road Belfast BT9 5PH.	Boundary fencing to rear of property. Retrospective construction of a raised paved patio and raised levels to form grass patio with associated access steps and retaining walls.	PERMISSION GRANTED
LA04/2019/2273/F	Major	Unit A Holywood Exchange Retail Park 304 Airport Road West Belfast BT3 9EJ.	Use of unit A as a supermarket with rear extension and loading bay, alterations to elevations and external trolley bay.	PERMISSION GRANTED
LA04/2019/2326/DC	Local	Queens Quay Belfast BT3 9QQ	Discharge of condition 7 of LA04/2018/0099/F (Construction Environmental Management Plan)	CONDITION DISCHARGED
LA04/2019/2442/F	Major	Lands at Riddel Hall 185 Stranmillis Road Belfast BT9 5EE	Development of a new purpose-built teaching facility and associated/ancillary accommodation and works	PERMISSION GRANTED
LA04/2019/2446/F	Local	Lands East of No. 8 West of 90 and North of Nos 9-31 (Odds) Glenbryn Park Belfast BT14 7JH.	Erection of 12 No. dwellings with parking, landscaping and associated site works.	PERMISSION GRANTED
LA04/2019/2476/F	Local	33 Knockdene Park Ballycloghan Belfast BT5 7AD.	Extension & refurbishment of existing single storey side accommodation. New detached single storey garage, increased parking area and new vehicular entrance pillars and gates.	PERMISSION GRANTED
LA04/2019/2518/F	Local	95 University Street Belfast BT7 1HP.	Change of use from offices to 5 No. One Bedroom Apartments (for use as temporary accommodation) including demolition of existing rear return and erection of three storey extension	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2525/F	Local	401 Lisburn Road Belfast BT9 7EW	Proposed change of use from office to yoga studio on first floor (amended proposal)	PERMISSION GRANTED
LA04/2019/2709/F	Local	65 Knockbreda Park Belfast BT6 0HD.	Demolition of existing single storey return & garage. Single storey side & rear extension.	PERMISSION GRANTED
LA04/2019/2711/LBC	Local	401 Lisburn Road Belfast BT9 7EW	Proposed change of use from office to yoga studio on first floor (amended proposal)	PERMISSION GRANTED
LA04/2019/2715/DC	Local	530 and 532 Shore Road Belfast BT15 4BL	Discharge of Condition no. 5 of Z/2013/1460/F (Structural engineer report)	CONDITION NOT DISCHARGED
LA04/2019/2742/A	Local	The Metro building Donegal Square South Belfast BT1 5JA	Erection of 1no. static illuminated building sign and 1no. non-illuminated sign(2no. signs in total) on north elevation.	PERMISSION GRANTED
LA04/2019/2812/F	Local	Site to rear of 54 Stranmillis Park Belfast BT9 5AU	Demolition of existing garage and erection of new dwelling including alterations to fenestration of existing HMO	PERMISSION REFUSED
LA04/2019/2848/F	Local	Lands at Kings Hall Complex Lisburn Road Balmoral Belfast BT9 6GW.	Construction of day nursery/playschool facility to replace existing temporary day care nursery and reconfiguration of car park approved under LA04/2018/0040/F with associated landscaping and access works. (Additional Information received)	PERMISSION GRANTED
LA04/2019/2944/F	Local	9-13 Boucher Road Belfast BT12 6HR.	Replacement car showroom and workshop with associated site works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2950/F	Local	Lands between 14 + 16 Lancedean Road Belfast BT6 9QP.	Demolition of 4 garages, construction of a dwelling house to include one replacement garage, house to be part single, part two storey and associated site works.	PERMISSION GRANTED
LA04/2019/2979/F	Local	127 The Mount Belfast BT5 4NE	Conversion of existing dwelling to an HMO, including minor alterations to internal layout.	PERMISSION GRANTED
LA04/2019/2980/F	Local	1 Castleview Terrace Belfast BT4 3FD	Conversion of existing dwelling to a HMO	PERMISSION GRANTED
LA04/2019/2990/F	Local	Lands adjacent to and south east of Ballymacarrett Community Centre between Severn Street and Ballymacarett Walkway Belfast BT4 1SX	Change of Use of land from derelict hardstand to replacement car park, new access/egress via Severn Street and Boundary treatment. (Amended description ♦ address)	PERMISSION GRANTED
LA04/2020/0025/F	Local	Ground Floor 46 University Street Belfast BT7 1HB	Change of use of ground floor from hairdressing salon to cafe (no change to upper floor offices)	PERMISSION GRANTED
LA04/2020/0026/LBC	Local	46 University Street Belfast BT7 1HB	Provision of extract grille to rear external wall and internal works and finishes to facilitate change of use from hairdressing salon to cafe (Amended Description)	PERMISSION GRANTED
LA04/2020/0030/F	Local	58 Stranmillis Road Belfast BT9 5AD	Change of use from ground floor retail unit to Frozen Yoghurt Parlour and internal reconfiguration.	PERMISSION GRANTED
LA04/2020/0075/DC	Local	SSE Arena 2 Queens Quay Belfast BT3 9QQ	Discharge of condition no.2 of LA04/2018/1509/F (Verification Report)	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0138/F	Local	13 Glendale Belfast BT10 ONX	Proposed roof space conversion creating dormer to rear of property.	PERMISSION GRANTED
LA04/2020/0146/LDE	Local	35 Ridgeway Street Stranmillis BT9 5FB.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0165/F	Local	57 Ashley Avenue Belfast	Retention of existing domestic outbuilding as ancillary accommodation, existing garden shed and associated site works.	PERMISSION GRANTED
LA04/2020/0183/DC	Local	14-16 Upper Crescent Belfast BT7 1NT.	Discharge of condition 15 LA04/2017/1268/F (Drainage assessment)	CONDITION DISCHARGED
LA04/2020/0184/F	Local	5 Owenvarragh Park Belfast BT11 9BD	Single storey rear extension	PERMISSION GRANTED
LA04/2020/0185/LDE	Local	22c Brookvale Avenue Belfast BT14 6BW	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0186/LDE	Local	26C Brookvale Avenue Belfast BT14 6BW	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0187/LDE	Local	24C Brookvale Avenue Belfast BT14 6BW	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0199/F	Local	All Saints College (Christian Brothers School) Glen Road Belfast BT11 8BW.	The provision of 2 modular double classroom units to substitute the previously approved classroom units under application LA04/2019/0496/F	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0203/LDE	Local	22 Wellesley Avenue Belfast BT9 6DG.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0204/LDP	Major	Lands at the Former St Clements Retreat 722 Antrim Road Belfast.	Completion of 64 residential units in accordance with planning permission LA04/2019/0062/F; having secured planning permission under LA04/2017/0882/F and LA04/2019/0062/F for the variation of conditions 17 and 19 attached to Z/2010/0526/F, and associated non material change approvals and discharge of planning conditions related to Z/2010/0526/F; refer to Appendix 4 & 10 of enclosed report.	PERMITTED DEVELOPMENT
LA04/2020/0213/F	Local	100 University Street Belfast BT7 1HE.	Change of use from offices to 5No. self contained apartments including new boundary wall for open space (renewal of Z/2014/1304/F)	PERMISSION GRANTED
LA04/2020/0216/F	Local	13 St James Road Belfast BT12 6EA.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0276/LDE	Local	70 Malone Avenue Belfast BT9 6ER	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0303/DCA	Local	33 Knockdene Park Ballycloghan Belfast BT5 7AD.	Demolition works associated with alteration of hipped roof, revised window openings along north west elevation, new elevational treatment to south west elevation and new rooflight openings	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0314/F	Local	98 Onslow Parade Belfast BT6 0AT	Single and two storey side and rear extension to dwelling with extended patio. (Amended description)	PERMISSION GRANTED
LA04/2020/0332/F	Local	Existing Telecoms installation Rooftop of Owen O Cork Mill 288 Beersbridge Road Belfast BT5 5DX	Proposed replacement of 6no. pole mounted antenna and 4no. dishes with 12no. antenna and 4no. dishes on a new 7.5m high stub mast plus all associated ancillary equipment.	PERMISSION GRANTED
LA04/2020/0349/F	Local	26 Duncairn Gardens Town Parks Belfast Antrim BT15 2GG	Change of use of ground floor office space (use class B1) to a salt therapy room (class D1)	PERMISSION GRANTED
LA04/2020/0366/F	Local	2 Piney Park Malone Road Belfast BT9 5QU	Proposed building works to include extension to the front and side of dwelling. Side extension and elevation changes including re-rendering the dwelling and new windows installed. Demolish existing sunroom and new patio	PERMISSION GRANTED
LA04/2020/0388/LBC	Local	Barclays Bank 17 Castle Place Belfast BT1 1GA	Internal alterations including redecoration of portion of ground floor, erection of internal wall and installation of signage and digital marketing items	PERMISSION GRANTED
LA04/2020/0399/LDE	Local	38 Elaine Street Belfast BT9 5AR.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0400/F	Local	59 Lomond Avenue Belfast BT4 3AJ	Conversion of existing dwelling to an HMO, including minor alterations to the internal layout.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0423/F	Local	18 Tudor Avenue Belfast BT6 9LR.	Single storey rear lean-to kitchen extension and raised decking	PERMISSION GRANTED
LA04/2020/0428/F	Local	715 Antrim Road Belfast BT15 4EJ	Partial glass and timber infill to rear closet wing wall Existing footprint of building retained Relocation of front gatepost to widen access site works as appropriate to the above.	PERMISSION GRANTED
LA04/2020/0429/F	Local	18 Vandyck Crescent Newtownabbey BT36 7HF	Single storey extension to side, single storey extension to rear and dormer to rear	PERMISSION GRANTED
LA04/2020/0434/NMC	Local	Land east of Harberton Park to the south of no. 25 Harberton Park Belfast.	Non material change - LA04/2017/1394/F	NON MATERIAL CHANGE GRANTED
LA04/2020/0435/F	Local	17 Belmont Church Road Belfast BT4 3FF	Proposed demolition of existing conservatory and construction of new single storey extension to rear of dwelling.	PERMISSION GRANTED
LA04/2020/0439/F	Local	11 Beechgrove Gardens Belfast BT6 0NN	Proposed two storey and single storey extensions to both the side gable and rear of dwelling. Single storey garage/store to side and raised patio to rear.	PERMISSION GRANTED
LA04/2020/0452/F	Local	14 Mount Aboo Park Finaghy BT10 0DJ	New single storey side and rear extension and alterations at rear of existing dwelling.	PERMISSION GRANTED
LA04/2020/0456/A	Local	Lands at Queens University Students Union 77-79 University Road Belfast BT7 1NN.	4No. hoarding signs mounted, 2No. project signboards and 3No. wayfinding signs (to be in place during construction period)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0464/A	Local	15 Boucher Road Belfast BT12 6HR.	1. Projecting Facade Letters 2. Site entrance monument sign 3. 4 X Tesla flags on existing flag poles.	PERMISSION GRANTED
LA04/2020/0473/LDE	Local	Flat 2 98 University Avenue Malone Lower Belfast BT7 1GY	House in Multiple Occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0487/F	Local	3 Glenmachan Mews Belfast	Rear single storey extension. First floor extension over existing garage with dormer. New bay window to front and elevation changes.	PERMISSION GRANTED
LA04/2020/0492/LDE	Local	48 Stranmillis Gardens Belfast BT9 5AT	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0497/F	Local	179 181 197 199-203 Beersbridge Road including lands to the rear of 183-189 Beersbridge Road Belfast.	Section 54 application to vary condition 3 (Bin Store), 5 (Cycle parking), 11 + 12 (Landscaping plan + Management Plan) of LA04/2018/1392/F (Erection of residential development in 2 blocks of 18 apartments) to reflect amendments to layout to, improve amenity, accessibility, maintenance and operation.	PERMISSION GRANTED
LA04/2020/0503/F	Local	Belvoir Park Golf Club 73 Church Road Newtownbreda Belfast BT8 7AN	Retrospective application for rear and side timber and perspex lean-to extensions (Amended Description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0509/F	Local	12 Oakhurst Avenue Belfast BT10 0PE.	Single storey extension to rear and partial garage conversion to living accommodation at existing detached dwelling.	PERMISSION GRANTED
LA04/2020/0511/F	Local	126 Knockbreda Park Belfast BT6 0HG.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0549/F	Local	29 Cranmore Park Belfast BT9 6JF.	Retention of two storey rear extension to dwelling, amended scheme to approval LA04/2017/0978/F.	PERMISSION GRANTED
LA04/2020/0553/F	Local	1 Glencregagh Court Belfast BT6 0PA	Single storey extension to provide porch	PERMISSION GRANTED
LA04/2020/0558/A	Local	Gable end wall of 112 Ann Street Belfast	Replacement of existing 48 sheet internally illuminated advertising display with LED digital display.	PERMISSION REFUSED
LA04/2020/0581/LDE	Local	1 Sandhurst Gardens Malone Lower Belfast BT9 5AW.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0587/F	Local	Crown Entry Wilsons Court Joys Entry Pottingers Entry Coles Alley Belfast BT1.	Environmental improvements scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation.	PERMISSION GRANTED
LA04/2020/0589/F	Local	Castle Arcade Belfast BT1 5DG.	Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0603/DC	Local	Lands at nos. 43-63 Chichester Street 29-31 Gloucester Street and Seymour Lane Belfast.	Discharge of Condition 18 - LA04/2019/0909/F	CONDITION DISCHARGED
LA04/2020/0633/F	Local	18 Sandford Avenue Belfast BT5 5NW	Proposed two storey extension to side and rear and elevation changes. Demolish existing garage.	PERMISSION GRANTED
LA04/2020/0676/NMC	Local	Non material change LA04/2018/0719/F	Non material change - LA04/2018/0719/F	NON MATERIAL CHANGE GRANTED
LA04/2020/0693/DC	Local	3 Allworthy Avenue Belfast BT14 6BU.	Discharge of condition no. 2 of LA04/2019/1638/F (management plan)	CONDITION DISCHARGED
LA04/2020/0713/DC	Local	48-52 York Street Belfast BT15 1AS	Discharge of condition 5 - LA04/2016/1213/RM	CONDITION DISCHARGED
LA04/2020/0747/F	Major	The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north-east of Balmoral Golf Club Belfast BT9 6GW.	Application under section 54 of the Planning Act (NI) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0749/DC	Local	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community allotments opposite no.s 27-29 Colinglen Road and accessed off Colinglen Road BT17 0HW	Discharge of condition no. 2 of LA04/2019/1066/F (CEMP)	CONDITION DISCHARGED
LA04/2020/0750/DC	Local	Colin Glen Forest Park 163 Stewartstown Road or lands north of Colin Glen Community Allotments opposite no.s 27-29 Colinglen Road and accessed off Colinglen Road BT17 0HW	Discharge of condition no. 4 of LA04/2019/1066/F (Invasive Species Management Plan)	CONDITION DISCHARGED
LA04/2020/0752/DC	Local	Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue Belfast.	Discharge of condition no. 15 of LA04/2018/0832/F (programme of archaeological work)	CONDITION DISCHARGED
LA04/2020/0764/DC	Local	Lands located to the south of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4.	Discharge of condition no. 19 of Z/2014/0260/F (obscure glass windows)	CONDITION DISCHARGED
LA04/2020/0806/NMC	Local	Former Coach House Downview Avenue Belfast BT15 4EZ	Non material change to LA04/2018/0719/F relating to materials of extension	NON MATERIAL CHANGE GRANTED
LA04/2020/0870/PAN	Local	176-178 Shore Road (HSS Hire) and 194-196 Shore Road (Lidl) Belfast BT15 3QA	Demolition of existing buildings, erection of replacement supermarket, landscaping, car parking, amended access, improvements to Shore Road, and associated site works.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0872/PAN	Major	1-5 Gaffikin Street Belfast BT12 5FH	Demolition of existing building and construction of 55no. apartments with associated site development works ad landscaping.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE
LA04/2020/0892/PAN	Major	Lands adjacent to Mill Avenue (site of former Wolfhill Flax Spinning Mill) Ligoneil Belfast	Residential Development: amendments to planning approval Z/2010/1315/RM to include change of house types and reconfiguration of plots 1-13 and associated works.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE
LA04/2020/0927/DC	Local	Old Park Terrace/Lands south west of 22 Old Park Terrace Belfast BT14 6NP.	Discharge of condition no. 7 of LA04/2019/1475/F (Programme of archaeological work)	CONDITION DISCHARGED
LA04/2020/0934/CONTPO	Local	2 Windsor Avenue North Belfast BT9 6EL.	Tree surgery re oak and birch trees affecting structure of garden wall.	Agreed
LA04/2020/0946/DC	Local	26-44 Little Patrick Street Belfast.	Discharge of condition 8 LA04/2017/2306/F.	CONDITION DISCHARGED
LA04/2020/0973/CONTPO	Local	64A Bawnmore Road Belfast BT9 6LD.	Tree surgery and prune to reduce overall size and wind sail.	Agreed
LA04/2020/1037/CONTPO	Local	Marlborough Lodge 78A Marlborough Park North Belfast BT9 6HJ.	Felling 1 downy birch tree	Agreed
LA04/2020/1048/CONTPO	Local	29 Lewis Park Belfast BT4 1FE	Reduction in crown height, lopping of poplar trees	Agreed

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1083/DC	Local	Land at Lyndon Court 32-38 Queen Street Belfast BT1 6EF.	Discharge of condition 7 LA04/2019/0553/F.	CONDITION DISCHARGED
LA04/2020/1141/CONTPO	Local	33 Fortwilliam Demesne Belfast BT15 4FD.	Tree surgery to 2 trees.	Agreed
LA04/2020/1153/CONTPO	Local	48 Bawnmore Road Belfast BT9 6LB.	Tree surgery	Agreed
LA04/2020/1201/CONTPO	Local	37 Bawnmore Road Belfast BT9 6LB.	Felling of 1 cypress tree	Agreed
LA04/2020/1206/CONTPO	Local	Rear of 4-6 Danesfort Park West Belfast.	Works to trees	Agreed

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Appeal Decisions

AUTHORITY Belfast

ITEM NO 1
Planning Ref: LA04/2018/2810/A **PAC Ref:** 2018/A0250
RESULT OF APPEAL **Appeal Dismissed** **Appeal Decision Date** 27/04/2020
APPLICANT **Clear Channel NI Ltd**
LOCATION Forecourt Of Blacks Filling Station Upper Lisburn Road Belfast.

PROPOSAL Convert existing prismatic 48 sheet display unit to a standard 48 sheet back illuminated light box.

ITEM NO 2
Planning Ref: LA04/2019/0179/O **PAC Ref:** 2019/A0098
RESULT OF APPEAL **Appeal Dismissed** **Appeal Decision Date** 15/05/2020
APPLICANT **Mrs Nelson**
LOCATION Lands Approx. 40m East Of 32 Rocky Road Belfast BT8

PROPOSAL Proposed erection of a detached dwelling

ITEM NO 3
Planning Ref: LA04/2019/0226/A **PAC Ref:** 2019/A0103
RESULT OF APPEAL **Appeal Dismissed** **Appeal Decision Date** 18/06/2020
APPLICANT **Clear Channel NI Ltd**
LOCATION 81-83 Holywood Road Belfast.

PROPOSAL To convert existing 48 sheet prismatic display panel with external lighting to a 48 sheet internally illuminated light box.

ITEM NO 4
Planning Ref: LA04/2018/2828/O **PAC Ref:** 2019/A0109
RESULT OF APPEAL **Appeal Dismissed** **Appeal Decision Date** 04/06/2020
APPLICANT **Allan, Elaine, Victor And Michael Scott**
LOCATION 5 Middle Braniel Road Belfast BT5 7TU.

PROPOSAL Demolition of 1no. existing dwelling and erection of 6no. new detached dwellings.

ITEM NO 5
Planning Ref: LA04/2018/2844/F **PAC Ref:** 2019/A0114
RESULT OF APPEAL **Appeal Dismissed** **Appeal Decision Date** 04/06/2020
APPLICANT **Colette Kane**
LOCATION 1 Glantane Drive Belfast BT15 3FE.

