

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



**Belfast  
City Council**

11<sup>th</sup> May, 2021

## **MEETING OF THE MEMBERS OF THE PLANNING COMMITTEE**

Dear Alderman/Councillor,

A meeting of the Members of the Planning Committee will take place remotely, via Microsoft Teams, on Tuesday, 18th May, 2021 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) Minutes (Pages 1 - 22)
  - (c) Declarations of Interest
2. **Planning Appeals Notified (Pages 23 - 24)**
3. **Planning Decisions Issued (Pages 25 - 50)**
4. **Planning Applications**
  - (a) LA04/2020/1363/F - 21 apartments and 3 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space between 173 Newtownards Road and 1-5 Templemore Avenue (Pages 51 - 66)
  - (b) LA04/2020/2280/F - Mixed use development comprising 1no. ground floor retail unit and 13no. apartments at 93-95 Falls Road (Pages 67 - 82)

- (c) LA04/2020/1974/F - New station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building at Yorkgate Rail Station on lands bounded by York Street, Dock Street, Whitla Street and M2 Motorway. (Pages 83 - 96)
- (d) LA04/2020/1726/F - 3G pitch in revised position with floodlights, dug outs, turnstiles, 1.2m fence to pitch and associated ground works all as previously approved application Z/2013/1485/F; Belfast Celtic FC, Glen Road Heights (Pages 97 - 108)
- (e) LA04/2020/2258/F & LA04/2020/2257/DCA - Demolition of dwelling and outbuildings and construction of 2 detached dwellings with parking and associated site access and landscaping works at 9 Cadogan Park Malone Lower (Pages 109 - 126)
- (f) LA04/2021/0666/F - Window installation to east facing elevation (2 No. Windows) at first & second floor. Installation of patio doors leading to raised seating area at split level ground entrance floor at 1 Downview Avenue (Pages 127 - 134)
- (g) LA04/2021/0636/F - Single and two storey extension to rear, alterations to side elevations at 25 Ravenhill Park (Pages 135 - 140)
- (h) LA04/2020/1697/F - Change of use from existing warehouse to martial arts boxing club & gym with elevation changes at 2-6 Laburnum Street (Pages 141 - 152)

5. **Miscellaneous Items**

- (a) Advance Notice of Listings (Pages 153 - 160)

## Planning Committee

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### MEETING OF PLANNING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Hussey (Chairperson);  
Councillors Brooks, Carson, Matt Collins,  
Garrett, Groogan, Hanvey, Hutchinson,  
Maskey, McCullough, McKeown,  
Murphy, Nicholl and O'Hara.

In attendance: Mr. A. Reid, Strategic Director of Place and  
Economy;  
Mr. E. Baker, Planning Manager  
(Development Management);  
Mr. K. Sutherland, Planning Manager  
(Policy);  
Ms. N. Largey, Divisional Solicitor;  
Ms. C. Donnelly, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

#### **Apologies**

No apologies for inability to attend were reported.

#### **Minutes**

The minutes of the Pre Determination Hearing of 23rd February and the Committee meeting of 16th March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

#### **Declarations of Interest**

Councillor O'Hara also declared an interest in Item 6a – LA04/2019/1540/F - the CAD plant at Dargan Road, in that he was on the Board of Belfast Harbour Commissioners as a political appointment and that it had objected to the application. He advised that, as it was a Council appointment and as he did not have a pecuniary interest, he could fully participate in the discussion on the item.

Councillor Hussey declared an interest in Item 6e, namely LA04/2021/0024/F - Retrospective single storey extension to the front of existing single storey garage at 10 Broomhill Park, in that he had taken part in enforcement action. He advised the Committee that he wished to reserve the right to speak in objection to the application, but would not take part in the discussion or the vote.

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**Committee Site Visits**

The Committee noted that site visits had been undertaken, on 8th April, to the following applications:

- LA04/2020/2200/F - Demolition of Nos. 27 to 37 Linenhall Street and Nos. 8-10 Clarence Street and erection of seven storey office building 8-10 Clarence Street, 27-37 Linenhall Street and existing car park at the corner of Linenhall Street and Clarence Street; and
- LA04/2020/0857/F - Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15 No. residential units, office space and ancillary development at Ormeau Centre, 5-11 Verner Street.

**Planning Appeals Notified**

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

**Planning Decisions Issued**

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 9th March and 9th April.

**Abandonment**

The Committee noted that the Department for Infrastructure (DfI) proposed to abandon the following areas under Article 68 of the Roads (Northern Ireland) Order 1993:

- 55.2 square metres of land at Areema Drive, Dunmurry;
- marked lands at 197-201 Crumlin Road;
- 85 square metres of land at Seymour Lane; and
- a section of footpath at 29 University Road.

**Miscellaneous Item**

**Confirmation of Street Sign Listings**

The Committee considered the undernoted report:

**“1.0 Purpose of Report or Summary of main Issues**

- 1.1 Correspondence has been received from the Historic Environment Division (HED) of the Department for Communities (DFC), notifying the Council that 9 no. historic street signs**

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within the Belfast Council area have been formally listed under section 80 of the Planning Act (Northern Ireland) 2011.

**2.0     Recommendations**

**2.1     Committee is requested to:**

- Note the correspondence (available on mod.gov) notifying the Council of the listing of the 9 no. street signs.

**3.0     Main report**

**3.1     Members will recall that a Notice of Motion (NOM) was considered at the Planning Committee meeting of 18 August 2020 in respect of the restoration and listing of 12 no. historic street signs within the city.**

**3.2     The Council then contacted HED to begin a formal process regarding their potential for listing. Members will recall that the council was then consulted by HED, under an Advance Notice of Listing (ANL) which was brought before the planning committee on 19th January 2021. Members endorsed the proposed listings with no further comments at that time.**

**3.3     The information in Appendix 1 (available on mod.gov) provides full details of the signs which have now been listed. Members may wish to note that of the 12 no. signs included in the NOM, a total of 8 no. have now been formally listed by HED. 1 no. additional sign has also been listed, which was not included in the initial NOM.**

**3.4     The notification from HED confirms that the following street signs have now been listed:**

- Beersbridge Road and Upper Newtownards Road, Belfast (back edge of footpath)
- Belmont Church Road and Sydenham Avenue, Belfast (back edge of footpath)
- Carolhill Gardens and Holywood Road (back edge of footpath)
- Cherryvalley Park and Kensington Road, Belfast (back edge of footpath / garden)
- Clonlee Drive and Upper Newtownards Road, Belfast (garden)
- Eastleigh Drive and Kincora Avenue, Belfast (garden)
- Kensington Road and Knock Road (back edge of footpath / garden)

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- Knockland Park and Barnett's Road, Belfast (relocated to back edge of footpath)
- Summerhill Parade and Barnett's Road, Belfast (back edge of footpath / garden)

**3.5 The information in Appendix 2 (available on mod.gov) sets out:**

- which street signs were specifically raised through the NOM;
- which street signs were subsequently reviewed through the ANL; and
- which street signs have now been formally listed.

**3.6 Clarification has been sought from HED whether they intend to pursue with a review/survey of the remaining 4 no. signs from the initial NOM, and a timescale for such, in addition to their intentions regarding the future review/survey of historic signs both within Belfast and other council areas. Members will informed of any response.**

**Financial & Resource Implications**

**None.**

**Equality or Good Relations Implications**

**None."**

The Committee noted the contents of the report.

**Planning Applications**

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)**

**(Reconsidered item) LA04/2019/1540/F – 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**

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**and power (CHP) plant engines, switchgear, earth bunding,  
3no. Accesses to existing Giant's Park Service road  
infrastructure and ancillary plant/site works on lands to the  
northwest of existing Belfast City Council Waste Transfer  
Station (2a Dargan Road)**

The Planning Manager presented the details of the application to the Committee. He reminded the Members that it had been due to be considered by the Committee on 18th August 2020, but that it had been deferred due to correspondence received from a legal representative, representing Giant's Park Belfast Limited (GPBL). The Committee was reminded that GPBL was seeking to bring forward a mixed-use, leisure-led proposal on the adjacent land to the north and west. In responding to the objection, the applicant had produced a second addendum to the Environmental Statement, which had been duly submitted and consulted on.