PROPOSAL

Change of use from dwelling to 3No. residential units.

ITEM NO 6
Planning Ref: LA04/2018/2081/F **PAC Ref:** 2019/A0137
RESULT OF APPEAL **Appeal Upheld** **Appeal Decision Date** 20/03/2020
APPLICANT **Heron Bros Ltd**
LOCATION St Agnes Parish Hall 146 Andersonstown Road Ballydownefine
Andersonstown Belfast BT11 9BY.

PROPOSAL Change of use from parish hall to licensed social club.

ITEM NO 7
Planning Ref: LA04/2017/2752/F **PAC Ref:** 2019/A0167
RESULT OF APPEAL **Appeal Dismissed** **Appeal Decision Date** 03/06/2020
APPLICANT **Kasey Pang**
LOCATION 125 Great Victoria Street Belfast BT2 7AH

PROPOSAL Change of use of vacant ground floor office to coffee shop with 1st floor 2 bed apartment and 2nd floor 2 bed apartment

New Appeals Notified

ITEM NO
Planning Ref LA04/2019/2822/A **PAC Ref:** 2019/A0258

Applicant Belvoir Park LLP

Location Adjacent To Milltown Road Belfast BT8 7XP.
Proposal Free-standing double sided totem sign (temporary for 3 years)
DC - Advertisement Consent DEA Balmoral

Development Management Officer Report Committee Application

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

Government decision by which the Council is not bound by and was also within a different policy context, pre the introduction of Planning Policy Statement 8 – Open Space and Recreation.

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

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

Neighbours have been notified and no objections have been received.

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

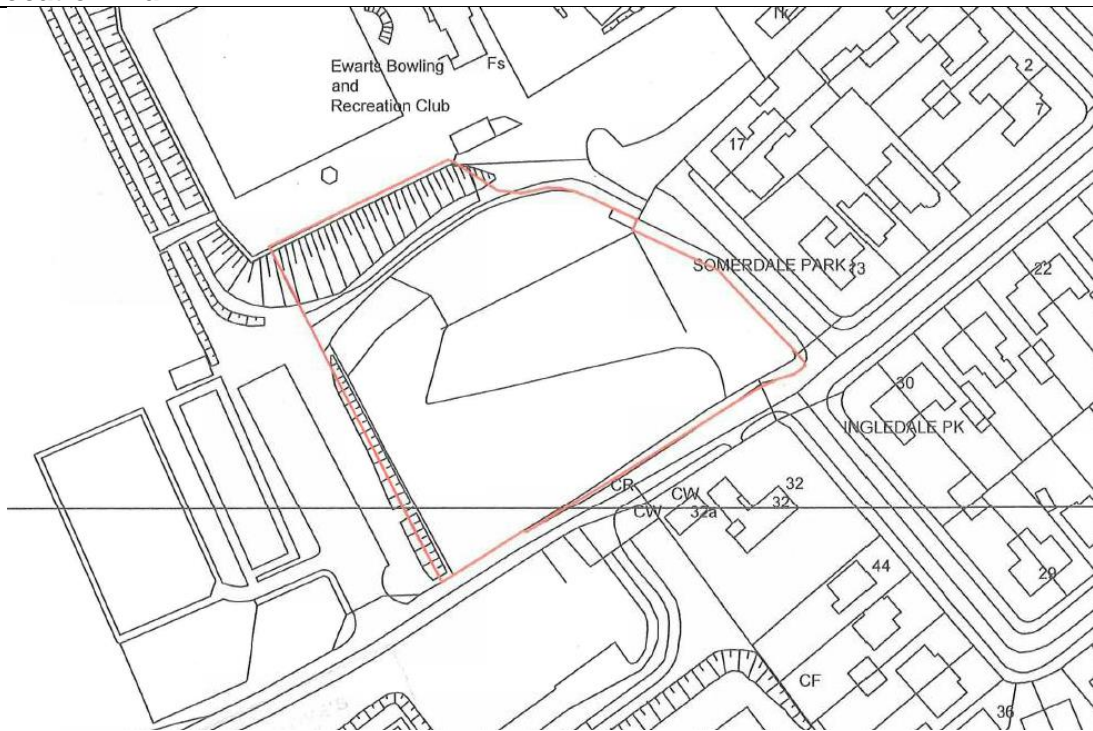
Recommendation:

Refuse

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

Case Officer Report

Site Location Plan



Proposed Site Layout



Consultations:		
Consultation Type	Consultee	Response
Statutory	NI Water - Multi Units East - Planning Consultations	Consultation reminder letter
Statutory	DFI Roads - Hydebank	Advice
Statutory	Historic Environment Division (HED)	Content
Statutory	NI Water - Multi Units East - Planning Consultations	Consultation reminder letter
Statutory	NIEA	Advice
Statutory	Rivers Agency	Advice
Non Statutory	Env Health Belfast City Council	Add Info Requested
Non Statutory	Env Health Belfast City Council	Add Info Requested
Statutory	Rivers Agency	Consultation reminder letter
Non Statutory	NI Water - Multi Units East - Planning Consultations	No objection
Non Statutory	Env Health Belfast City Council	Add Info Requested
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	DFI Roads - Hydebank	Advice
Statutory	DFI Roads - Hydebank	Advice
Statutory	Rivers Agency	No objection
Statutory	DFI Roads - Hydebank	No objection
Non Statutory	BCC Local Development Plan Team	No objection
Statutory	Rivers Agency	No objection
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for full planning permission for a housing development consisting of 16 dwellings, to consist of 10 semi-detached and 6 detached dwellings.
2.0	Description of Site
2.1	The site is located at lands opposite 13, 15, 17 and 32 Somerdale Park, Belfast. The site is a green field site that has been cleared of vegetation. The site gently falls from the north west to the south east and from the north east to the south west. The site is bounded by approximately 2m metal fencing along all of the site boundaries with a gate providing access to the site from Somerdale Park, north of the existing laneway which provides pedestrian and service vehicle access to Clarendon Park and playing fields.
2.2	The area is characterised by two storey semi-detached and detached residential dwellings with front and rear gardens with incutillage parking. Dwellings are finished in red brick, with render detail with pitched slate roofs. To the west of the site is Clarendon Park and playing fields and to the north Ewatts Bowling and Recreation Club.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/1995/2859 - Land opposite no 17 Somerdale Park, Belfast, BT14 - Housing development (17 dwellings) - amended layout - Permission Granted
3.2	Z/1987/1679 - Land adjacent to Clarendon Park Playing Fields, Somerdale Park, Crumlin Road, Belfast BT14 7HD - Housing development - Permission Granted
3.3	Z/1982/1535 - Somerdale Park, Crumlin Road, BT14 - Erection of 16 old persons dwellings - Permission Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (2004 Version)
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	<ul style="list-style-type: none"> 4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 7: Quality Residential Environments 4.4.4 Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas 4.4.5 Planning Policy Statement 8: Open Space and Recreation 4.4.6 Planning Policy Statement 12: Housing in Settlements 4.4.7 Planning Policy Statement 15: Planning and Flood Risk 4.4.8 Development Control Advice Notice (DCAN) 8: Housing in Existing Urban Areas 4.4.9 Development Control Advice Notice (DCAN) 15: Vehicular Access Standards

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

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

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

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

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

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

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

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

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

ANNEX	
Date Valid	4th December 2018
Date First Advertised	21st December 2018
Date Last Advertised	21st December 2018
Details of Neighbour Notification (all addresses) 13 - 19 Somerdale Park, Belfast, Antrim, BT14 7HD 21 Somerdale Park, Belfast, Antrim, BT14 7HD 29 Somerdale Park, Belfast, Antrim, BT14 7HD 30 Somerdale Park, Belfast, Antrim, BT14 7HD 32 Somerdale Park, Belfast, Antrim, BT14 7HD 32a , Somerdale Park, Belfast, Antrim, BT14 7HD	
Date of Last Neighbour Notification	8th January 2019
Date of EIA Determination	N/A
ES Requested	No

Drawing Numbers and Title

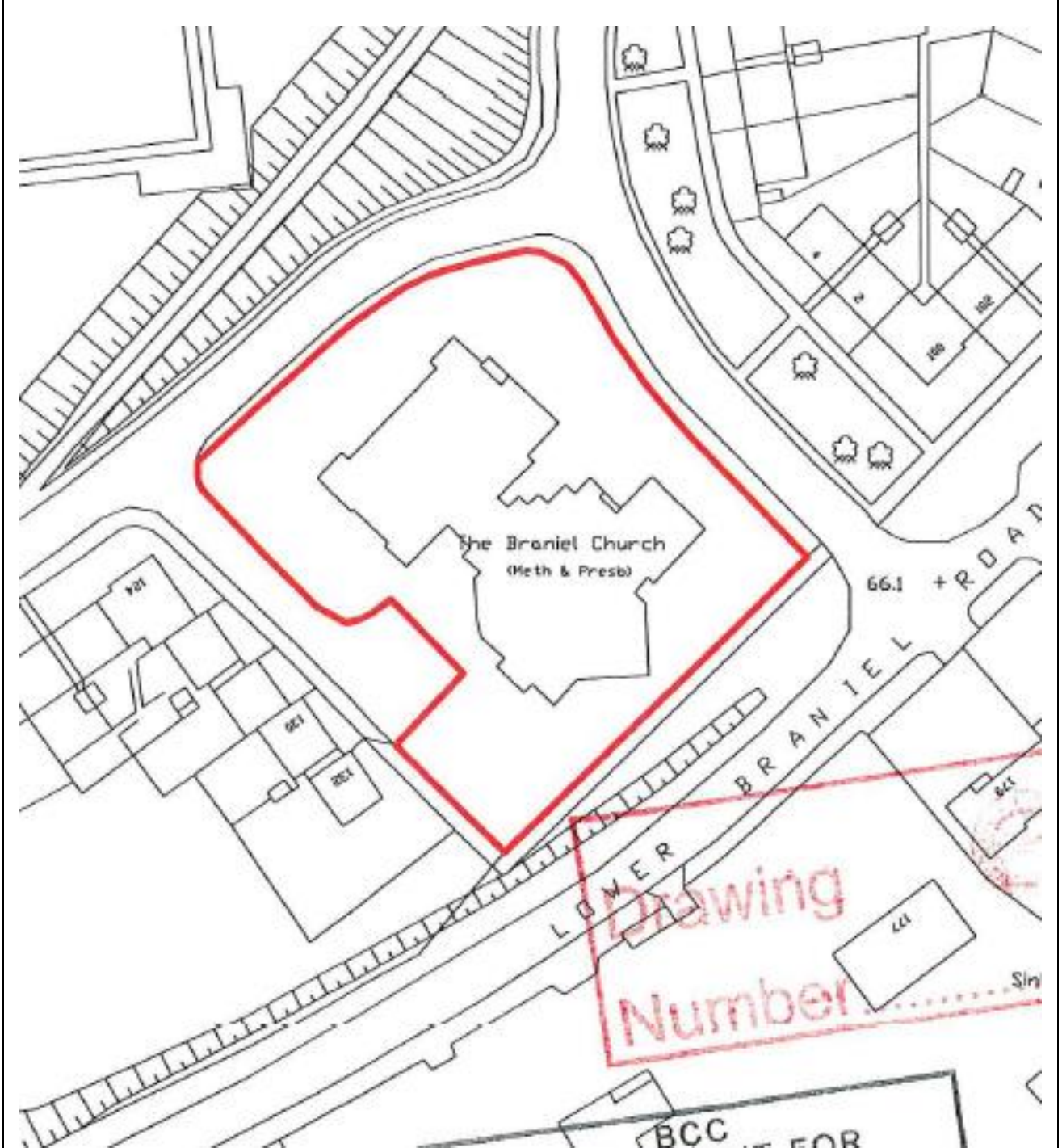
Drawings 01-08, 3129-PL03, 3129-PL08 and 3129-PL09.
Site Location Map, Existing and Proposed Site Layout Plan, Proposed Elevations and Floor Plans, Existing and Proposed Site Sections, Proposed Road Sections, Private Streets Determination Drawings, Proposed Retaining Wall Details – Boundaries A, B, C, D and private gardens.

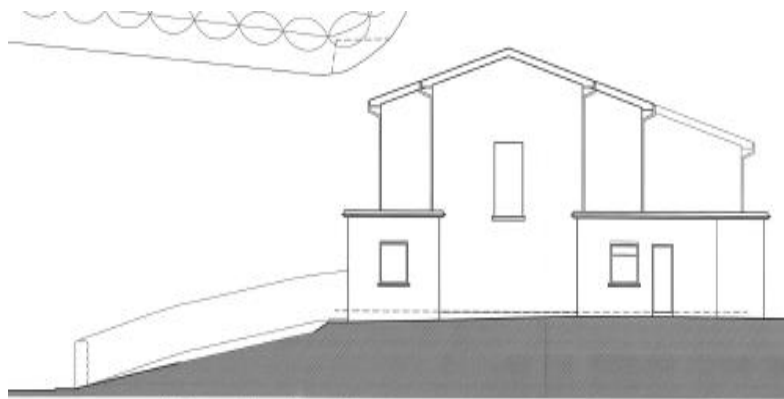
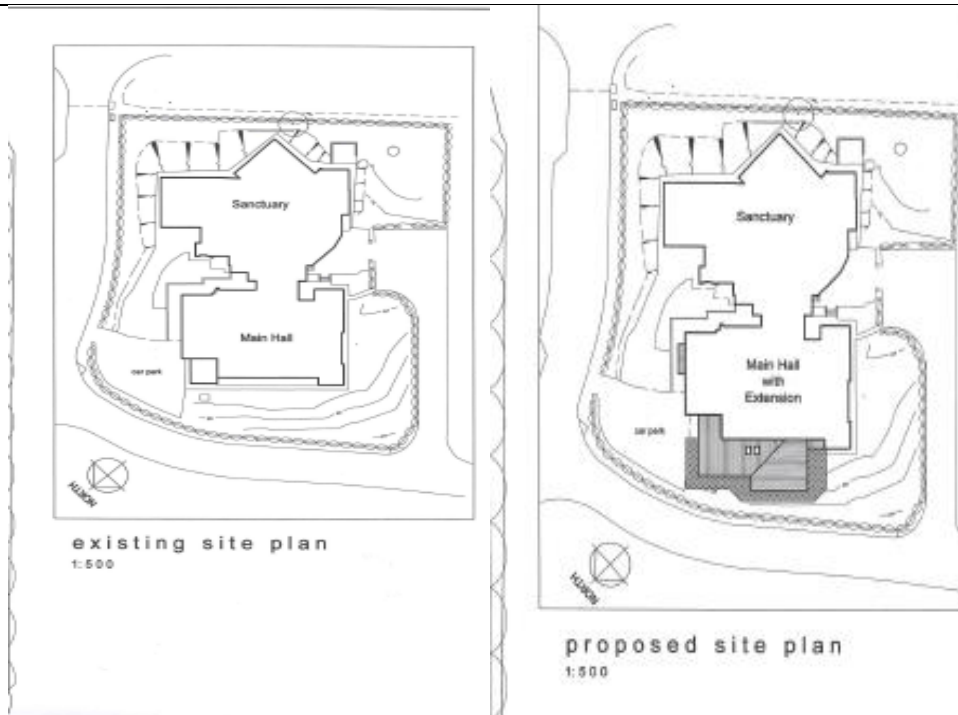
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 21 July 2020	
Application ID: LA04/2020/0639/F	
Proposal: Alteration and extension to church hall	Location: Braniel Methodist & Presbyterian Church Lower Braniel Road Belfast BT5 7NN
Referral Route: Belfast City Council Application	
Recommendation: Approval	
Applicant Name and Address: Belfast City Council 9 Adelaide 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: R E Quinn Architects Limited 14 Princes Street Dromore BT25 1AY
Executive Summary:	
<p>The application seeks full planning permission for the alteration and extension of Braniel Church Hall. The single storey extension will project from the main hall towards the north western boundary of the site. A patio with railings encloses 3 sides of the extension, which consists of a retaining wall due to falling levels. The extension, including raised patio, measures 240sqm.</p> <p>The main issues to be considered are:</p> <ul style="list-style-type: none"> • The design, scale and mass • Impact of the proposal on the character and appearance of the area • The impact on the living conditions of the neighbouring properties. • Road safety <p>The design and external appearance of the extension is considered acceptable and will bring community benefits through the provision of additional community facilities. There will be no detrimental impact on the character or appearance of the area as the extension is in keeping with the contemporary design of the church buildings and a negative visual impact is not anticipated. The separation distances to the nearest residential dwellings is sufficient to ensure no detrimental impact by way of overlooking or noise and nuisance.</p> <p>Consultees DfI Roads offered no objections to the proposal.</p> <p>Recommendation: It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.</p>	

Case Officer Report

Site Location Plan





Elevation to Ravenswood Park

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Alteration and extension to church hall
2.0	Description of Site
2.1	<p>The site, located at the junction of Lower Braniel Road and Woodview Drive, comprises a church and an attached hall. The church and hall are internally interconnected. There is off street parking adjacent to the site. Levels of the site fall from south to north, with elevated views towards Belfast. Low hedges bound the site on all sides.</p> <p>The site is in a mostly residential area interspersed with areas of open space.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	<p>LA04/2015/1196/F - Braniel Church. Single storey extension to entrance (Permission Granted)</p> <p>Y/2003/0470/F - Braniel Church. Extension to provide boiler house as a means to heat church building (Permission Granted)</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Strategic Planning Policy Statement for Northern Ireland</p>
4.2	<p>SPPS, Planning Policy Statements:</p> <p>Strategic Planning Policy Statements for NI (SPPS)</p> <p>Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005)</p>
5.0	Statutory Consultees Responses
5.1	DfI Roads – No objection.
6.0	Representations
6.1	The application has been advertised in the local press and neighbours notified. No representations have been received regarding the application.
7.0	Assessment
7.1	<p>The main issues to be considered are:</p> <ul style="list-style-type: none"> • The impact of the proposal on the character and appearance of the area • The impact on the living conditions of the neighbouring properties. • Road safety
7.2	This proposal for a single storey extension with raised patio is to provide sensory rooms, a kitchen and toilets to complement the existing church hall. It will merge with the ground floor main hall on its northern and eastern elevations. The existing and proposed spaces will be internally connected. Externally there will be interconnected monopitched roofs,

	<p>with roof lights, made of composite metal roof panels and clad in fibre cement. The exterior walls of the extension will be a mixture of brick, render and glazing. The monopitched roof will have an overhang and glazed doors will open onto a raised patio with railings and a block retaining wall. The sill heights of an existing ground floor window and some first floor windows will be adjusted to accommodate the extension, The extension, including raised patio, measures 240sqm, less than the area of the main hall.</p>
7.3	<p>Impact on the Character and Appearance of the Area</p>
7.4	<p>The existing entrance to the hall on the north east elevation will have a new section of brick wall. There will also be a new projection to reconfigured toilets on this elevation of the church hall, which will be rendered. The hall will project 6.5m towards the north western boundary, and a further 1.5m by the raised patio. The proposed extension is 5.5m in height where it meets the rear wall of the main hall and 2.6m to the eaves. Walls are to be rendered between the glazed doors and screens. The roof is to be made up of composite metal roof panels with fibre cement cladding to the gables. The patio will have railings approx. 1.1m high and will sit on top of a block retaining wall with a height of 1.7m at its highest point due to the sloping bank.</p>
7.5	<p>The proposed extension is to the rear of the main church building. It is single storey and lower than the church hall. The roof has 2 projecting components which will tie into the existing roof slopes of the hall and the church in terms of design and materials. The modern design and materials will match the existing church and hall. The church and hall will remain the dominant structures on the site.</p>
7.6	<p>There is a decrease in the scale and height of the buildings on this downward sloping site, from the church to the hall to the extension. The design of the extension is considered to be acceptable given it is set down from the hall at the rear of the site. Views of the extension will be limited to a few houses on Woodview Drive to the east and Ravenswood Park to the west. The proposal will have minimum effect on nearby residences</p>
7.7	<p>The proposal will not detrimentally impact the character of the area, which is mostly residential.</p>
7.8	<p>The proposal is considered compliant with the principal of supporting good design and positive place-making within the SPPS, in that it makes positive use of the assets of the site and the characteristics of its surroundings to determine the most appropriate form of development as stated within paragraph 4.25 of the SPPS.</p>
7.9	<p>The impact on the living conditions of the neighbouring properties</p>
7.10	<p>The proposal will enhance the quality of the life for local residents due to the increased capacity of a building for community use. The proposal will have no negative impact the living conditions of the neighbouring properties.</p>
7.11	<p>The proposal will not impact on the residential dwellings to the east and west in terms of overshadowing, dominance or loss of light. Properties along Woodview Drive and Ravenswood Park are separated an adequate distance from the extension (which is also lower than the main buildings on this downward sloping site). The proposal will have no adverse impact on the amenity of these properties.</p>
7.12	<p>The proposal is considered compliant with the relevant core planning principals within the SPPS, in that it encourages the improvement of health and well-being by providing safe and secure age-friendly environments as stated within paragraph 4.5 of the SPPS.</p>