The Planning Manager explained that the Committee had undertaken a site visit in respect of the application in September 2020 and, at its meeting on 19th January, 2021, it had agreed to defer the application for further information on the Habitats Regulations Assessment (HRA), which had been carried out by Shared Environmental Services (SES). The Committee had also agreed to hold a non-mandatory Pre Determination Hearing which had taken place on 23rd February, 2021.

The Members were advised that a range of issues had been discussed at the Pre Determination Hearing, including:

- the scope of the adopted Masterplan for the wider lands and potential deviation from it;
- the need for the proposed CAD facility in real terms as well as policy context;
- the status of current waste contacts and long-term viability of the proposal.
- where the waste would be coming from and issues around transport sustainability;
- where the by-product waste would be taken;
- the scope of the Transport Assessment;
- traffic management;
- whether account had been taken of the economic impact of the proposal on the GPBL proposals and the adjacent Film Studios;
- noise impacts on the Film Studios;
- the impact of the proposal on air quality including nitrogen and ammonia levels;
- details of the Habitats Regulations Assessment which had been carried out by SES;
- whether the proposal was of regional significance; and
- foul drainage.

Following the PDH, the applicant had provided further information and clarification in relation to a number of the substantive points which had been raised at the Hearing. The Committee was advised that the information had been shared with objectors and was

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available for viewing on the Planning Portal. The correspondence contained information relating to the source of household waste, the processing of the landfill by-product, the need for the facility, emerging and future waste policy and how the proposal would contribute to realising future waste policy targets, current land-fill of household waste in NI and the extent to which it could be diverted to the application site, the length of waste contracts in the Belfast City Council area, transport sustainability, clarification around the source of the meteorological data for air quality, foul drainage and sanitation and the amount of renewable energy which would be generated through the facility.

In response to the further information from the applicant, the Committee was advised that a further objection had been received from GPBL. The response had been uploaded onto the Portal and included queries regarding the need for the proposal, that planning decisions should not be driven by outdated plans and strategies which did not take account of the current situation, that the proposal would blight one of the most important opportunity sites for the city, the source of the waste, environmental concerns regarding the by-products, land-fill destination and transport sustainability, the length of waste contracts, that the Granville Eco Park in Dungannon had been subject to 97 noise and odour complaints

The Planning Manager advised the Committee that the planning process was concerned with land-use and the suitability of the proposed CAD facility in land-use planning terms. He outlined that the issues raised around the commercial viability of the proposal were not planning policy considerations.

The Committee was advised that the applicant had demonstrated a need for the proposal in accordance with the Waste Management Strategy and the Waste Management Plan and requirements of PPS 11: Planning and Waste Management.

In relation to the technical environmental concerns that the objector had raised, he highlighted that the application and Environmental Statement had been assessed by statutory consultees, including DAERA Northern Ireland Environment Agency (NIEA) and the Environmental Health team, a non-statutory consultee. He reminded the Members that no technical objections had been raised.

He drew the Committee's attention to the Late Items pack, where an objection had been received from John Finucane MP, Gerry Kelly MLA and Carál Ní Chuilín MLA. The Members were advised that a copy had been uploaded to the Planning Portal. The Committee was advised of the key concerns which were raised and the officers' response to them.

The Committee was advised that a further letter had also been received from the applicant, in response to the matters raised by GPBL in its objection letter of 12 April 2021. The Planning Manager outlined the key points which were raised and the officers' response to them.

(Councillor Brooks left the meeting at this point in proceedings)

The Chairperson welcomed Councillor Whyte to address the Committee. He stated that he had concerns with the meteorological data which had been submitted and objected to it on the basis that:



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- the wind analysis used for odour and air pollution in respect of the site were taken at the Belfast International Airport at Aldergrove, not at Belfast City Airport, where there was also a meteorological station;
- there was no mention of Aldergrove airport in the Local Air Quality Management Technical Guidance;
- there was no legal requirement that Aldergrove airport should be used for gathering meteorological data;
- the NIE standing advice it stated that historical data from Aldergrove airport was used, not that it should be used; and
- he urged the Committee to reject the proposal and that measures of air pollution and odour should be taken from a site within the city.

The Chairperson then welcomed Mrs. C. Ní Chuilín MLA to the meeting. She stated that she had strong objections to the proposal, including that:

- the viability and sustainability of such a facility were questionable, given that current waste contracts remained in place for a further 10 years;
- she remained unconvinced that the proposal would not have an effect on the expansion of the nearby Film Studios;
- she believed that the large, multi-million pound leisure-led proposal should not be ignored;
- she struggled to see how such a facility was compatible with the redevelopment in the area; and
- the North Belfast community deserved better investment and she urged Committee to reject the proposal.

In response to a Member's question regarding the potential impact of the facility on the film studios, she stated that the impact on the film studios should not be dismissed given the importance that it had in terms of job creation and investment in North Belfast.

(Councillor Brooks re-joined the meeting at this point. As he had not been present for the whole discussion, he did not participate in the vote.)

The Chairperson then welcomed Mr. K. Carlin, Project Manager for the Giant's Park Leisure proposal and Mr. J. Maneely, spokesman for the Local Residents' Group who lived near the Granville Eco Park in Dungannon, which was a similar facility.

Mr. Carlin stated that:

- he felt that his concerns, submitted to the Council on 13th April, had not been given due consideration by planning officers, as the Addendum report had been published the next day;
- CAD facilities often caused nuisance to the surrounding areas, despite Environmental Impact Assessments having been carried out;

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- a Freedom of Information request had shown that 97 noise and odour complaints had been lodged with the NIEA in the past 14 months in respect of the Granville Eco Park in Dungannon, even though it was located in the middle of an industrial park;
- the proposal for the AD plant carried a significant risk, not only for thousands of people in North Belfast, but also to the delivery of the planned 200 acre leisure park;
- once built, the regulation of the plant would fall to the NIEA;
- the radius considered as part of the odour assessment for the Dargan Road application was 350metres, whereas residents as far as 1km from the Granville site had been impacted by noise and odour issues. This therefore removed all residents of North Belfast;
- the applicants letter of 12th March confirmed their intention to bid for the Arc21 waste contract in 2029, which, if successful, could put current operators out of business;
- the MSW organic fines, mostly food waste, was currently ending up in black bins, and that another unknown operator would be involved in that process;
- the other 50% of the by-product had been ignored by the applicant;
- no evidence to support the applicant's claim that 75% of the liquid digestate would be recycled in the AD process;
- the site was zoned for a mixed-use employment generating uses and the proposed facilitated only sustained 22 jobs and the acceptance of waste management as a land use, as set out within one of site requirements, the second requirement stated that the development of the site would only be permitted in accordance with the overall comprehensive masterplan, why was there such an emphasis placed on one of the key site requirements and complete disregard for the other; and
- GPBL would never have invested such a significant amount of money in the site, had it known about the potential AD plant.

In response to a Member's question, Mr. Maneely advised the Members that he lived 700metres away from the Granville plant and that it had taken over his and his neighbours' lives. He advised the Committee that they regularly monitored, complained and reported issues relating to the noise and odour emanating from the plant to the NIEA, and paid for their own noise and air quality consultants. He stated that the low frequency noise caused interrupted sleep for residents and that the odour prevented them from enjoying their gardens and outdoor areas. He cautioned the Committee that, if there was an on-shore wind and the AD plant was in place at Dargan Road, between 3,000 and 11,000 houses would be affected in North Belfast.

The Committee then welcomed Mr. S. Beattie QC and Ms C. McParland, Agent, to the meeting. They were given seven minutes to address the Committee. Mr. Beattie outlined that:

- it was the third time that officers had presented a detailed report having considered a comprehensive environmental statement, a series of consultees' responses and an investigation and enquiry

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arising from the objections and that the recommendation had remained an approval;