7.13	Road Safety
7.14	Policy AMP 2 within PPS 3 states that planning permission will only be granted for a development involving the intensification of an existing access onto a public road where; there will be no prejudice to road safety, or will not significantly inconvenience the flow of traffic. There are a number of factors within Policy AMP 2 to be considered to ensure the proposal is considered acceptable. The applicant stated in their P1 Form that there will be an expected increase of 5 vehicles on a daily basis, This would not be considered a significant change in terms of nature and scale. The proposal for an extension to the hall will not alter the character of the existing development (a church and associated hall).
7.15	Consultations
7.16	DfI Roads was consulted and offered no objection.
7.17	Conclusion
7.18	On balance it is considered that the proposal for the alteration and extension to the church hall on the application site is acceptable taking account of all the material considerations presented. Considering the value of the proposal in terms of community benefit and how the proposal complies with policy, approval is recommended.
9.0	Summary of Recommendation: Approval
9.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended.
10.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at https://www.planningni.gov.uk/index/tools/public-access-info.htm.</p>

ANNEX	
Date Valid	5 th March 2020
Date First Advertised	8 th May 2020
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 100a Lower Braniel Road, Belfast, BT5 7PA</p> <p>The Owner/Occupier, 100b Lower Braniel Road, Belfast, BT5 7PA</p> <p>The Owner/Occupier, 124a Ravenswood Park, Belfast, BT5 7PU</p> <p>The Owner/Occupier, 124b Ravenswood Park, Belfast, BT5 7PU</p> <p>The Owner/Occupier, 126 Ravenswood Park, Belfast, BT5 7PU</p> <p>The Owner/Occupier, 128 Ravenswood Park, Belfast, BT5 7PU</p> <p>The Owner/Occupier, 130 Ravenswood Park, Belfast, BT5 7PU</p> <p>The Owner/Occupier, 132 Ravenswood Park, Belfast, BT5 7PU</p> <p>The Owner/Occupier, 165 Lower Braniel Road, Belfast, BT5 7NN</p> <p>The Owner/Occupier, 177 Lower Braniel Road, Belfast, BT5 7NN</p> <p>The Owner/Occupier, 179 Lower Braniel Road, Belfast, BT5 7NN</p> <p>The Owner/Occupier, 181 Lower Braniel Road, Belfast, BT5 7NN</p> <p>The Owner/Occupier, 2 Woodview Drive, Belfast, BT5 7PY</p> <p>The Owner/Occupier, 4 Woodview Drive, Belfast, BT5 7PY</p>	

<p>The Owner/Occupier, 6 Woodview Drive,Belfast, BT5 7PY</p> <p>The Owner/Occupier, 8 Woodview Drive,Belfast, BT5 7PY</p> <p>The Owner/Occupier, 90 Lower Braniel Road,Belfast, BT5 7NN</p>	
Date of Last Neighbour Notification	26 th May 2020
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: LA04/2015/1196/F Proposal: Single storey extension to entrance. Address: Braniel Church, Junction of Lower Braniel Road, and Woodford Drive, Belfast, Decision: Permission Granted Decision Date: 8 December 2015</p> <p>Ref ID: Y/2003/0470/F Proposal: Extension to provide boiler house as a means to heat church building. Address: Braniel Presbyterian Church, Lower Braniel Road, Castlereagh. BT5 7PY Decision: Permission Granted Decision Date: 7 October 2003</p>	
Summary of Consultee Responses	
<p>Dfl Roads – no objection</p>	
Drawing Numbers and Title	
<p>Drawing No. 01 Type: Location Map Status: Submitted</p> <p>Drawing No. 02 Type: Existing Floor Plans Status: Submitted</p> <p>Drawing No. 03 Type: Proposed Floor Plans Status: Submitted</p>	

Notification to Department (if relevant)

N/A

Date of Notification to Department:

Response of Department:

Representations from elected members:

N/A

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 21 st July 2020	
Application ID: LA04/2020/0474/F	
Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works.	Location: Lands immediately north and south of existing film studios, north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park).
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Belfast Harbour Commissioners Harbour Office Corporation Square Belfast	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: This application seeks the erection of a film studios complex including studios, ancillary offices, workshops, parking and landscaping. The proposal will form Phase II of the current complex which was approved under reference LA04/2015/1605/F. The site is un-zoned “white land” within the Belfast Area Urban Plan (BUAP) 2001. It is located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP) with a number of relevant zonings: <ul style="list-style-type: none"> - Within BHA 07 Employment and Industry North Foreshore - Within an Area of Mineral Constraint - Adjacent to a National Designated Site (Inner Belfast Lough Area of Special Scientific Interest); - Adjacent to two European Designated Sites – Belfast Lough Special Protection Area (SPA) and Belfast Lough Open SPA; - Adjacent to an International Designated Site Belfast Lough Ramsar Site - Adjacent to BHA10 Local Landscape Policy Area (LLPA) The main issues to be considered in this case are: <ul style="list-style-type: none"> • The principle of the proposed use at this location • Scale, massing and design • Traffic, movement and parking • Landscape and visual assessment • Amenity and open space • Habitat Regulations Assessment • Drainage and Flooding • Contaminated Land • Pre-Application Community Consultation Report 	

- Economic benefits
- Developer contributions

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

One representation was received. Issues raised included an error in the description of the site address (now rectified), an issue with letters not being available to view on the portal (now rectified) and concerns relating to the rationale behind the Council's decision that an Environmental Statement was not required for this application (detailed in Sections 7.0 and 8.0 of this report).

The submitted Pre-Application Community Consultation Report demonstrates that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting this Major application.

This application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

Consultees confirm that the proposal will not adversely impact on amenity, human health, traffic or the adjacent protected areas.

The proposed development is estimated to represent an investment of £45m, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs.

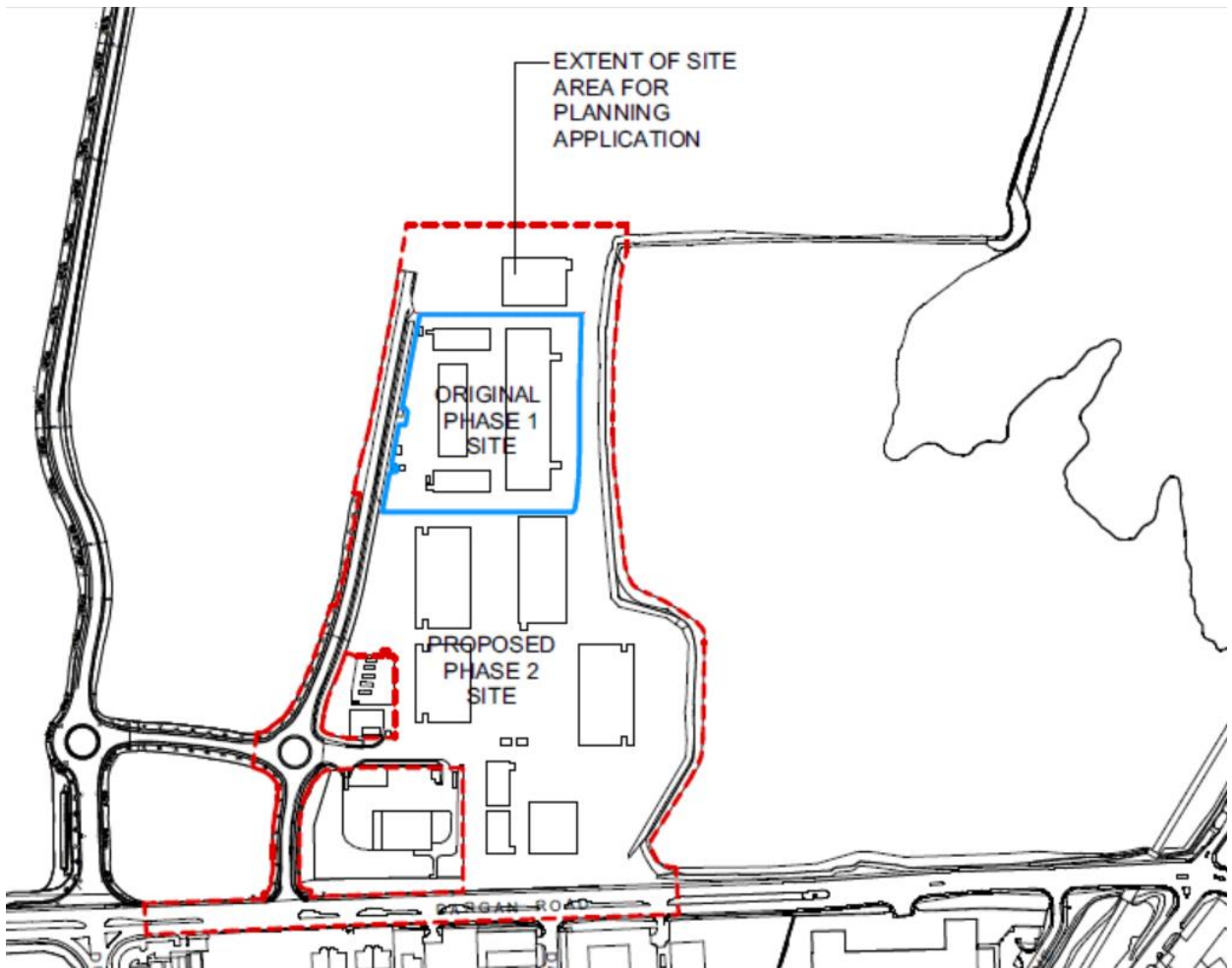
Recommendation:

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

Case Officer Report

Site Location/Layout/3D Visuals

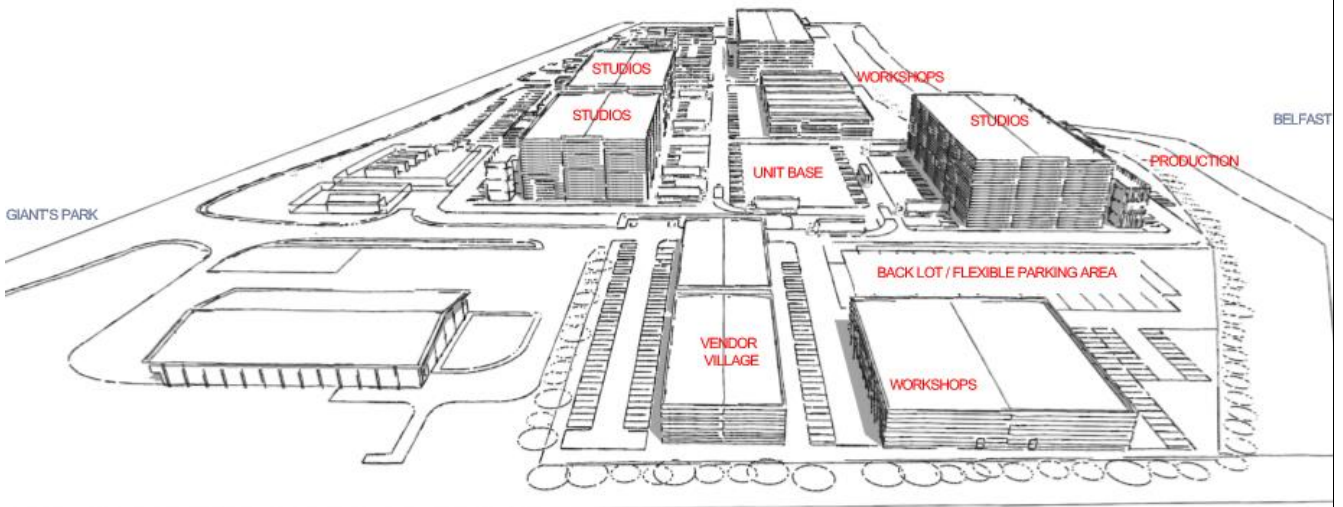
Site Location Plan:



Site Layout:



3D Visuals:



Characteristics of the Site and Area

<p>1.0</p> <p>1.1</p> <p>1.2</p> <p>1.3</p> <p>1.4</p>	<p>Description of Proposed Development</p> <p>Full planning permission is sought for a second phase of the Belfast Film Studios complex comprising:</p> <ul style="list-style-type: none"> - Film studios/Sound stages with accompanying ancillary offices (20,439 sq m) - Workshops (9,631 sq m) - Vendors Village (1,1918 sq m) - Flexible car parking and associated service areas <p>The proposed buildings have been laid out to work alongside Phase 1 as a large, coherent complex. The design of the buildings are similar to those in Phase 1 with the proposed scale and massing determined by the nature of the proposed use. The buildings are essentially acoustically sealed boxes similar in scale to a warehouse type structures. The workshops although much smaller in scale, similarly do not require windows due to the nature of the activities within such as set building, painting and chemical treatment of costumes and sets.</p> <p>The studios titled S1 – S4 contain ancillary offices which are designed with glazing and entrances as have studios S5-S6 to the rear of the site overlooking the lough.</p> <p>The parking has been designed to adapt flexibly where on-site production requires it.</p>
<p>2.0</p> <p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p>	<p>Description of Site and Area</p> <p>The area of the site is 10.5 hectares and was part of the former Dargan Landfill Site. The landfill site was closed in March 2007 and was subject to capping following completion of landfill operations on the area.</p> <p>The site is part of the wider North Foreshore Giant's Park. The wider site has been landscaped in the interim years with land directly south of the application site developed for a Belfast City Council Waste Electrical and Electronic Equipment (WEEE) transfer station and a (landfill) gas powered electricity generating turbine complex.</p> <p>Access to the site is via the existing internal road infrastructure off Dargan Road which has been upgraded with a signalised junction.</p> <p>The application site is on low-lying ground and is located immediately adjacent to Belfast Lough. The area to the north of the site is described as the northern zone of the North Foreshore land and is the area of most recent cessation of landfill operations. This area of land slopes upwards to the north. The area to the south and east of the site consists of industrial and commercial buildings that contrast to the dominant residential use west of the M2 / Shore Road. There is an established woodland strip along the western North Foreshore boundaries which provides a landscape buffer and protection from the Motorway.</p>
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0</p> <p>3.1</p> <p>3.2</p>	<p>Site History</p> <p>Full details of all historical applications are provided at Annex A. Of particular relevance to this site are the following:</p> <p>Ref ID: LA04/2019/1612/PAN</p> <p>Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing & access from existing internal access road, landscaping and associated site works.</p> <p>Address: Lands immediately north & south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park),.</p>

<p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p>	<p>Decision: PAN Acceptable Decision Date: 31.07.2019</p> <p>Ref ID: LA04/2019/1540/F Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works. Address: Lands to the northwest of existing Belfast City Council Waste Transfer Station, (2a Dargan Road, Belfast, BT3 9JU). Decision: Application under consideration.</p> <p>Ref ID: LA04/2015/1605/F Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan Decision: Permission Granted Decision Date: 25.02.2016</p> <p>Ref ID: LA04/2015/0982/PAN Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows; Production (37,450 sq ft.) Stage 01 & stage 02 (66,000 sq ft.) Stage 03 (45,000 sq ft.) Workshop 01, 02 & 03 (46,170 sq ft.) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility), adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park), Decision: PAN Acceptable Decision Date: 15.12.2016</p> <p>Ref ID: Z/2014/1279/F Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast. Decision: Permission Granted Decision Date: 24.04.2015</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004 Developer Contribution Framework (2020)</p>

4.2	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland (SPSS) Planning Policy Statement 2 (PPS 2) – Planning and Nature Conservation Planning Policy Statement 3 (PPS 3) - Access, Movement and Parking Planning Policy Statement 4 (PPS 4) – Planning and Economic Development Planning Policy Statement 13: Transportation and Land Use Planning Policy Statement 15 (Revised) (PPS 15) - Planning and Flood Risk</p>
5.0	<p>Statutory Consultees Transport NI – no objection subject to conditions and informatives Rivers Agency – no objection subject to conditions NIEA Water Management Unit – issued standing guidance NIEA Land, Soil, and Air – no objection subject to conditions and informatives NIEA Natural Environment Division – no objection NIW – No objection Shared Environmental Services - no objection subject to conditions and informatives Belfast City Airport – No objection</p>
6.0	<p>Non-Statutory Consultees Environmental Health BCC – no objection subject to conditions and informatives Tree Officer BCC – content that the landscaping proposals are appropriate subject to condition City and Neighbourhood Landscape Team BCC – no objection Economic Unit – No objections</p>
7.0 7.1	<p>Representations One representation has been received on behalf of Energia Renewables and raises a number of issues:</p> <ol style="list-style-type: none"> 1. The site address contains an error, omitting the word “south”. 2. The neighbour notifications are shown on the Planning Portal as being issued but do not appear in the “Neighbour Notification” tab. 3. Concerns about the EIA determination and its conclusion that an Environmental Statement (ES) was not required: including a concern that the EIA assessment did not consider the entire application site; that an ES was not required given the size of the site, the scale of the development and the potential cumulative impacts of both phases of the film studio complex and adjacent development and the fact that the site is a landfill site; and that this differs from the approach taken for a major application for an Anaerobic Digester on an adjacent site, which required an ES for a smaller site, located further away from Belfast Lough. <p>7.2 In addition, this representation requests a substantive response regarding the procedural issues and observations requiring the EIA determinations.</p> <p>7.3 The representation has been considered as follows:</p> <ol style="list-style-type: none"> 1. The description error was corrected and the application was re-advertised and neighbour notifications re-issued to highlight the amended address and also referred to the receipt of further information provided by the applicant to address issues raised by consultees. The notification period ends on 22nd July 2020. 2. The original neighbour notification letters did not appear on the Planning Portal because of an IT issue. This was rectified and all letters are now visible. 3. The proposal has been subject to an EIA screening process both before and on submission of the planning application. In terms of the most recent screening, the history of the site including the Phase 1 application was taken into account and

	<p>informed the decision. The conclusion was that the proposal would be unlikely to have significant environmental effects either individually or cumulatively in the context of the EIA Regulations and the matters could be effectively dealt with during the normal consultation and development management processes. Statutory consultees were consulted as part of the EIA screening process and have confirmed that they have no objections subject to conditions. Legal Services have reviewed the correspondence and have advised on the issues raised. They do not consider it necessary to review the screening decision. Officers are therefore content that the Planning (EIA) Regulations Northern Ireland 2017 have been correctly considered and applied and the decision that an Environmental Statement was not required was the correct decision taking into account all relevant factors. The objector has been advised of the Council's position.</p>
8.0	Environmental Impact Assessment
8.1	Phase I
8.1.1	Phase I of the development was subject to a Pre-Application Discussion (PAD) under reference LA04/2015/1085/PAD. An Environmental Impact Assessment (EIA) Determination was carried out at the PAD stage to determine if the proposed development would or would not be an EIA development (thus requiring an ES). After following process, including consideration of formal responses from relevant consultees, it was concluded that the environmental effects of a film studio at this location would be unlikely to be significant.
8.1.2	Upon receipt of the full application (LA04/2015/1605/F) for Phase 1, a further EIA screening assessment was carried out. This was informed by previous consultation responses at PAD stage and also discussions with Environmental Services Department regarding the incorporation of gas protection measures that satisfy the requirements for Characteristic Situation 6 (CS6) as detailed within CIRIA publication C665 'Assessing risks posed by hazardous ground gases to buildings'. Having regard to the requirement that the proposal incorporates gas measures that satisfy the requirements for a CS6 build which would ensure the maximum gas protection measures for any future development on site it was determined that the development would not be an EIA development and an ES was not required. Gas contamination was subsequently satisfactorily dealt with as part of the planning process.
8.2	Phase II
8.2.1	Phase II of the development which is the subject of this current application, also benefitted from a PAD under reference LA04/2019/1700/PAD.
8.2.2	In addition, a formal EIA screening request was received under reference LA04/2019/2595/DETEIA. A detailed screening report was provided and consultation was undertaken with all relevant consultees.
8.2.3	A response was issued on 29 th January 2020 which concluded that the proposal would be unlikely to have significant environmental impacts either individually or cumulatively with other developments. The potential impacts can be assessed during the normal consultation process with the appropriate reports as outlined in the Applicant's EIA Screening Report in addition to the information provided by key consultees. Therefore, an Environmental Statement was not required.
8.2.4	Upon receipt of the application, a further EIA screening assessment was carried out which was informed by the Phase I development, the PAD and previous DETEIA screening and having taken into account all relevant considerations, including the nature of the proposal and site location, it was determined that an Environmental Statement was not required.
9.0	<u>ASSESSMENT</u>
9.1	<u>Development Plan</u>

9.1.2	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
9.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.
9.1.4	The PAC report (independent examination) recommended that Zoning BHA07 and Proposal BHA19 be deleted from the Plan and replaced by a new mixed use zoning BHA07. The Key Site Requirements (KSR's) are broadly similar to those in the draft plan and are detailed under Sections 9.2.3 – 9.2.10.
9.2	<u>The principle of the proposed use at this location</u>
9.2.1	The site is located within the development limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
9.2.2	The land is currently not in use however it is immediately adjacent to the existing film studios complex known as Phase I.
9.2.3	The site is within Zoning BHA 07 Employment/Industry for North Foreshore in the draft BMAP 2015. A number of key site requirements (KSRs) form part of this mixed use zoning.
9.2.4	The first KSR states that development at this location shall only include uses including Light Industrial, General Industrial, Special Industrial, Storage and Distribution, Port-related Uses and Waste Management facilities. Following the PAC enquiry, it was agreed by all parties that Recycling would be included also. It is considered that a film studio with associated production and workshops fall within Class B2: Light Industry and complies with identified uses considered to be suitable at this location.
9.2.5	The second KSR requires development of the site to be permitted only in accordance with an overall comprehensive masterplan to be agreed with the Department. The Comprehensive Master Plan was agreed by DOE Planning Service under reference Z/2008/2289/Q by correspondence dated 15 January 2010. This Masterplan recommended waste management facilities in the area subject to the current application. The Masterplan also promoted economic development on the site. It is considered that the proposal complies with the overall aspiration of the Masterplan to seek the regeneration and development of this site.
9.2.6	The third KSR states that access shall be from Dargan Road. The access arrangements and principal internal road network for North Foreshore have been granted planning permission (Z/2014/1279/F) and are constructed and in operation.

9.2.7	The fourth KSR states that a Transport Assessment agreed with Transport NI shall be required. A Transport Scoping Study, Transport Assessment, Transport Assessment Form, Waste Management Plan and a Travel Plan were all submitted in support of the application. DfI Roads have no objections based on the information submitted to support the application.
9.2.8	The fifth KSR states that development proposals shall be required to provide appropriate protection of habitat biodiversity in the adjacent international and national designated natural heritage sites. A Landscape and Visual Impact Assessment; a Preliminary Ecological Assessment; a Habitats Regulations Assessment Screening Statement; and an Outline Construction Phase Environmental Management Plan have been submitted in support of the application. NIEA have been consulted and confirmed that they have no objections based on the information submitted to support the application subject to appropriate conditions.
9.2.9	The sixth KSR requires buildings to exhibit variety in their elevational treatment and heights. The nature of the use gives rise to different sizes and heights between the buildings. There is a commonality of finish which arises primarily from the specific needs of the end-user which leads to largely windowless designs. Phase I contains a main building at the front of the site however which contains offices and is suitably glazed. Within Phase II there are two such buildings which are glazed at the front to take in the views of both the Belfast Hills and the Belfast Lough.
9.2.10	The seventh and eighth KSR's require a comprehensive landscaping scheme including retention of vegetation on the site and a detailed planting plan and programme of works as well as long-term landscape management proposals. Both detailed landscape proposals and a 20-year management plan were submitted in support of the current application. These were assessed by BCC Tree Officer and BCC City and Neighbourhood Landscape Team and found to be acceptable. These consultees have no objections subject to conditions.
9.2.11	It is therefore considered that the proposed use is acceptable having regard to the relevant zonings on the site.
	<u>The Economic Principles and impacts of the Proposal</u>
9.3 9.3.1	PPS 4: Planning and Economic Development sets out planning policies for economic development uses, recognising the key role the planning system has in achieving a vibrant economy. Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities.
9.3.2	A Film Studio falls within Class B2: Light Industry. Policy PED 1 of PPS 4 states that "A development proposal for a Class B2 light industrial use or Class B3 general industrial use will be permitted in an area specifically allocated for such purposes in a development plan". Zoning BHA 07 of dBMAP details Class B2: Light Industrial Use as a suitable use at this location.
9.3.3	Policy PED 1 also states that "A development proposal to extend an existing economic development use or premises within settlements will be determined on its individual merits having regard to Policy PED9". In considering proposals for economic development the Council will seek to minimise adverse effects on the amenities of adjacent properties, particularly dwellings, and on natural and built heritage resources. Particular care will be taken to safeguard local, national and international natural heritage designations. Policy PED 9 details general criteria for economic development that are detailed elsewhere throughout this report. In summary however, the proposal is considered to be compliant with Policy PED 9 as it is considered that:
9.3.4	<ul style="list-style-type: none"> (a) The proposal is compatible with surrounding land uses (b) The proposal will not harm the amenity of nearby residents

	<ul style="list-style-type: none"> (c) The proposal will not adversely affect features of the natural or built heritage (d) The proposal will not cause or exacerbate flooding (e) The proposal will not create a noise nuisance (f) The proposal can satisfactorily deal with any emissions or effluent (g) The existing road network can safely handle any extra vehicular traffic (h) The proposal contains adequate access arrangements, parking and manoeuvring areas (i) The proposal provides an adequate movement pattern (j) The proposal contains a site layout, building design, infrastructure and landscaping that are of high quality and assist sustainability and biodiversity (k) The proposal contains appropriate boundary treatments and landscaping (l) The proposal is designed to deter crime and promote personal safety
9.3.5	<p>The application was supported by an Employability and Skills Assessment (ESA) which was considered by the Council's Economic Development team. The ESA estimates that Phase I of the Film Studios complex, which has been open since May 2017, has generated c£19m per annum. Phase II is anticipated to double this to almost £40m per annum.</p>
9.3.6	<p>The programmed construction phase will create in excess of 110 jobs with Buy Social provisions to be incorporated in the procurement. Up to 200 additional jobs are anticipated to be created directly with a further 1000 creative industry jobs during filming and production.</p>
	<p>It is considered that there is no conflict with PPS 4 and that the proposal will bring vitality and economic benefits to the area.</p>
9.3.7	<p><u>Scale, Massing and Design</u> The schedule of accommodation is as follows:</p>
9.4 9.4.1	<ul style="list-style-type: none"> - Film studios/Sound stages with accompanying ancillary offices (20,439 sq m) - Workshops (9,631 sq m) - Vendors Village (1,1918 sq m) - Flexible car parking and associated service areas
9.4.2	<p>The design ethos of Phase I was intended to sit within the established development profile of the area, including an extension of the large format, cladding panel which is so predominant in the area. The PAD for Phase II explored whether it was appropriate to continue this design ethos or seek to depart from the Phase I design. As the scale and massing is so similar and the phases are designed to be integrated into a large, functional studios lot, it was considered there was no requirement to depart from the design rationale and that Phase II should seek to replicate the existing ethos.</p>
9.4.3	<p>The primary external cladding material is proposed as insulated aluminium composite cladding panels randomly assigned utilising a 3-colour palette (goosewing grey, white and anthracite), which the applicant considers reflects the immediate context of this primarily commercial / industrial area. This is also reflective of Phase I.</p>
9.4.4	<p>The scale and massing of the buildings proposed are primarily influenced by the function within. The maximum height of the buildings ranges from 21.95m for the film studios, 8.1m for the workshops and 9.1m for the Vendor village. This is broadly reflective of the heights across Phase I.</p>
9.4.5	<p>Given the overall size of the site within North Foreshore and the industrial / commercial nature of the immediate surrounding context, and the established form of development within Phase I, the design, scale and layout of the proposed scheme is considered to be acceptable.</p>
	<p><u>Landscape and Visual Impact</u></p>

	A Landscape and Visual Assessment (LVIA) was submitted in support of the application.
9.5	The LVIA states that the proposed development is located within the Belfast Harbour Estate landscape character area that is defined by roadways, commercial units, cranes and traffic as key features of its character. It states that there are no residential properties in close proximity to the proposed development and no significant visual impacts have been predicted on residential properties. It further refers to a “range of mitigation measures” proposed including “landscape planting around and within the site and for retention of the existing mature trees outside the site’s southern boundary at Dargan Road”.
9.5.1	
9.5.2	
	It concludes that the proposed development is consistent with the existing character of the Harbour Estate and no significant landscape impacts are predicted.
9.5.3	The Council’s Landscape Planning and Development Team reviewed the LVIA as well as associated planting and landscaping proposals. They are content with the methodology and assessment and note that whilst the proposal will be “visible in association with the Belfast Harbour Film Studios Phase I” that it is “unlikely to result in significant additional impact on landscape character or visual amenity”.
9.5.4	
	The landscape planting and management plan will be conditioned accordingly.
	<u>Natural Heritage and Conservation</u>
9.5.1	The application site is adjacent to Inner Belfast Lough ASSI, Belfast Lough SPA, Belfast Lough Open Water SPA and Belfast Lough Ramsar site which are of international and national importance and is/are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002.
9.6	
9.6.1	
	PPS 2: Natural Heritage sets out planning policies for the conservation, protection and enhancement of our natural heritage. Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites as these are afforded the highest protection. Policies NH1, NH2, NH3, NH4 and NH5 apply.
9.6.2	
	Natural Environment Division (NIEA: NED), Coastal Development (NIEA: CD), Water Management Unit (NIEA:WMU) and Shared Environmental Services (SES) have considered the impacts of the proposal on designated sites.
9.6.3	
	NIEA:NED state that they are content that: ‘All significant threats associated with the proposal have been identified and that the proposed mitigation measures are appropriate and likely to prevent any significant impact on selection features of the designated sites adjacent to the application site.’ They request that a 3m buffer zone for roosting birds be provided
9.6.4	
	NIEA:CD have provided informatives regarding marine life and protections.
	NIEA:WMU have requested a Construction Environmental Management Plan.
9.6.5	
9.6.6	SES have requested conditions regarding landscaping and a Construction Environmental Management Plan. They request that a 3m buffer zone for roosting birds be provided alongside screening and landscape planting. This will be reflected in the conditions below.
9.6.7	Having regard to PPS 2, it is considered that the proposal meets the requirements of the relevant policies as outlined above.
	<u>Contaminated Land</u>

9.6.8	The nature of the site as a landfill location naturally gives rise to concerns regarding contamination and human health. The Council's Environmental Health Department (BCC: EH) as well as NIEA: Land and Groundwater Regulation Unit (NIEA: LRU) were consulted during the PAD process, the EIA screening process and again on the current full application.
9.7	
9.7.1	An Outline Construction Environmental Management Plan (oCEMP) and a Preliminary Risk Assessment (PRA) were submitted in support of the application. Following a request from BCC:EH and NIEA:LRU, a further environmental clarification document was submitted including an RSK memo document.
9.7.2	Following review of these documents, both consultees were content to recommend conditions and informatives (this same approach was taken to Phase I). The conditions will require a full Quantitative Risk Assessment (QRA), a detailed Remediation Strategy and Verification Report in advance of construction and occupation. In addition, NIEA require a full Piling Risk Assessment to be submitted and approved prior to construction.
9.7.3	<p><u>Habitats Regulation Assessment (HRA)</u></p> <p>This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p>
9.8	
9.8.1	SES have stated that having considered the submitted HRA and the nature, scale, timing, duration and location of the project it is concluded that, provided mitigation is conditioned as requested, that the proposal will not have an adverse effect on site integrity of any European site.
9.8.2	NIEA: CD also confirmed that the HRA which has been undertaken for these works provides appropriate mitigation to ensure that there will be no significant negative effects on the Special Protection Area site selection features of both sites. Provided these mitigation measures are implemented Marine Environment Division is content subject to conditions requested.
9.8.3	<p><u>Traffic, Movement and Parking</u></p> <p>The proposal has been assessed against PPS 3 and PPS13. In assessing the proposal DfI Roads considered the following documents: Transport Scoping Study, Transport Assessment, Transport Assessment Form, Waste Management Plan and a Travel Plan.</p>
9.9	
9.9.1	As Phase I has been completed and operational for a number of years, this has given the applicant important insights in to the traffic and travel needs of the studios as a whole. There are 648 no parking spaces proposed within Phase II, however this is designed to be flexible with an area of 110 spaces within this total which may at times be used for outdoor production or catering as the specific needs of each production arise. This provision is in addition to the 168 no parking spaces provided in Phase I.
9.9.2	Access to the site is primarily by private car due to the nature of the location. Sheltered cycle parking, disabled parking and a drop-off zone for taxis and buses are all provided within the site.
9.9.3	DFI Roads engaged in the PAD process and have no objections to the current proposals. The submitted Travel Plan identifies public transport routes, cycling and private car usage but also highlights that the Travel Plan contains measures for promoting public transport and sustainable modes of travel.
	<u>Noise and Vibration</u>

9.9.4	<p>The Environmental Health Service raised concern with the submitted Noise Impact Assessment with regards to potential construction noise impacts. As a result the agent provided a second document with clarification and further details. The Environmental Health Officer is content that this can be covered by the requirement of a Construction Noise and Vibration Management Plan to be submitted and approved prior to construction.</p>
9.10	<u>Air Quality</u>
9.10.1	<p>An Outline Construction Environmental Management Plan (oCEMP) was submitted in support of the application. Further information was requested by BCC: EH with regards to the dust management plan. Following submission of this information, BCC: EH has confirmed that this will be covered in a condition to require a full CEMP. This is also required by NIEA.</p>
9.11	<u>Artificial Lighting</u>
9.11.1	<p>An Artificial Lighting Assessment was submitted in support of the application. Further information was requested by BCC: EH and additional design information was provided. Having considered the additional information, BCC: EH are content and no lighting conditions are required.</p>
9.12	<u>Flood Risk and Drainage</u>
9.12.1	<p>PPS15: Planning and Flood Risk seeks to minimise and manage flood risk to people, property and the environment. The site is located outside the 1 in 100 year river flood plain and 1 in 200 year coastal flood plain. The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains.</p>
9.13	
9.13.1	<p>Given that the site area exceeds 1ha, Policy FLD 3: Development and Surface Water Flood Risk Outside Flood Plains of PPS 15 applies. A Drainage Assessment was submitted in support of the application. As the development is within proximity of the coastal floodplain of Belfast Lough, all finished floor levels have been placed at a minimum of 600mm above the 1 in 200 year coastal flood plain.</p>
9.13.2	<p>DfI Rivers were consulted and requested that a condition be placed on any approval requiring a final Drainage Assessment to be submitted and approved prior to commencement of the works.</p>
9.13.3	<p>Northern Ireland Water (NIW) has been consulted on the proposal and confirmed that the waste water treatment works (WWTW) has available capacity to accept the additional load from the proposal. NIEA: WMU has no objection to the proposal subject to a condition for a final detailed CEMP.</p>
9.13.4	<u>Amenity</u>
9.13.4	<p>Paragraphs 4.11 and 4.12 of the SPPS states there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when managing development. The nearest residential properties are located approximately 750 metres from the proposed development. The Artificial Lighting Report and Landscape Visual Impact Assessment concluded that the proposed artificial lighting associated with the development will have a negligible impact on residential units and an insignificant impact on commercial premises.</p>
9.14	
9.14.1	<p>Noise, air quality and lighting are all considered in paragraphs above. BCC:EH has no objections subject to conditions.</p>
9.14.2	<u>Pre-Community Consultation</u>

9.14.3	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.
9.15 9.15.1	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted.
	LA04/2019/1612/PAN was submitted to the Council on 9 th July 2019 and was deemed to be acceptable on 29 th July 2019.
9.15.2	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of public meetings, stakeholder letters, freephone number and email contact and the public advertisement.
9.15.3	Engagement by post and at the event demonstrated a strong support (88%) for the expansion of the studios and generally welcoming of the job creation and regeneration possibilities the proposal would bring.
9.15.4	It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
9.15.5	<p><u>Developer Contributions</u></p> <p>Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals".</p>
9.16 9.16.1	The Developer Contributions Framework published by Belfast City Council in January 2020 sets out the circumstances whereby mitigation or management of the impacts of new development is required.
9.16.2	In the circumstances of the current site, it is not deemed necessary for the applicant to make a developer contribution as the landscaping and access arrangements are sufficient and appropriate to the proposal. The Economic Unit assessed the information provided by the applicant and are content that the job creation through construction and operation will support local people and operate without the requirement for a Section 76 agreement regarding employability and skills.
9.16.3	<p><u>Statutory Consultation</u></p> <p>The proposal was advertised on 6th March 2020 and 26th June 2020.</p> <p>Neighbours/objectors were notified on 6th March 2020 and 8th July 2020.</p> <p>1 no representation was received and this is considered in detail above.</p>
9.17 9.17.1	<p><u>Conclusion</u></p> <p>The proposal would have an acceptable impact on the landscape, traffic, surrounding land-uses and wider environment. It is considered that the proposal would result in wider economic benefit and job creation opportunities and that these factors lend substantial weight in favour of the proposal.</p>
9.17.2 9.17.3 9.18 9.18.1	Having regard to the Development Plan and relevant material considerations, the proposal is considered acceptable and planning permission is recommended.