- paragraph 3.8 of Strategic Planning Policy stated that there should be a presumption in favour of development;
- the application was consistent with the BUAP, draft BMAP 2015, and that the overall Masterplan had been in place for over 10 years and the departures the Council had already permitted had been consistent with the overarching policy;
- this was a departure from the masterplan, as was the leisure-led project;
- substantial weight should be given to the responses from statutory consultees and that they had no objections subject to conditions;
- viability was not a material consideration;
- he clarified an error within the objection letter from the Sinn Féin representatives, in that the contracts would be entered into after planning permission was granted, not after the facility was built/operational;
- the submission from Mr Maneely was not evidence, the Granville plant was not the subject of any enforcement proceedings, and that the Planning Committee could only deal with evidence, not assertions;
- the proposition that the Council did not have any power once the facility was built was incorrect - the Council had powers under the Public Health Act 1978 in respect of noise and odour abatement;
- the Council owned the CHP engines and they did not understand there to be any complaints in relation to them;
- the area had been zoned for mixed-use and had been whiteland for over 20 years; and
- their client had spent over £3million on the project so far, and that it would send an unfortunate message to those in the renewable energy field, that planning policy would be set aside or ignored.

In response to a Member's question regarding the odour issues described by Mr. Maneely, Mr. S. Wise, Energia, outlined that the sites were designed differently and that more exotic materials would go to the Granville site. He explained that the level of treatment was different for issues like odour. He stated that they had a site in Dublin and were committed to being a good neighbour. The Committee was advised that the building would be under negative air pressure to ensure that it was not causing air leakage. He explained that the emissions were treated comprehensively through an ammonia scrubber, a biofilter and a carbon scrubber.

In response to a further Member's question, Ms. S. Allen, Principal Environmental Planning Officer at Shared Environmental Service (SES), provided information in relation to the application's impact on the nitrogen critical thresholds in the European Designated Sites.

She explained that there was not an indicative nitrogen level for marine systems and that the most comparable would probably be the advisory nitrogen levels for salt marshes, where the threshold was between 20-30kg/ per hectare per annum.

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She outlined that the background levels of nitrogen were slightly higher than that, and were now 22kg/ per hectare, per annum. However, the Committee was advised that SES' assessment had been based on the contribution from the project itself, which was 0.9% of the critical load, and, in their view, in view of the nature of the extent of the site, the dilution factor and the nature of the habitat, they were satisfied that 0.9% could not have an adverse effect on the site and that view had been endorsed by the NIEA.

The Divisional Solicitor advised the Committee that, in respect of Mr Maneely's submission, as it was a different site with different considerations, the issues which were mentioned could not be translated into concerns which would necessarily arise in respect of the application which was in front of the Committee. She echoed the comments made by Mr. Beattie QC, in that the Committee should therefore give very limited weight to the comments made by Mr. Maneely.

A number of Members stated that they felt Mr. Maneely's contribution was important in that it was his lived experience of living close to a similar facility. Members raised concerns regarding the facility being incompatible with the surrounding uses, including the impact that low frequency noise could have on the nearby film studios.

A Member raised a concern regarding the viability of the project, which, while he acknowledged it was not a material consideration, he felt that Case officers would regularly highlight if a proposal would create a large number of jobs and that, therefore, the viability of a project was in fact a consideration for officers.

A further Member stated that the Council had been clear in its investment in clean tech jobs in the North Foreshore site for a number of years. He stated that the Film Studios were a world class facility and had been built to the highest standard in respect of soundproofing.

A Member stated that the Council was ever evolving and that decisions could and would change over time. He asked whether officers, as part of the Local Development Plan process, had engaged with other stakeholders around the future of waste management facilities within Belfast. In response, the Planning Manager (Policy) confirmed to the Committee that they had engaged with the Department for Infrastructure and the surrounding Councils, and that policies had been created as part of the Draft Plan Strategy which was undergoing examination at present. He stated that the content of the policies were similar to PPS11 but that they would not be adopted as formal policy until the LDP had been formally agreed.

In response to a further question regarding the zoning at the overall site, the Planning Manager (Development Management) reminded the Committee that it had to base its decision on current policy context and that the appropriate adjacent land uses had been taken into consideration by officers during the assessment. He stated that the more sensitive "residential standards" in respect of noise and disturbance had been applied when assessing the impact of the application in relation to the nearby Film Studios and that Environmental Health had confirmed that it was content that there would be no undue conflict.

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In response to a further question regarding the Giant's Park leisure element, he advised the Committee that there was no proposed use for leisure in the zoning of the site. Moreover, irrespective of the fact that there was no technical evidence to state that there would be a conflict of uses on the site, he added that the GPBL proposal was only at PAD stage, that a planning application had not yet been submitted and that it would therefore be unreasonable for the Committee to refuse an application because of a conflict with a proposed use which was not zoned and where planning permission had not yet been applied for.

A further Member raised concerns of the site's impact on the ammonia and nitrogen levels and the policy context in which the Committee was having to make its decision. She stated that it was concerning that there was no scientific basis for the use of the 1% threshold, and that it was currently under review in order to bring it more into line with the evidence of damage and case law. She stated that it was disappointing that a representative from DAERA had not been in attendance to answer questions on the issue.

The Divisional Solicitor advised the Committee that, while she understood Members' frustrations at some shortcomings in certain policies, current planning policies must be applied and that significant weight should be attributed to the responses from statutory consultees.

A further Member stated that they had issues with DFI Roads' response in relation to transport sustainability, whereby it had stated that "at this time there is no policy under which DFI Roads can assess and comment on the sustainability of a proposal at the regional level". He advised that he felt there was a lot of uncertainty around the proposal.

In response to further Members' questions, the Divisional Solicitor added that the Clean Neighbourhoods Act (NI) 2011 provided the Council with powers in relation to noise and odour in the form of abatement notices. She added that, if a noise or odour issue was not adequately dealt with by way of an abatement notice, the Council had the power to apply to the High Court for an injunction, restraining the use of the premises until it was satisfied that the issue had been dealt with.

The Chairperson advised the Committee that, if Members were minded to go against the officers' recommendation to approve the application, a Member could propose a deferral of the application and ask that officers would submit formal refusal reasons based on the issues which had been raised during the discussion to the next meeting. He explained that it would allow the Committee to see the full refusal reasons and that it could then amend them if necessary.

Moved by Councillor Maskey and  
Seconded by Councillor McCullough,

That the Committee agrees to defer consideration of the application and asks that officers submit formal reasons for refusal at the next meeting, based on the fact that the application:

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- is incompatible with adjacent land uses and is contrary to PPS11 WM1, in that it is incompatible with the character of the surrounding area and adjacent land uses, namely with the adjacent film studios and its expansion and also with the GPBL proposals; and
- that the film studio extension has been built in the zone which was zoned for Waste Management in the Masterplan, and that the waste management element therefore no longer existed.

On a vote, ten Members voted for the proposal, none against and three no votes, and it was accordingly declared carried.

**LA04/2020/0426/F - Reconstruction of petrol station and ancillary retail unit including the replacement of fuel tanks, pumps and canopy alterations. Hot food takeaway unit, ATM, compactor and provision of an EV charging facility at 228 -232 Stewartstown Road**

The Principal Planning officer outlined the key aspects of the application for full planning permission to reconstruct a fire damaged petrol station and associated shop. She advised the Committee that it had been due to consider the application on 19th January, 2021, but that an objection had been received at a late stage and the application was subsequently removed from the agenda to allow time for further consideration. Since January, she explained that the description of the proposal had been altered and the revised description had been advertised in the local press and neighbour notified.

The Committee was advised that the site was located within the development limits as designated in the Belfast Urban Area Plan and draft BMAP. The application had been assessed against relevant planning policy, dBMAP, SPPS and PPS3.

The Committee was advised that two further objections had been received from the nearby Beckett's Bar. The objector raised anomalies with the floor space figures presented by the agent, and stated that additional retail floor space would be created and therefore parking provision should be increased. Further consideration of the floorspace figures revealed that the plans were accurate. However, figures relating to uses at question 24 of the P1 application form were incorrect. There was a total increase in floor space of 108sqm at the proposed petrol filling station shop, 88sqm of which was retail use. There was no change in the footprint of either the chip shop or nail bar to the front of the site. The updated floor-space figures were published to the planning portal on 3rd February.

The Committee's attention was drawn to the late Items pack. An email had been received from an objector, Carlin Planning, raising issues which had previously been raised, including a shortfall in parking spaces and concerns regarding road safety. The Case officer's response to the comments were provided to the Committee, including that DFI Roads had been consulted on the late objection and that their position remained unchanged. The Members were also advised that adjacent local businesses had been considered, that the site was well served by public transport and there had been no significant issues with parking or road safety at the site prior to the fire.