9.18.2	
10.0	<p>Summary of Recommendation:</p>
10.1	<p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.</p>
11.0	<p>Conditions</p>
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>The development hereby approved shall not become operational until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
11.3	<p>No part of the development hereby permitted shall become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles. A minimum of 4% of parking shall be for disabled users and will be close to building accesses.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p>
11.4	<p>No part of the development hereby permitted shall become operational until a minimum of 20 No. secure covered cycle parking stands shall be provided. The cycle parking stands shall be permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.</p> <p>Reason: To encourage the use of alternative modes of transport for development users.</p>
11.5	<p>The development hereby permitted shall operate at all times in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 03 March 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. This Travel Plan must be issued as a standalone document and the measures contained within must be monitored and</p>

	<p>assessed from the inception of the Plan on a minimum of an annual basis to ensure the Plan's effectiveness.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.6	<p>The rating level (dBLAr,Tr) for the combined operation of all plant and equipment associated with the phase 2 development of the Belfast Harbour Studios must not exceed existing daytime and night-time background noise levels of 59 dB (LA90,T) and 48 dB (LA90,T) respectively at the nearest noise sensitive premises when measured or determined in accordance with the requirements of BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</p> <p>Reason: Protection of amenity against adverse impact.</p>
11.7	<p>The development hereby permitted shall not be commenced unless a final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. This Plan must outline the methods to be employed to minimise any environmental impacts during site preparation and construction works, demonstrating the use of 'best practicable means'. All site preparation and construction works thereafter must be carried out in accordance with the approved Construction Environmental Management Plan.</p> <p>Reason: Protection of human health and the environment and amenity of nearby premises.</p>
11.8	<p>The development hereby permitted shall not be commenced unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment should consider the information presented in the RSK Environment Ltd report entitled 'Belfast Harbour Commissioners, Proposed Film Studio Complex, North Foreshore, Belfast, Preliminary Risk Assessment' (dated 24th February 2020 and referenced 602462-1(00)). The Quantitative Risk Assessment must be conducted in accordance with Environment Agency guidance and must incorporate:</p> <ul style="list-style-type: none"> – A detailed site investigation in line with BS 10175:2011+A2:2017. Ground gas investigations should be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019. – A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in accordance with Environment Agency guidance. Risks associated with ground gases should be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665. <p>Reason: Protection of human health.</p>
11.9	<p>The development hereby permitted shall not be commenced unless a detailed Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy must demonstrate how the pollutant linkages identified within the agreed Quantitative Risk Assessment are to be demonstrably broken and no longer pose a potential risk to human health. The Strategy must also detail how the proposed remedial works are to be verified. The detailed Remediation Strategy must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance, and must meet the requirements of the Belfast City Council North Foreshore Developer's Guidance Note. All construction thereafter must be in accordance with the approved Detailed Remediation Strategy.</p> <p>Reason: Protection of human health.</p>

11.10	<p>The development hereby approved shall not become operational unless a Verification Report has been submitted to and approved in writing by the Council which demonstrates that all required remedial measures have been incorporated within the proposal. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed detailed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p>
11.11	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p>
11.12	<p>No construction of the development hereby permitted shall commence unless a Construction Noise Vibration and Dust Management Plan (CNV&DMP) has been submitted to and approved in writing by the Council. The Plan must outline the methods to be employed to minimise any noise and vibration associated with construction operations, demonstrating the use of 'best practicable means'. The plan must have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014, Code of practice for noise and vibration on construction and open sites. All construction works thereafter must be carried out in accordance with the approved CNV&DMP.</p> <p>Reason: Protection of amenity of nearby premises.</p>
11.13	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. This shall reflect all the mitigation and avoidance measures detailed in the outline CEMP, Artificial Lighting Assessment, Drainage Assessment and HRA carried out by RPS on behalf of Belfast Harbour Authority. The Final CEMP must confirm details of the chosen piling method. If this differs from the method detailed in the HRA then an assessment of impact to marine mammals shall be included. The Final CEMP should reflect the recommendations of NIEA: NED in its consultation response 17/04/20. The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing with by the Council.</p> <p>Reason: To ensure that the appointed contractor undertaking the work is fully appraised of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA, East Coast (NI) Marine proposed SPA or to mobile features associated with North Channel SAC or The Maidens SAC.</p>
11.14	<p>The development hereby permitted shall not be commenced unless suitable risk assessments and supporting data have been submitted to and approved in writing by the Council. These shall identify all unacceptable risks to health and the water environment. The investigations shall include, but not be restricted to:</p> <ul style="list-style-type: none"> • Identifying all potential contaminant sources within the planning boundary.

	<ul style="list-style-type: none"> • Site investigations and groundwater monitoring designed and implemented in accordance with British Standard BS 10175:2011 + A2:2017 – ‘Code of practice for investigation of potentially contaminated land sites’ to identify the contamination risks associated with the potentially contaminating activities which took place at this site or in the surrounding area. • Provision of risk assessment(s) in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks to identify all unacceptable risks to health and the water environment and provision of remedial criteria to be met through a remedial strategy. These works are required to ensure that the land will be in a condition suitable for the development. <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>
11.15	<p>The development hereby permitted shall not be commenced unless a detailed Remediation Strategy to address all unacceptable risks to receptors identified at Condition 11.14 has been submitted to and approved in writing by the Council. This must identify all unacceptable risks, the remedial objectives / criteria and the measures which are proposed to mitigate them (including maps / plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program etc.).</p> <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>
11.16	<p>No construction of the development hereby permitted shall commence unless a Piling Risk Assessment has been submitted to and approved in writing by the Council. Piling risk assessments must be undertaken in 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”, available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0202bisw-e-e.pdf In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.17	<p>If during the development works, new contamination and risks to the water environment are encountered which has not previously been identified, works within the immediate area of the find should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use. After completing any remediation works required under Conditions 11.14 – 11.17, and prior to operation of the development, a verification report must 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. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>

11.18	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan detailing all Pollution Prevention measures has been submitted to and approved in writing by the Council. NIEA Water Management Unit require the CEMP at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p>
11.19	<p>No construction of the development hereby permitted shall commence unless a Final Drainage Assessment compliant with Annex D of PPS 15 has been submitted to and approved in writing by the Council.</p> <p>Reason: To safeguard against flood risk to the development and elsewhere.</p>
11.20	<p>All existing trees within the site as detailed on the stamped approved drawing No. 58, and bearing the Council's date stamp 17 February 2020 shall be retained. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved details, without the written consent of the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
11.21	<p>If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the occupation of the development hereby approved, another tree or trees shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified by the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
11.22	<p>Any demolition and removal of existing hard surfaces within the Root Protection Areas of existing trees to be retained, shall be carried out in accordance with recommendations outlined in part 7 of British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' where this encroaches within the root protection area of any existing tree.</p> <p>Reason: To avoid damage to existing trees.</p>
11.23	<p>Where construction is proposed within the Root Protection Area (RPA) of existing trees, careful hand digging will be employed with extreme care being taken not to damage tree roots and tree stems within the Root Protection Areas of all trees to be retained. Mini-pile / post foundations or equivalent shall be used in the construction of any boundary fence.</p> <p>Reason: To avoid root severance of existing trees.</p>
11.24	<p>No construction of the development hereby permitted shall commence unless protective barriers (fencing) and ground protection have been erected / installed as specified in British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' (section 6.2) on all trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p>

11.25	<p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p> <p>All soft landscaping works shall be carried out in accordance with the details on Planting Plans Sheet 1 and 2 published by the Belfast City Council Planning Office on 2 July 2020. The works shall be carried out prior to the occupation of the development hereby approved unless otherwise agreed with the Council and shall be permanently retained thereafter. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a similar species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.26	<p>All soft landscaping indicated on the stamped approved Planting Plans Sheet 1 and 2 published by the Belfast City Council Planning Office on 2 July 2020 shall be managed and maintained in accordance with the RPS Landscape Management Plan titled '20 Year Landscape Management Plan For Belfast Film Studios Phase 2' published by the Belfast City Council Planning Office on 2 July 2020. Any changes or alterations to the approved landscape management arrangements must be submitted to and agreed in writing by the Council in advance.</p> <p>Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual amenity.</p>
12.0	<p>Representations from Elected Representatives (if relevant) N/A</p>
13.0	<p>Referral to DfI (if relevant) N/A</p>

ANNEX A	
Date Valid	24th February 2020
Date First Advertised	5th March 2020
Date Last Advertised	26 th June 2020
<p>1 Dargan Road,Belfast,Antrim,BT3 9JU 108 Dargan Crescent,Belfast,Antrim,BT3 9JP 11 Dargan Road,Belfast,Antrim,BT3 9JU 13 Dargan Road,Belfast,Antrim,BT3 9JU 15 Dargan Road,Belfast,Antrim, 1st & 2nd Floors,37 Dargan Road,Belfast,Antrim,BT3 9JU 1st Floor,35 Dargan Road,Belfast,Antrim,BT3 9LZ 3 Dargan Road,Belfast,Antrim,BT3 9JU 39 Dargan Road,Belfast,Antrim,BT3 9JU 41 Dargan Road,Belfast,Antrim,BT3 9JU 42-44 ,Duncrue Crescent,Belfast,Antrim,BT3 9BW 5 Dargan Road,Belfast,Antrim,BT3 9JU 57 Dargan Road,Belfast,Antrim,BT3 9JU 7 Dargan Road,Belfast,Antrim,BT3 9JU 9 Dargan Road,Belfast,Antrim,BT3 9JU Alpha House,53 Dargan Road,Belfast,Antrim,BT3 9JU Ground Floor,39 Dargan Road,Belfast,Antrim,BT3 9LZ Ground Floors,37 Dargan Road,Belfast,Antrim,BT3 9JU Ground,1st & 2nd Floor,33 Dargan Road,Belfast,Antrim,BT3 9JU Ground,35 Dargan Road,Belfast,Antrim,BT3 9LZ Unit 1-2,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 2 ,Dargan Road,Belfast,Antrim,BT3 9LZ Unit 2,37 Dargan Road,Belfast,Antrim,BT3 9JU Unit 3 ,Dargan Road,Belfast,Antrim,BT3 9LZ Unit 3,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 4,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 5,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 6,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP</p>	
Date of Last Neighbour Notification	8 th July 2020
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: Z/2014/0057/F Proposal: Amendments to Waste Transfer Station (Ref: Z/2005/1970/F) to regularise current operations incorporating acceptance of and external storage containers for Waste Electrical and Electronic Equipment (WEEE), plasterboard and metal. Proposed new steel gantry, steel containers and additional car parking spaces. Address: Dargan Road Waste Transfer Station, 2a Dargan Road, Belfast, BT3 9JU, Decision: Permission Granted Decision Date: 22.05.2015</p>	

Ref ID: LA04/2019/1540/F

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

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

Decision: Application under consideration.

Ref ID: LA04/2019/1612/PAN

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

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

Decision: PAN Acceptable

Decision Date: 31.07.2019

Ref ID: Z/2014/1279/F

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

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

Decision: Permission Granted

Decision Date: 24.04.2015

Ref ID: Z/2004/1294/F

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

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

Decision: Permission Granted

Decision Date: 08.02.2005

Ref ID: LA04/2015/0982/PAN

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

Production (37,450 sq ft.)

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

Stage 03 (45,000 sq ft.)

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

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

Decision: PAN Acceptable

Decision Date: 15.12.2016

Ref ID: Z/2010/1178/F

Proposal: Provision of management system for landfill gas, comprising capping, and installation of gas abstraction wells and pipework. Surface-water drainage and foul sewerage. Provision of services.

Address: North Foreshore Site, Dargan Road, Belfast, BT3 9JU,

Decision: Permission Granted

Decision Date: 30.08.2013

Ref ID: Z/2006/1545/F

Proposal: Provision of management system for landfill gas, comprising capping, installation of gas abstraction wells and pipework (gas to be drawn off to be flared at a nearby existing facility), surface-water drainage, site access road and foul sewerage.

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

Decision: Permission Granted

Decision Date: 30.08.2007

Ref ID: LA04/2015/1605/F

Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description)

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

Decision: Permission Granted

Decision Date: 25.02.2016

Ref ID: Z/2008/0228/F

Proposal: Management System for landfill gas, comprising capping, installation of gas abstraction, wells and pipework (gas to be drawn off to be flared at a nearby existing facility), and site access. Landscaping.

Address: North Foreshore Site, Dargan Road, Belfast

Decision: Permission Granted

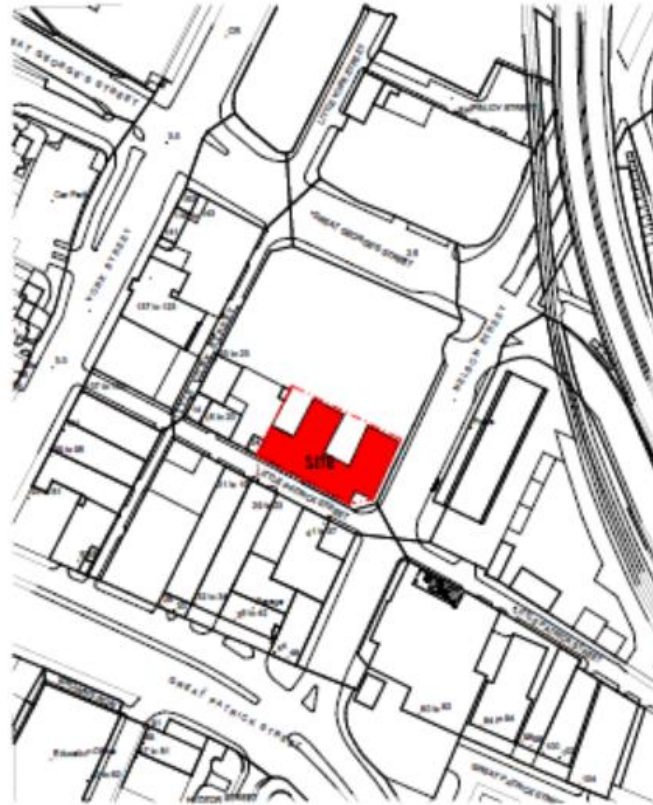
Decision Date: 26.03.2009

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 21 July 2020	
Application ID: LA04/2020/0446/F	
Proposal: Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 (temporary).	Location: 26-44 Little Patrick Street Belfast BT15
Referral Route: Major application	
Recommendation:	Temporary Approval subject to S76 Agreement
Applicant Name and Address: PBSA Little Patrick Street SARL c/o RSRE 11-12 Pall Mall London SW1 5LU	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: This application seeks temporary permission for the part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11. The key issues are: <ul style="list-style-type: none"> • principle of use • access, movement, parking and transportation, including road safety • waste management • other environmental matters The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), PPS3, PPS13 and PPS16. There were no objections raised by Consultees, however a response from DfI Roads Service is outstanding. Following advertisement in the local press as well as neighbour notification, no written representations were received. It is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission, to resolve any outstanding matters, including any issues arising from the outstanding Roads consultation, and finalise the wording of conditions and a Section 76 agreement subject to no new substantive planning issues being raised by third parties	

Case Officer Report

Site Location Plan



Representations:	
Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Characteristics of the Site and Area	
<p>1.0 Description of Proposed Development</p> <p>1.1 The application seeks temporary planning permission for the part change of use from purpose built managed student accommodation, to aparthotel development covering floors 5-11. The remaining floors will remain as student accommodation.</p> <p>2.0 Description of Site</p> <p>2.1 The site measures 0.16 hectares located on the corner of Little Patrick Street and Nelson Street. It is currently occupied by the previously approved development (LA04/2017/2306/F), a 12 storey building (35-36m) for managed student accommodation, comprising 430 beds with internal and external communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision. The change of use relates to 266 rooms. The proposed aparthotel will operate as a serviced apartment complex that uses a hotel style booking system.</p> <p>2.2 The site is located within the development limits of Belfast on the (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP). It is also located within the city centre area of archaeological potential, and within the Laganside North and Docks Character Area (CC018).</p>	
Planning Assessment of Policy and Other Material Considerations	
<p>3.0 Site History</p> <p>3.1 Planning was granted on the site under LA04/2017/2306/F, for the development of purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas. Permission was granted for this on 30/03/18. Various planning Conditions relating to this approval have been discharged, namely Conditions 2, 3, 8, 9, 10, 11 and 13.</p> <p>3.2 The proposal falls under the category of Major Development, and therefore Pre Application Community Consultation was carried out, under the planning reference LA04/2019/2349/PAN and a pre-application community consultation report was submitted with the application.</p> <p>4.0 Policy Framework</p> <p>4.1 Belfast Urban Area Plan 2001 (BUAP)</p> <p>4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) 2004</p> <p>4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015</p> <p>4.4 Strategic Planning Policy Statement (SPPS)</p> <p>4.5 Planning Policy Statement (PPS) 3: Access, Movement and Parking</p> <p>4.6 Planning Policy Statement (PPS) 13: Transportation and Land Use</p> <p>4.7 Planning Policy Statement (PPS) 16: Tourism</p> <p>5.0 Statutory Consultees</p> <p>5.1 DFI Roads Service – Awaiting response</p> <p>5.2 Northern Ireland Water Ltd – No objection</p> <p>6.0 Non Statutory Consultees</p>	

6.1 BCC Environmental Health – No objection

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. No written representations have been received.

8.0 Other Material Considerations

8.1 Parking Standards

9.0 Assessment

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

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

9.3 The proposed development is for the temporary part change of use from purpose built managed student accommodation, to aparthotel development, covering floors 5-11 (266 rooms).

9.4 The proposal does not alter any of the existing layouts or design of the building. The rooms will remain as constructed and the external appearance of the building will not change from that existing on site. Taking this into consideration, the key issues are:

- principle of use
- access, movement, parking and transportation, including road safety
- waste management
- other environmental matters

9.5 Principle of use

The site is within the development limits of Belfast in BUAP, Draft BMAP and the version of BMAP purported to be adopted. The site's current approved use is sui generis, as is the proposed use as detailed within The Planning (Use Classes) Order (Northern Ireland) 2015. The applicant's Planning Statement states the proposal seeks to ensure ongoing utilisation of the building and ensure viability between current operations and the interim period up to the completion of the adjacent Ulster University campus. In terms of the proposed hotel use, the site is within a city centre location, and the proposed use will bring increased vitality and viability into the City Centre. The principle of aparthotel use is acceptable on the site and with the mix of surrounding uses, subject to the consideration and resolution of planning and environmental matters. The application seeks temporary planning permission for the aparthotel use i.e. up to September 2023. Should temporary planning permission be granted, the permission will be subject to a condition requiring the use to cease by September 2013.

9.6 Access, movement, parking and transportation, including road safety

The proposal will make use of the existing vehicular accesses to the development and no new accesses are proposed. It is proposed that the aparthotel development will be 'car-free' with emphasis on the use of cycle, pedestrian and public transport modes of travel for access to the development. The site is an accessible city centre site within walking distance to public transport

facilities including bus and rail. A Transport Assessment Form, Service Management Plan, and Framework Travel Plan were submitted and DfI Roads Service was consulted. At the time of writing this report its response is outstanding. However, taking into account its sustainable location and the nature of the proposed use it is considered that the proposal is unlikely to result in significant traffic, access or parking issues. If any significant issues arise from the DfI Roads response the application can be brought back so members have an opportunity to consider the uses raised.

9.7 Waste Management

At the time of writing, the Council are awaiting an Updated Waste Management Strategy which will address the split between PBMSA waste (which gets a free collection) and the apart-hotel waste (which will be a paid commercial collection). As part of this a layout has also been requested which demonstrates how all of the bins (PBMSA and apart-hotel) will be accommodated in the bin store, including the physical measures that will be put in place to ensure segregation of the waste. Whilst this clarification is required before a decision issues, it is not so fundamental an issue to prevent members considering the planning merits of the proposal.

9.8 Other Environmental Matters

The proposed development lies within the M1/Westlink Air Quality Management Area (AQMA). An air quality assessment (AQA) was carried out with respect to LA04/2017/2306/F for the proposed purpose built student accommodation at the site. Within BCC Environmental Health's response it was noted this AQA demonstrated that future occupants would not be exposed to air quality concentrations exceeding AQ objectives and European Limit Values, therefore mitigation measures in relation to AQ are not essential. They emphasise that the current proposal will introduce an increase in annual average daily traffic movements (AADTM). However, having considered the temporary nature of this proposal, and the likely increased number of AADTM's they would not expect that the proposal would have a significant impact on ambient air quality at relative receptors. Therefore an updated AQA is not required. They note that care should be taken that the residential amenity of students is not impacted upon by hotel guests by means of noise. This would be an issue for the management of the aparthotel.

9.9 BCC Environmental Health's response dated 03/06/20 stated Condition 8 in relation to contaminated land was outstanding and required to be discharged prior to occupation of the development. Condition 8 was formally discharged on 23/06/20.

9.10 Developer Contributions

The developer entered into a Section 76 legal agreement with Belfast City Council with regards to the previous approval. It is considered appropriate therefore that should planning permission be granted for this proposal, the permission should be subject to the developer entering an updated Section 76 legal agreement to ensure management of the student accommodation and the aparthotel.

9.11 Conclusion

The proposal is considered to be in compliance with the development plan and relevant policy.

9.12 Having regard to the policy context and other material considerations above, the proposal is considered acceptable. It is recommended that temporary planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and a Section 76 Planning Agreement subject to no new substantive planning issues being raised by consultees and third parties.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to Conditions**Conditions:**

1. The use hereby granted shall cease prior to 1st September 2023, and the use shall revert back to student accommodation.

Reason: To ensure the permission is temporary.

2. The Department hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing No. LITTL-ATK-100-ZZ-DR-D-0001 Revision P01, 'Private Streets Determination bearing the Belfast City Council Planning Office date stamp 18 October 2017 and DfI Roads determination stamp of 30 November 2017 (as approved under LA04/2017/2306/F). The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

3. A minimum of 100 no. cycle parking spaces shall be provided and permanently retained in accordance with approved plan drawing No.04A date stamped 11th December 2017 (as approved under LA04/2017/2306/F). The access shall be available at all times for residents, staff and visitors to the development.

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

4. The development hereby permitted shall operate in accordance with the approved Travel Plan and Service Management Plan bearing the Belfast City Council Planning Office date stamp 24 October 2017. This includes provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. No variation to the approved Travel and Service Management Plans shall be implemented without the prior consent of the Local Planning Authority.

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

ANNEX	
Date Valid	19th March 2020
Date First Advertised	20th April 2020
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>14 Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>16-20 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>19-21 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>23-29 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>23-33 ,Town Parks,Belfast,Antrim,</p> <p>24 Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>2a ,Nelson Street,Belfast,Antrim,BT15 1BH</p> <p>37 Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>42-44 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>60-82 ,Great Patrick Street,Belfast,Antrim,BT1 2NX</p> <p>Units 1-8a Nelson Trade Centre, Nelson Street,Belfast,Antrim,BT15 1BH</p>	
Date of Last Neighbour Notification	13th May 2020
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: LA04/2015/0571/A Proposal: 1no. temporary Lightbox advertising display board Address: Car park Opposite, 18 -30 Dunbar Street, Belfast, BT1 2LH, Decision: CR Decision Date: 08.01.2016</p> <p>Ref ID: LA04/2015/0716/F Proposal: Erection of a 11 storey building for managed 354 student accommodation studios with shared communal areas; external courtyard; other ancillary accommodation including a reception/management suite and communal areas; plants and storage areas; cycle provision (Amended Proposal)</p>	

Address: 26-44 Little Patrick Street, Belfast, BT15,
Decision: PG
Decision Date: 17.10.2016

Ref ID: LA04/2016/0210/PAN

Proposal: Erection of 9 storey purpose built student accommodation to comprise circa 680 bedrooms with associated facilities and associated site and access works
Address: Vacant lands at 4 Nelson Street, Belfast, BT15 1BH,
Decision:
Decision Date:

Ref ID: LA04/2016/1252/F

Proposal: Purpose built managed student accommodation (774 beds). Maximum height of 12 storeys
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,
Decision: PG
Decision Date: 24.01.2017

Ref ID: LA04/2016/2522/DC

Proposal: Discharge of facade retention scheme as required by paragraph 2.3 of the section 76 of LA04/2015/1252/F
Address: 41-49 Queen Street, 24-30 College Street and 29 Wellington Place,
Decision: AL
Decision Date:

Ref ID: LA04/2017/0550/DC

Proposal: Discharge of condition 3 of LA04/2016/1252/F
Address: Site Bounded by Little York Street, Great George's Street and Nelson Street, Belfast.,
Decision: RL
Decision Date:

Ref ID: LA04/2017/0783/DC

Proposal: Discharge of Conditions 10 and 11 of LA04/2016/1252/F
Address: 41-49 Queen Street, 24-30 College Street, 29 Wellington Place, Belfast.,
Decision: AL
Decision Date:

Ref ID: LA04/2017/0858/NMC

Proposal: Non material change to LA04/2016/1252/F
Address: Site Bounded By, Little York Street, Great Georges Street, And Nelson Street, Belfast.,
Decision: CR
Decision Date:

Ref ID: LA04/2017/1202/NMC

Proposal: Non material change to planning application LA04/2015/0716/F
Address: 26-44 Little Patrick Street, Belfast,
Decision: CG
Decision Date:

Ref ID: LA04/2017/1472/PAN

Proposal: Amendment to planning permission LA04/2015/0716/F to develop purpose built managed student accommodation comprising up to 430 beds with internal and external shared communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision.

Address: 26-44 Little Patrick Street, Belfast, BT15,
Decision: PANACC
Decision Date:

Ref ID: LA04/2017/1642/NMC
Proposal: Non Material Change to LA04/2016/1252/F
Address: Site bounded by, Little York Street, Great Georges Street, and Nelson Street, Belfast,
Decision: CR
Decision Date:

Ref ID: LA04/2017/2084/NMC
Proposal: NMC to LA04/2016/1252/F
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,
Decision: CG
Decision Date:

Ref ID: LA04/2017/2112/F
Proposal: Variation of condition 7 (LA04/2016/1252/F) which refers to legislative procedures for the loading bay.
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,
Decision: PG
Decision Date: 16.11.2017

Ref ID: LA04/2017/2306/F
Proposal: Development of purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas.
Address: 26-44 Little Patrick Street, Belfast,
Decision: PG
Decision Date: 30.03.2018

Ref ID: LA04/2018/0210/DC
Proposal: Discharge of condition 3 of LA04/2016/1252/F
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,
Decision: AL
Decision Date:

Ref ID: LA04/2018/0870/DC
Proposal: Discharge of condition 2 - LA04/2017/2306/F
Address: 26-44 Little Patrick Street, Belfast,
Decision: RL
Decision Date:

Ref ID: LA04/2018/1478/DC
Proposal: Discharge of condition 10 LA04/2017/2306/F
Address: 26-44 Little Patrick Street, Belfast
Decision: AL
Decision Date:

Ref ID: LA04/2018/2431/DC
Proposal: Discharge of condition 13 of LA04/2017/2306/F
Address: 26-44 Little Patrick Street, Belfast, BT15 1BA.,
Decision: AL
Decision Date:

Ref ID: LA04/2019/0136/DC

Proposal: Discharge of conditions nos 2 & 3 of planning application La04/2017/2306/f
Address: 26-44 Little Patrick Street, Belfast,
Decision: AL
Decision Date:

Ref ID: LA04/2019/0337/F
Proposal: Erection of 2No. boiler flues.
Address: 6 Nelson Street, Belfast, BT15 1BH
Decision: PG
Decision Date: 20.06.2019

Ref ID: LA04/2019/1292/A
Proposal: 1no. Hi-level mounted built up lettering to read 'Student Roost' 1No. Vertically positioned facade mounted built up lettering to rear 'Little Patrick Street. 1No. Entrance signage mounted over entrance doors to read 'Little Patrick Street'.
Address: 26-44 Little Patrick Street, Belfast.,
Decision:
Decision Date:

Ref ID: LA04/2019/1829/DC
Proposal: Discharge of condition 9 (a), (b), (C), (d).
Address: 26-44 Little Patrick Street, Belfast.,
Decision: RL
Decision Date:

Ref ID: LA04/2019/1830/DC
Proposal: Discharge of condition 11 LA04/2017/2306/F
Address: 26-44 Little Patrick Street, Belfast.,
Decision: AL
Decision Date:

Ref ID: LA04/2019/2349/PAN
Proposal: Part temporary change of use from purpose built managed student accommodation to aparthotel development (covering floor 5-11)
Address: 26-44 Little Patrick Street, Belfast, BT15,
Decision: PANACC
Decision Date:

Ref ID: LA04/2020/0414/DC
Proposal: Discharge of condition 9 LA04/2017/2306/F
Address: 26-44 Little Patrick Street, Belfast.,
Decision:
Decision Date:

Ref ID: LA04/2020/0446/F
Proposal: Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 (temporary)
Address: 26-44 Little Patrick Street, Belfast, BT15,
Decision:
Decision Date:

Ref ID: LA04/2020/0712/DC
Proposal: Discharge of condition 9 LA04/2017/2306/F
Address: 26-44 Little Patrick Street, Belfast.,
Decision:

Decision Date:

Ref ID: Z/1975/0106

Proposal: ERECTION OF WAREHOUSE

Address: 26-36 LITTLE PATRICK STREET, BT15

Decision:

Decision Date:

Ref ID: Z/1983/1412

Proposal: ERECTION OF 6 ADVERTISING HOARDINGS

Address: 2-52 NELSON STREET

Decision:

Decision Date:

Ref ID: Z/1986/2331

Proposal: Erection of petrol filling station

Address: 24-46 NELSON STREET, BELFAST BT15 1BH

Decision:

Decision Date:

Ref ID: Z/1987/0736

Proposal: Change of use from warehouse to retail use with associated car parking.

Address: 50A-62 GREAT GEORGES STREET, BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1987/1478

Proposal: Change of use to retail warehouse with car-parking

Address: 50A -62 GREAT GEORGES STREET, BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1988/2636

Proposal: Change of use from warehouse to car showroom and ancillary workshop, offices and stores with external alterations

Address: 50A-62 GREAT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2162

Proposal: Temporary car park

Address: VACANT LAND ADJACENT TO 50A GREAT GEORGES STREET AND NELSON STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2163

Proposal: Change of use from warehouse to car showroom, workshop etc (Modification of approved planning application)

Address: 50A-62 GT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2973

Proposal: Construction of filling station.

Address: LAND AT 24/46 NELSON STEET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1990/2276

Proposal: Refurbishment/conversion of vacant warehouse to form car showroom, workshop and parts department

Address: 50A-62 GREAT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1990/2338

Proposal: Office development with ground floor reception and parking areas

Address: 24/46 NELSON STREET AND 26/44 LITTLE PATRICK STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1992/2328

Proposal: Operational car park and service yard

Address: 7 LITTLE PATRICK STREET & 19 LITTLE YORK STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1992/2587

Proposal: Change of use from car sales to builders equipment hire with alterations to include erection of offices within existing building shell

Address: 42-62 GT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1993/2384

Proposal: Erection of 2 storey premises for part office, light industrial and warehouse uses

Address: 26-44 LITTLE PATRICK STREET AND 24-46 NELSON STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/2001/0664/Q

Proposal: New showroom

Address: Site at 42-44 Little Patrick Street, Belfast

Decision:

Decision Date:

Ref ID: Z/2003/0867/Q

Proposal: student housing scheme

Address: Site at Nelson Street/Little Patrick Street, Belfast

Decision:

Decision Date:

Ref ID: Z/2004/0714/F

Proposal: Redevelopment of site to provide housing comprising of 48 apartments and 18 terraced houses.

Address: 42/46 Great George's Street and 22/46 Nelson Street, Belfast, BT15 1BP

Decision:

Decision Date: 26.01.2006

Ref ID: Z/2004/0717/F

Proposal: Erection of new office building including a new access off Lord Nelson Street

Address: 26-44 Little Patrick Street, Belfast, BT15 1BA

Decision:

Decision Date: 12.10.2005

Ref ID: Z/2008/0824/F

Proposal: Construction of 238 No. 1bed and 2 bed apartments with 200 No. parking spaces on ground and first floor levels with elevated landscaped central courtyard. (Amended Plans)

Address: Site bounded by Little York Street, Great George Street and Nelson Street, Belfast.

Decision: PG

Decision Date: 17.10.2014

Ref ID: Z/2008/1200/F

Proposal: Temporary surface level car park.

Address: Site bounded by Little York Street, Great George Street and Nelson Street, Belfast.

Decision:

Decision Date: 15.01.2009

Ref ID: Z/2011/0737/O

Proposal: Site for social housing development.

Address: Vacant site at Nelson Street, bounded by Great Georges Street to north, Little York Street to west, Nelson Street to east and other lands adjacent to Little Patrick Street to south.,

Decision: PR

Decision Date: 22.10.2014

Ref ID: Z/2012/0352/O

Proposal: Apartment development of 217 units

Address: Site bounded by Little York Street, Great Georges Street and Nelson Street, Belfast,

Decision:

Decision Date:

Notification to Department (if relevant)

Date of Notification to Department: N/A

Response of Department:

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Subject:	Planning Performance 2019/20
Date:	21 July 2020
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officer:	Ed Baker, Planning Manager (Development Management)

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

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

1.0	Purpose of Report or Summary of main Issues
1.1	To provide the Planning Committee with an overview of the performance of the Council's Planning Service during 2019/20 in line with statutory and local performance indicators, as well as practical outcomes. A Performance Report for 2019/20 is provided at Appendix 1 .
2.0	Recommendation
2.1	Members are asked to note the Performance Report for 2019/20 at Appendix 1 .
3.0	Main report
3.1	<u>Background</u> Officers regularly reports performance to the Planning Committee as it's a valuable indicator of the overall operation and effectiveness of the Council's Planning Service. The Performance Report for 2019/20 is provided at Appendix 1 . This captures key

3.2	<p>performance information according to both regional and local indicators in relation to planning applications, enforcement and appeals. It also includes key outcomes of the development management process and provides a narrative around performance in the context of overall improvement of the Council’s Planning Service. Members are asked to note the report and ask any questions that may arise.</p> <p>In addition, on 02 July 2020 the Department for Infrastructure published its annual Northern Ireland Planning “Statistical Bulletin”. This provides finalised activity and performance figures for the planning system in Northern Ireland for 2019/20. It includes a statistical breakdown of the performance of each of the 11 councils and the Department itself as Planning Authorities. A copy of the Statistical Bulletin can be found at the link below:</p> <p>https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-2019-march-2020</p>
4.0	Financial & Resource Implications
4.1	Performance is an indicator of an efficient and effective planning service, which supports value for money and effective use of resources.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices
	Appendix 1 – Planning Performance Report 2019/20

Planning Committee

Planning Performance Report 1 April 2019 to 31 March 2020



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Summary Planning Statistics

Introduction

This Performance Report provides an overview of planning activity and includes performance information from 01 April to 31 March 2020. It provides an outline of Development Management performance and summary statistical information on council progress across the 3 statutory targets for major development applications, local development applications and enforcement cases. It also provides information relating to performance against corporate targets.

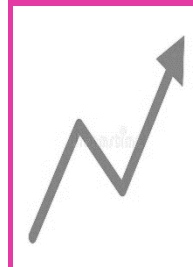
Decisions issued up



13%



95%
approval rate



Improved
performance
across all
areas

5 new hotels approved



519

householder
applications
approved



>1,300 new
Residential units
approved



**New Children's
Hospital approved**



103
Committee
applications
approved
this year

51% of enforcement cases
resolved



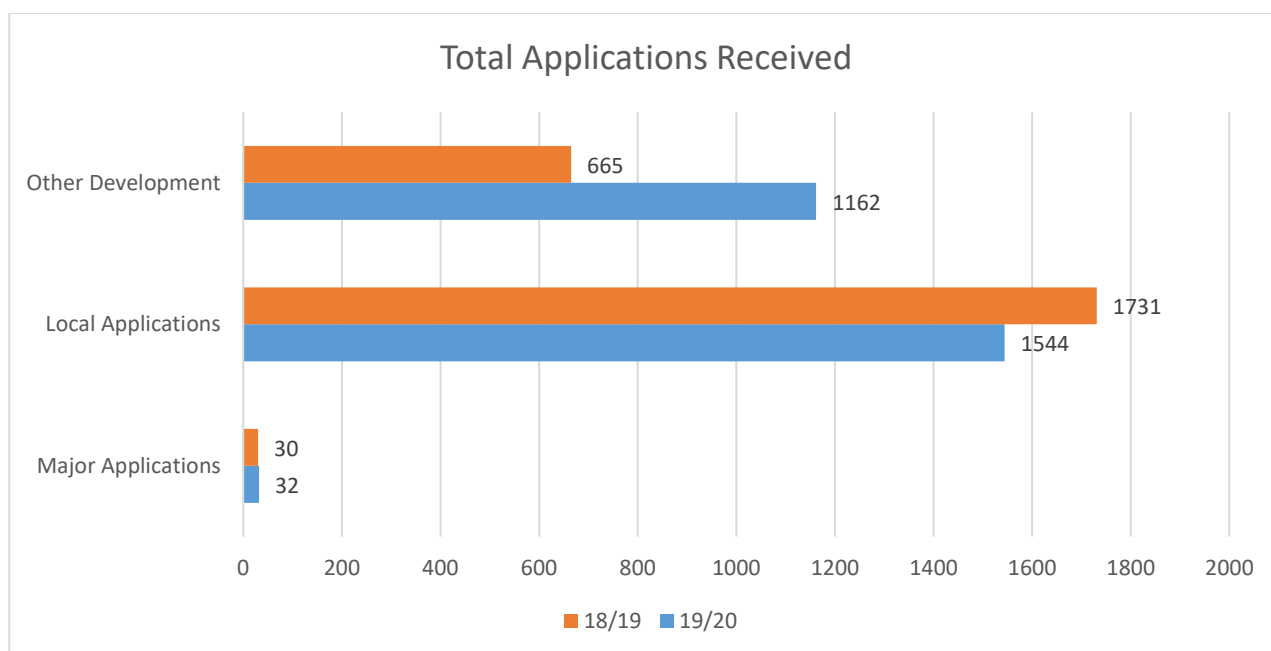
Enforcement

**Targets exceeded
by 23%**

Overall Planning Activity

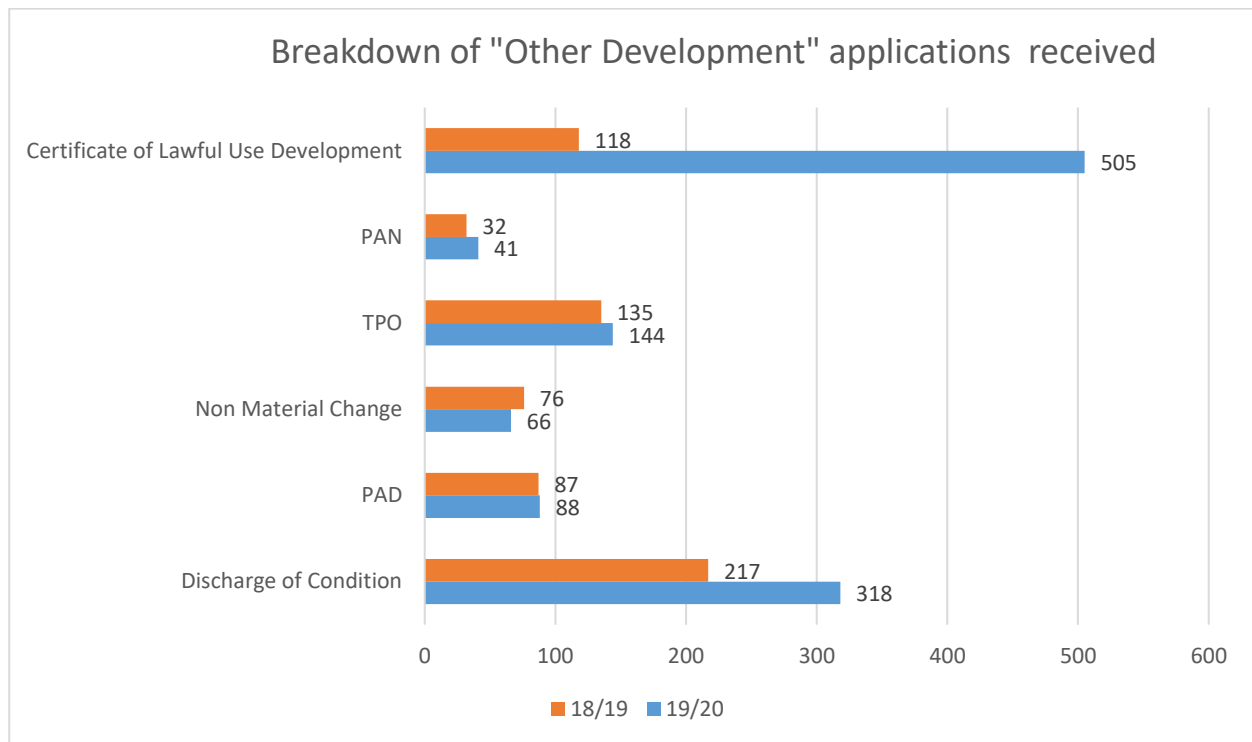
Applications Received

The total number of applications (Locals, Major and Other Development) received between 1 April and 31 March 2020 was 2,738, which excluding invalid submissions is almost a 12% increase over the same period last year (2,426).



Compared to the same period last year the number of **Local** Applications received has decreased by 11% (- 187) while the number of **Major** applications is up 7% (+2).

Other Development* which is excluded from the statutory performance targets makes up over 42% of applications/consents received. This is 75% more than last year and can mainly be attributed to an increase in applications for Certificates of Lawful Use Development relating to Houses of Multiple Occupancy which show a 4 fold increase year on year (118 in 18/19; 505 in 19/20), and Discharge of Condition (DoC) applications which have increased by 46% (217 in 18/19; 318 in 19/20). The DoC applications do not attract a fee.



***Other Developments** include applications for: Certificates of Lawful Development, works to trees, Non-Material Changes, Discharge of Conditions, Proposal of Application Notices (PANs) and Pre Application Discussions (PADs). Many of these application types do not attract a fee.

Pre Application Discussions

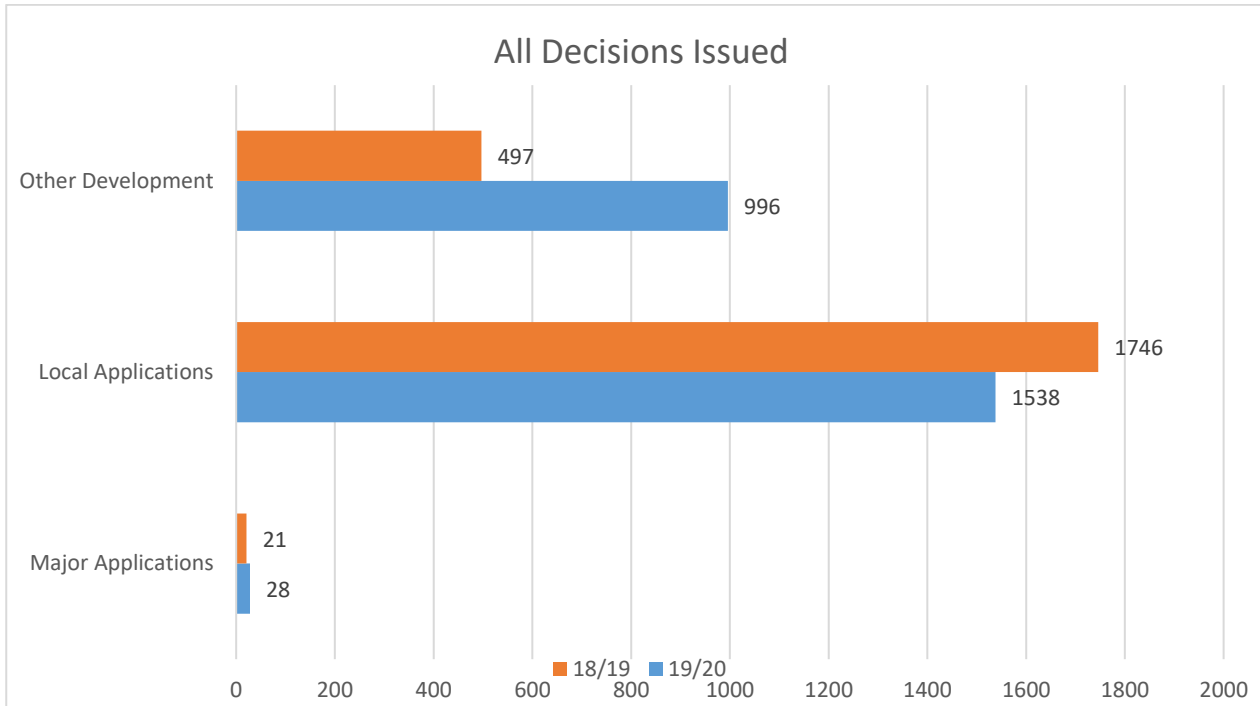
Pre Application Discussions (PADs) are a very important part of the planning application process. PADs provide an opportunity for the applicant to discuss their proposals with a Planning Officer before they make their application. This allows issues to be identified early and the quality of proposals to be improved. In turn, this results in more timely decision making and better outcomes on the ground. This "frontloading" of the application process contributes significantly to the performance and effectiveness of the Planning Service.

In 2019/20 the Planning Service received 59 PADs, including 29 PADs for Local development and 30 PADs for Major development. There were 30 PADs concluded, 21 for Local development and 9 PADs for Major development.

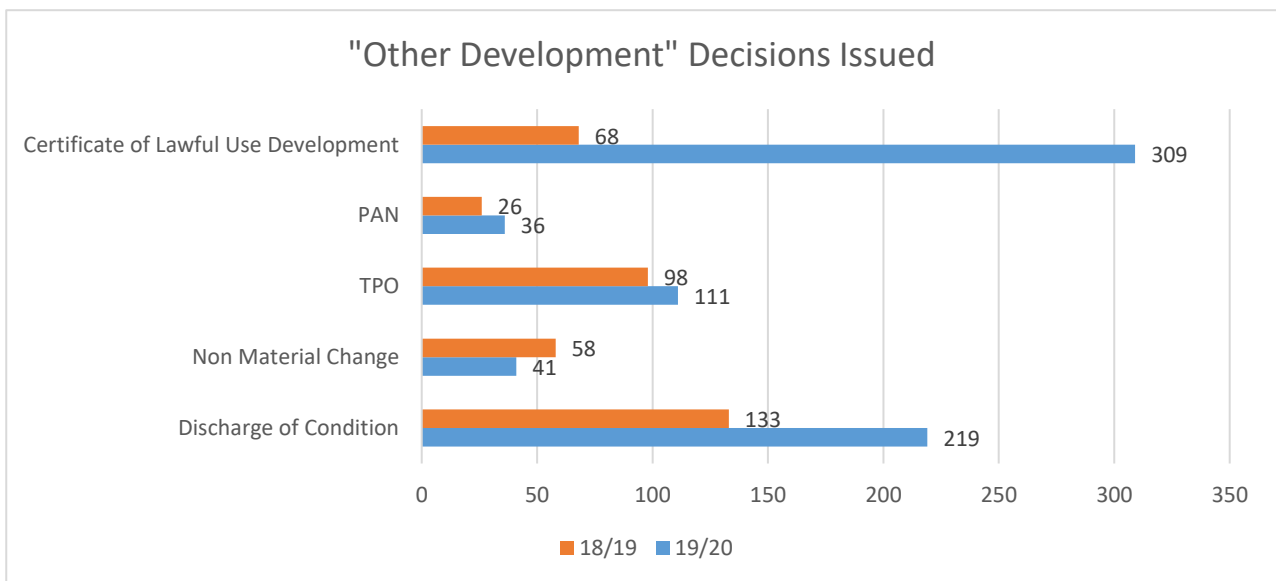
Overall Planning Activity (continued)

Decisions Issued

A total of 2,562 decisions were issued between 1 April and 31 March 2020, which is 13% more than the same period in 2018 when 2,264 decisions issued.



The overall % of "Other Development" decisions doubled in the past year again mainly attributable to decisions on CLUD and Discharge of Conditions applications.



95% of applications were approved in 2019-20. The approval rate is 1% higher than the same period last year.

Major Applications

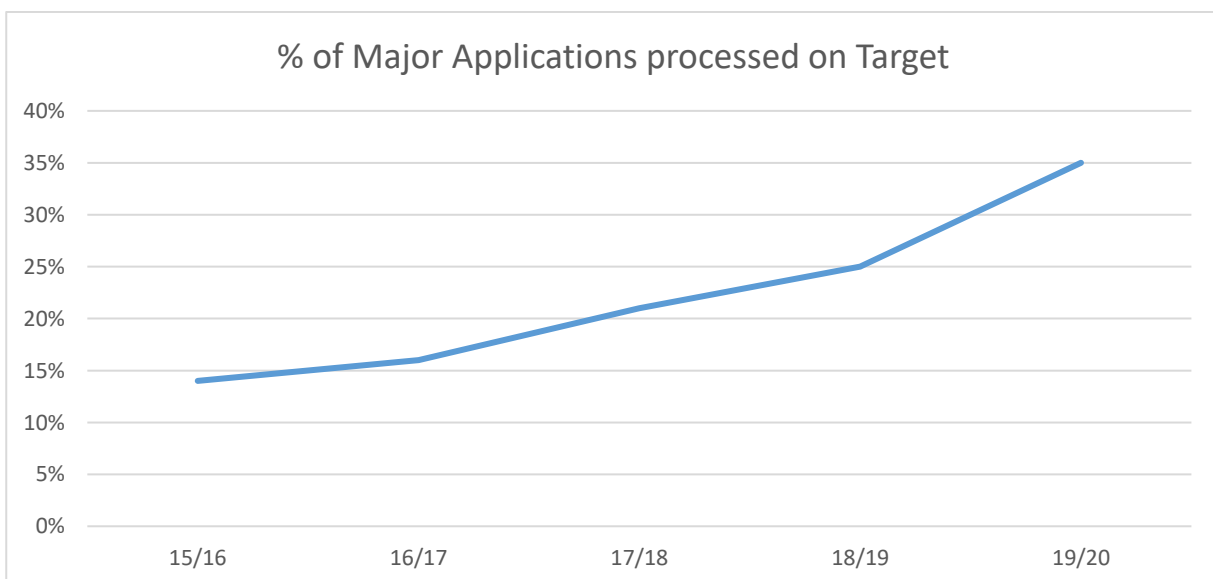
The Statutory target is that major planning applications will be processed from the date valid to decision issued or withdrawal date within an average of 30 weeks.

Major applications have important economic, social and environmental implications. Most major applications are multiple housing, office block developments, hotels and civic types of development.

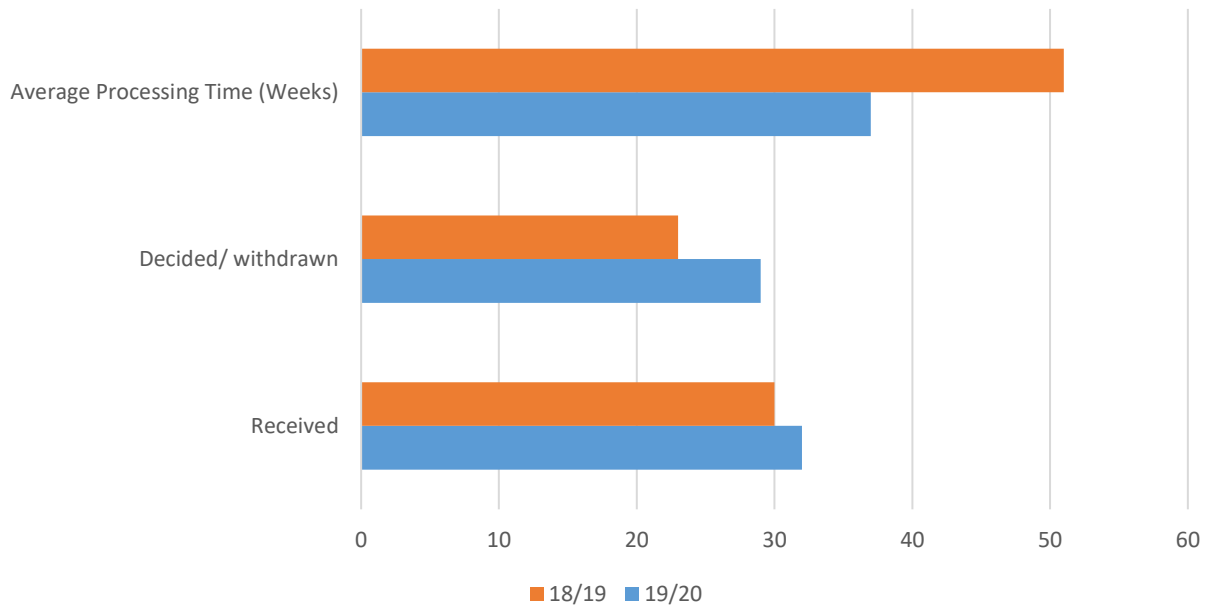
The number of major applications received up to 31 March 2020 is 32. There were 30 major applications received up to 31 March 2019. 29 major applications were processed during the period which is a third more than in the same period last year (23). Last year the average processing time was 41.4 weeks, this year performance has improved by 4.4 weeks to 37 weeks. This compares to a regional average of 52.8 weeks.

Major Application Performance over last 5 years

Major applications	Received	Decided/withdrawn	Average Processing Time (Weeks)	Target Processing Time (Weeks)	% of cases processed within Target
19/20	32	29	37	30	35%
18/19	30	23	41.4	30	25%
17/18	21	30	52	30	21%
16/17	27	38	57.6	30	16%
15/16	35	56	54.4	30	14%



Major Planning Applications

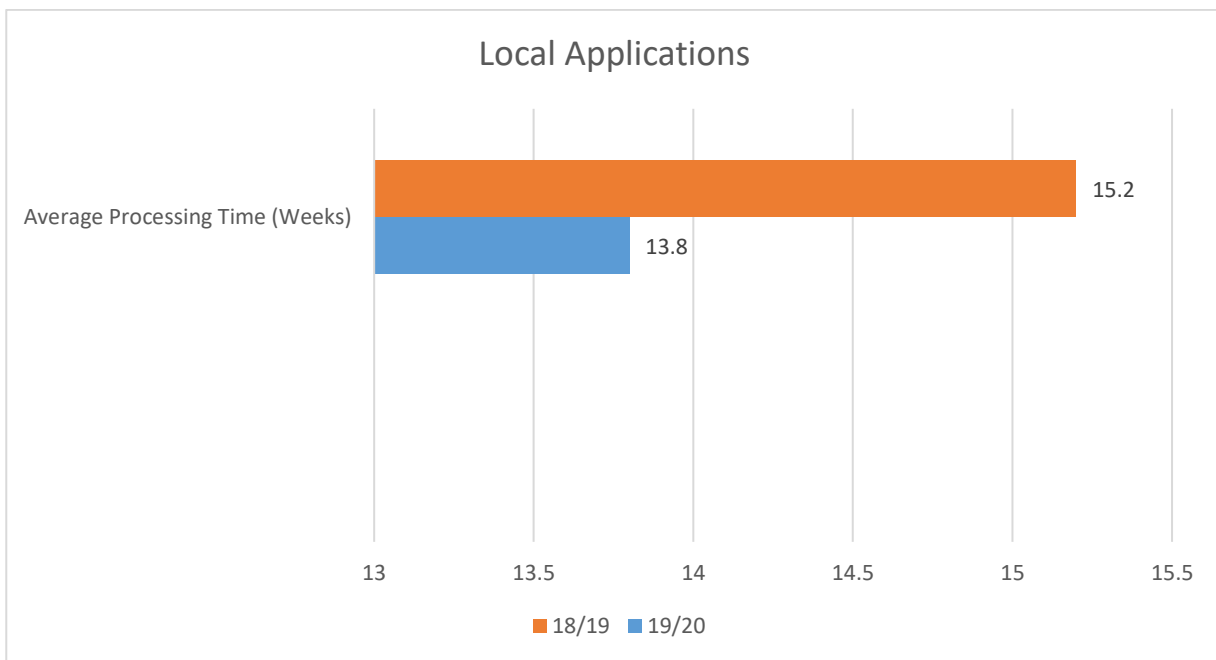


Local Applications

The Statutory target is that local planning applications will be processed from the date valid to decision issued or withdrawal date within an average of 15 weeks.

Local Planning applications are mostly householder, residential and minor commercial applications and make up the vast bulk of measurable applications received (a total of 99%).

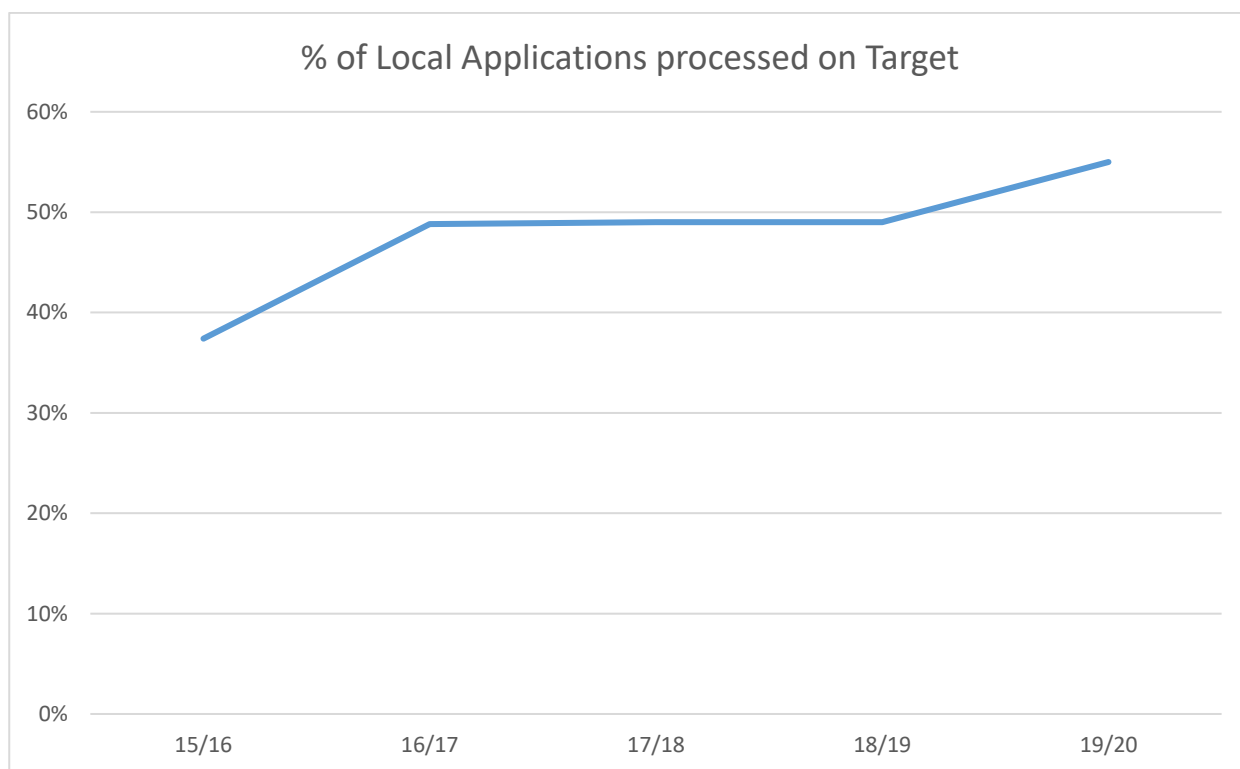
The number of local applications received is 1,544 which is an 11% decrease on the same period last year (1,731).



Local applications account for 65% of decisions issued which is 17% less than this period last year. (81%). This is attributable to the rise in the number of Other applications. 1,132 applications were decided/withdrawn in the period, 248 less than the same period last year. Last year the average processing time was 15.2 weeks whereas this year the average processing time is 14 weeks, which is 1 week under the target of 15 weeks. This is the same as the regional average of 14 weeks.

Local Application Performance over last 5 years

Local Applications	Received	Decided/ withdrawn	Average Processing Time (Weeks)	Target Processing Time (Weeks)	% of cases processed within Target
19/20	1,544	1,602	14	15	55%
18/19	1,731	1,850	15.2	15	49%
17/18	1,557	1,850	15.3	15	49%
16/17	1,759	1,727	15.6	15	48.8%
15/16	1,788	1,313	19.6	15	37.4%



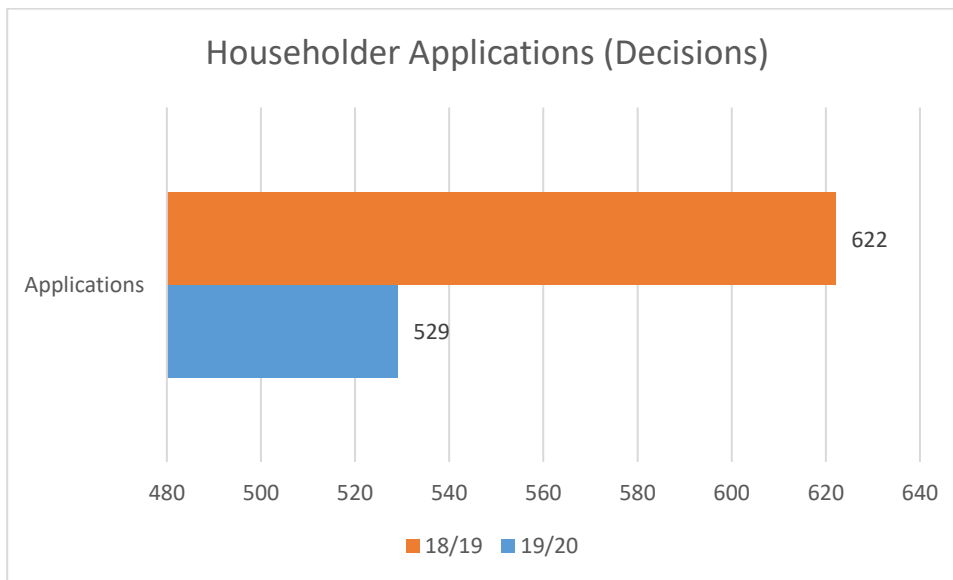
Performance Indicators for Householder applications

The largest number of local applications processed relate to householder applications. These include extensions, conservatories, loft conversions, dormer windows, garages, car ports and outbuildings.

In 2019-20 there were 535 householder applications received, this is 5% less than the previous year (564).

The number of householder decisions has decreased by 15% from 622 in 2018- 19 to 529 in 2019-20.

Our internal Key Performance Indicator for processing Householder applications is 12 weeks. Performance up to 31 March 2020 is 10.4 weeks. In the same period last year performance was 13 weeks, representing an improvement of 2.6 weeks.



Processing

Time Taken to Validate

Validation is the process of checking whether all the information which is legally required to be submitted with an application has been provided. The time take to validate a planning application is a vital part of the planning process. The quicker an application can be validated the quicker the application is allocated to a case officer for processing. Delays with validation can have an impact on the ability to achieve statutory and corporate targets.

The internal target for validating a planning application is 10 days depending on its complexity. In 2019-20 the average time taken to validate a planning application is 12 days.

Site Visits

The time taken to carry out site visits is also an important element of the application processing – the sooner we visit the site the sooner we can form a view as to whether a proposal may be acceptable or not. As part of our operating principles we have introduced a target for this to be carried out within 21 days. The average for 2019 -20 is 23 days.

Statutory Consultee Performance

Statutory consultees are organisations and bodies, defined by statute, who must be consulted on relevant planning applications (these include the majority of the Government Departments).

Available figures indicate that up to 31 March 2020 33% of all consultation responses were returned outside the 21-day statutory deadline.

Planning Committee

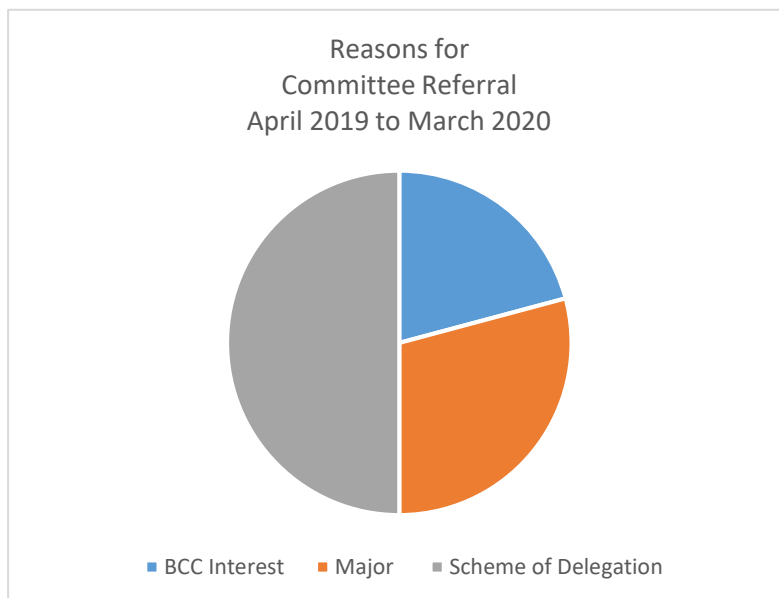
Between 1 April and 31 March 2020 the Committee considered a total of 134 applications, including 9 applications brought back to committee for reconsideration and 46 Major applications.

There were three Pre determination Hearings during the period.

Committee has 95% approval rate.

In this period, the Committee decided against the officer recommendation (refusal) on 2 occasions.

In 2019-20 the Committee hosted 89 deputations to speak.



Appeals

Appeals	New	Dismissed	Allowed	Split Decision	withdrawn
1 Apr to 31 March 2020	57	22	21	0	7

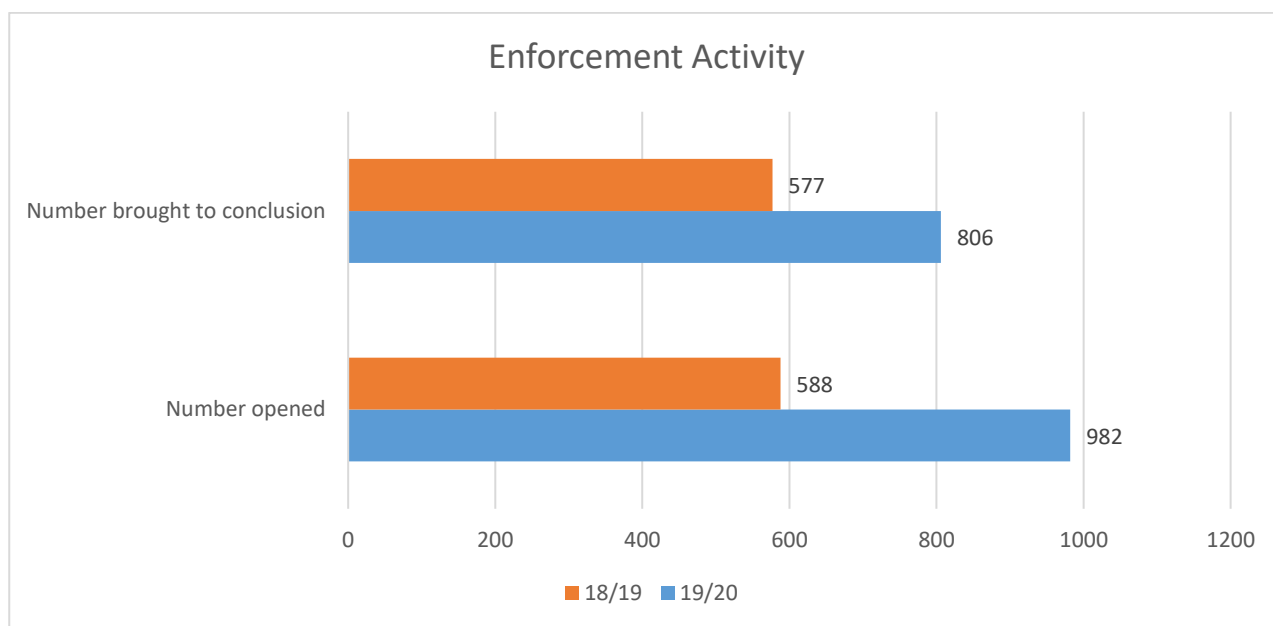
Applicants have the right to appeal refusal of planning permission or the imposition of a planning condition within 4 months of the date of the decision. Appeals are made to the Planning Appeals Commission.

Up to 31 March 2020, 123 applications/consents were refused permission, this is 5% of all applications decided. 57 new appeals were submitted to the Planning Appeals Commission although it should be noted that as there is up to 4 months to submit an appeal the figures cannot be directly correlated. The number of appeals submitted is 10 more than the same period last year.

Up to 31 March 2020 there was almost a 50/50 split between appeal decisions allowed and dismissed. This is a higher than usual where it is expected that approximately 30% of appeals would be allowed. In accordance with the recommendations of the 2019 internal audit of the Planning Service, processes have been introduced to better understand appeal decisions so that lessons can be learned.

Compliance and Enforcement Activity

The Statutory target is that 70% of all enforcement cases are progressed to conclusion within 39 weeks of receipt of complaint.



The number of enforcement cases opened up to 31 March 2020 was 982 – an increase of 67% over the previous year. The reason for the rise in enforcement cases includes an increase in the number of complaints about estate agent signs, A board signs, pavement cafes and Air B&Bs. The Enforcement team has also been more proactive in monitoring conditions with breaches of conditions identified.

The number of enforcement cases concluded during the period was 806, almost 40% more than the previous year.

Of the cases closed the two main reasons for closure were that no breach had occurred (23%) and that cases had been remedied or resolved. (50%). Twenty cases were immune from enforcement action, 110 cases subsequently granted planning permission, 1 was allowed on Appeal and in 83 cases it was not considered expedient to pursue enforcement action as the breaches were considered minor in nature. There were 5 prosecutions initiated with 2 convictions relating to unauthorised advertisements that were not removed.

The number of live enforcement cases at the end of 2019/20 was 485 compared to 322 at the end of 2018/19.

Up to 31 March 2020, 93% of enforcement cases reached conclusion within 39 weeks. This is 23% above statutory target.

Conclusion

Overall performance during this period is extremely positive with improvement across all areas. We are exceeding the statutory processing targets for both local applications and enforcement and while we are not yet meeting the performance target for processing major applications, overall performance has improved by 4.4 weeks in the past year, and by 14 weeks since the year before that. It is pleasing to note the continued upward improvement trend for the overall % of applications decided on target too.

Another important point to note is the 75% increase in the number of "Other Development" applications submitted and subsequent increase in "Other Development" decisions. This work falls outside the statutory performance targets but currently make up over 42% of applications received. This is primarily due to the HMO Licensing regime which requires confirmation that the use of any new HMO house is lawful in planning terms (CLUD). This trend is expected to continue over the next 2 -3 years.

There has also been a significant increase in applications to discharge conditions. This is viewed as a positive trend as developers move to implement planning approvals. It should be noted Discharge of Condition applications, and many forms of "Other Development" applications, do not attract a fee yet they cumulatively involve significant work. The Council alongside other local councils is lobbying the Department for Infrastructure to introduce fees for those types of application as there is substantial cost to the Council in processing these applications.

Performance by statutory consultees remains a concern and we continue to engage locally and work with our consultees to ensure that all application but particularly major applications are not delayed because of this. In addition, and following a Departmental review into the planning system in Northern Ireland with particular focus on the role of statutory, a cross-government Planning Forum of senior leaders has now been established.

The Council has seen a significant rise in new enforcement complaints (up 48% over last year). The Council's planning enforcement function has recently been subject to an internal audit. The Planning Service is working through its recommendations during the coming year with the aim of improving processes, communication with complainants and quality of customer service.

The role of a Planning Committee in Belfast City Council is a crucial one, as it is responsible for making considered decisions on significant, sometimes contentious applications. During the past year these have included 1,200 residential units, 2 warehouse buildings, sport pitches, a 6 lane swimming pool, 3 public realm improvements, student accommodation, restaurants, a primary school, primary healthcare centre and telecommunication masts to name but a few.

The Planning Service continues to work through and evolve its Improvement Plan, with many actions completed and new areas of work identified. An update will be reported to the Planning Committee in the near future. One of the recommendations is to undertake a review of the Council's Planning Application Checklist, first published in November 2018, to understand what impact it has had on the quality of application submissions and processing times.

Recommendations

Recommendations arising from this performance report and ongoing improvement works are to:-

- Continue to monitor and report on performance to the Planning Committee;
- Continue to implement and update the Planning Service's Improvement Plan;
- Support the implementation of the replacement NI Planning Portal (expected to go live end of 2021/early 2022);
- Review the Application Checklist to understand the impact it has had on the quality of planning applications and processing times and share these findings with the Department and other councils;
- Continue to implement the recommendations of the internal audit of planning enforcement; and
- Participate in the newly established regional forums to improve the role of statutory consultees in the planning application process and improve the effectiveness of the development management process.

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Subject:	Award of contract to replace the Northern Ireland Planning Portal
Date:	21 July 2020
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officer:	Ed Baker, Planning Manager (Development Management)

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

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

1.0	Purpose of Report or Summary of main Issues
1.1	To advise the Planning Committee that a contract has been awarded to replace the Northern Ireland Planning Portal with a new IT system, expected to be implemented late 2021/early 2022. The replacement Planning Portal will allow applicants to submit online applications for the first time and is expected to greatly improve the efficiency of the Council's Planning Service. It will also support increased flexibility for remote working.
2.0	Recommendation
2.1	Members are asked to note the report.

3.0	Main report
3.1	<p><u>Background</u></p> <p>The Northern Ireland Planning Portal (NIPP) provides the public website interface which citizens use to find information and comment on planning applications. It also provides back-office software that the Council's Planning Service uses to process planning applications and enforcement cases, as well as supporting the administration of regional property certificates.</p>
3.2	<p>The NIPP was implemented by the former Department of Environment in 2010 as a regional IT solution and was inherited by the 11 councils as a shared system in 2015 on the transfer of planning powers to local government. The NIPP is provided by a third-party supplier, DXC. The contract for the Planning Portal is managed by the Department for Infrastructure (DFI) and will expire at the end of December 2021.</p>
3.3	<p>Since 2016, DFI and the 11 councils have been part of a regional project to explore options for replacing the NIPP. In January 2019, DFI published an Outline Business Case (OBC) which recommended that the NIPP is replaced by another shared regional IT system, based on a "Commercial Off The Shelf" product with some local configuration for each Planning Authority. All 12 Planning Authorities signed up to the next phase of the project which was to undertake a procurement process. This was completed in March 2020. DFI subsequently published a Full Business Case (FBC) proposing to award the contract to TerraQuest Solutions, the preferred supplier.</p>
3.4	<p><u>Award of Contract</u></p> <p>In April 2020, the Strategic Policy and Resources Committee agreed the award of contract subject to the following:</p> <ul style="list-style-type: none"> • the Department and a minimum of 10 councils agree the award of the contract by the end of June 2020; • the capital cost to Local Government will be split evenly between councils and operating costs will be split according to fee income (as set out in the Funding Proposal accompanying the Full Business Case), but fixed for at least three years to aid financial planning; • implementation of the six recommendations of the Gateway Review 3 report (independent assurance report); and • BCC is part of the first wave of councils to implement the new IT system (as previously requested).
3.5	<p>DFI and 10 councils (including BCC) have agreed the FBC and the contract has been awarded accordingly, with the new IT system to be shared by these 11 Planning Authorities. Only Mid Ulster Council has withdrawn from the process and it will procure its own standalone system. The new regional IT system is expected to be implemented late 2021/early 2022 and BCC will be part of the first wave. The award of contract is for an initial 10 years with 5 + 5 year options according to the performance of the new system.</p>
3.6	<p><u>New supplier – TerraQuest Solutions</u></p> <p>The contract has been awarded to TerraQuest Solutions. The company was one of five suppliers to submit Selection Questionnaires and these were shortlisted to two suppliers for the final tender stage. The procurement was based on Competitive Procedure with Negotiation overseen by the Central Procurement Directorate (Department of Finance). The tenders were assessed on the basis of 60% quality and 40% cost. TerraQuest Solutions' bid won in both categories.</p>

3.7	<p>TerraQuest Solution's winning bid is made on behalf of a consortium which includes PortalPlanQuest (PPQ) and DEF Software (DEF). PPQ operates the Planning Portal in England (a national website that hosts around 90% of online planning application submissions in England). It is also contracted to deliver this service in Wales. DEF Software provides digital and cloud-deployed back-office systems to local councils for Planning, Building Control and related services. DEF currently has 35 live UK sites including council planning services in both England and Wales.</p>																					
3.8	<p><u>Benefits of the new IT system</u> The benefits are summarised in the table below.</p>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left;">Public Access website</th> <th style="width: 50%; text-align: left;">Back-office IT system</th> </tr> </thead> <tbody> <tr> <td data-bbox="256 555 815 667">Ability to submit online planning applications including online payments</td> <td data-bbox="815 555 1477 667">Automated uploading of applications, drawings and documentation (i.e. no need for manual data entry or scanning online applications)</td> </tr> <tr> <td data-bbox="256 667 815 808">Ability to submit online enforcement complaints</td> <td data-bbox="815 667 1477 808">Improved workflow for staff with assignment of configurable task notifications prioritised according to a Red/Amber/Green traffic light system</td> </tr> <tr> <td data-bbox="256 808 815 949">Ability to submit online requests for Property Certificates (part of the property conveyance process)</td> <td data-bbox="815 808 1477 949">Ability to assign, allocate, reallocate work electronically within the system, as well as checking reports and signing off decisions (to support a paperless office approach)</td> </tr> <tr> <td data-bbox="256 949 815 1090">Shared regional approach to online submissions providing consistency across the vast majority of NI</td> <td data-bbox="815 949 1477 1090">Automated notification reminders to staff, customers and consultees to complete tasks / submit information / provide a consultation response</td> </tr> <tr> <td data-bbox="256 1090 815 1272">The online process will drive quality applications at submission through identification of validation and configurable local information requirements</td> <td data-bbox="815 1090 1477 1272">Ability for each council to configure their own templates e.g. standard customer letters, delegated and committee reports, and model planning conditions</td> </tr> <tr> <td data-bbox="256 1272 815 1413">Improved access to information for customers including availability of planning constraint layers (both textually and GIS)</td> <td data-bbox="815 1272 1477 1413">Enhanced reporting and monitoring of performance and outcomes (by teams, individuals and wider service)</td> </tr> <tr> <td data-bbox="256 1413 815 1975" rowspan="6"></td> <td data-bbox="815 1413 1477 1525">Fully integrated Electronic Documentation Management System to support a paperless office approach</td> </tr> <tr> <td data-bbox="815 1525 1477 1666">Communications Portal to support communication within the system between BCC staff and customers, and BCC staff and consultees</td> </tr> <tr> <td data-bbox="815 1666 1477 1749">Module for monitoring S76 agreements; 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<p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p>	<p><u>Implementation</u></p> <p>The Council has played a lead role in the project to date, being one of three councils to agree the specification for the new IT system on behalf of local government, representation on the tender panel and providing staff to the core project team. It is vital that the Council continues to have a lead role during the design and implementation stage to ensure that its requirements are met. A BCC Senior Planning Officer has been seconded to the core project through Interchange as the Business Lead, an influential role, and will represent BCC's interests well. BCC will continue to be represented on the Planning Portal Governance Board which has strategic oversight of the project.</p> <p>Officers have established an internal implementation team projected managed by a Business Support Officer within the Planning Service. This reports to an internal project board, chaired by the Director of Planning and Building Control, with representatives from the Planning Service, Digital Services and Audit, Governance and Risk Service and other services contributing as required. Planning and Digital Services staff will be drawn into the internal project team as and when required during the implementation phase.</p> <p><u>Governance</u></p> <p>The Planning Portal Governance Board will retain overall strategic control of the project. The Governance Board is chaired by DFI and includes the 10 councils. The new supplier is also represented. BCC is represented by the Planning Manager (Development Management) and Head of Digital Services.</p> <p><u>Contingency</u></p> <p>The current NIPP is supported until the end of December 2021. There is currently no contingency for technical support for the Planning Portal beyond that date. The new IT system is not scheduled to go live in full until February 2022, although BCC will be part of the first wave implementation planned for late 2021. Notwithstanding, the timetable may slip due to various risks including the Coronavirus pandemic. DFI is assessing contingency options for providing continued technical support for the current NIPP post December 2021 to ensure business continuity, and regularly reports to the Planning Portal Governance Board on this issue. The need to replace the current NIPP is a service risk, which is being continuously monitored.</p>
<p>4.0</p>	<p>Financial & Resource Implications</p>
<p>4.1</p>	<p>The cost of the new IT system will be shared between DFI and the 10 councils. The Department will fund 55% of the overall costs. In terms of local government costs, capital costs will be split evenly between the 10 councils with operating costs split according to fee income. The overall cost to BCC will be £2,062,000 over 21 years (£98k pa).</p>
<p>5.0</p>	<p>Equality or Good Relations Implications / Rural Needs Assessment</p>
<p>5.1</p>	<p>No adverse impacts identified.</p>

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

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