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The Chairperson welcomed Mr. R. McCausland BL to the meeting. He was speaking on behalf of an objector, Fernmount Trading (NI) Ltd & Sharp (NI) Limited. He advised the Committee that:

- His client was concerned about the intensification of the site as the current parking provision at the site was inadequate and that his client's car parking facilities were used as an overspill;
- the application was contrary to Policy AMP7 of PPS3, which stated that development proposals were required to provide adequate provision for car parking and appropriate servicing arrangements;
- that none of the circumstances applied in terms of Policy AMP7 of PPS3, which would allow a reduced level of car parking provision;
- DFI Roads' position had changed over time and, in September 2020, it had considered that the application was unacceptable and that a Travel Plan and Service Management plan would be required;
- it was totally possible that cars would enter this site and then realise that no parking spaces were available, leading to tailbacks onto the public road which would be a road safety issue;
- the current under provision of parking had stemmed from piecemeal development and intensification of the site.

The Chairperson then welcomed Mr. D. Diamond, Kevin McShane Ltd, to the meeting. Mr Diamond advised the Committee that they had been providing transport planning and engineering support to the applicant. He explained that:

- the application fulfilled the reinstatement of an existing fire damaged Petrol Filling Station development with an associated retail unit;
- it constituted a 'like for like' replacement of an established land use on the site and the proposals aimed to restore the site layout to its pre-fire condition;
- DFI Roads had noted in its consultation response that the site had operated without significant traffic issues and, additionally, that the location and design of the site layout offered excellent visibility in both directions onto the Stewartstown Road;
- Kevin McShane Ltd had provided a robust analysis of parking demand and supply at the proposed site, demonstrating how the mixed nature of the site lent itself to shared parking between the different site uses;
- Council planners had concluded that the shared parking provision at the proposed site was acceptable to satisfy the nature of parking demand at this location.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

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**(Reconsidered item) LA04/2019/1833/F –  
New dwelling to replace previous dwelling  
on site at 11 Ashley Park, Dunmurry**

(Councillor Hanvey did not participate in the vote on this item as he had not been present for the duration of the officer's presentation when it had been presented previously, on 19th January, 2021.)

The Principal Planning officer provided the Committee with an overview of the application, which had previously been presented at the meeting on 19th January.

She explained that the item had been deferred for a second time at that meeting, on the basis that Members had requested legal advice in relation to the planning position of the site in respect of its current status, regarding the demolition of the previous dwelling on site and whether that constituted willful abandonment, a nil use or neither.

The Principal Planning officer outlined that the Case officer remained of the view that the demolition of the original dwelling had resulted in a nil use of the land, when considered in light of previous relevant case law. She explained that DCS No 400-002-136 considered the lawful use of a site following demolition. In that case, the inspector had declined to confirm that the construction of three replacement dwellings in Leicestershire would be lawful following demolition of the original dwellings and that it created a nil use on the site. The case was clear that demolition had resulted in nil use.

The Committee was advised that it was confirmed that the previous dwelling was demolished in 2013.

The agent had stated that the established residential use for the previous 115 years had not been taken into account. The Principal Planning officer advised that it remained that no planning permission had been granted on the site for the replacement of the dwelling and the length of time the previous dwelling stood was not a relevant factor. Once the previous dwelling was demolished the site contained a nil use.

The agent made reference to case law, in regards to establishing whether an existing use had been abandoned in circumstances where the residential building was still on the land, in various states of dilapidation, or where the use of the land for certain commercial uses had discontinued for a number of years. The Principal Planning officer explained that none of the cases addressed the lawful use of a residential site following the demolition of the dwelling. The case of *Iddenden and Others V. Secretary of State for the Environment and Another* [1972] 1 WLR 1433 did, however, deal with circumstances such as these, i.e., where there had been demolition of the residence, albeit it was in the context of enforcement. In that case, the Court were of the view that the established use was lost once the demolition had occurred.

She outlined that the Planning Service was unaware of any PAC decisions in respect of the issue and the applicant's agent had not provided any. Officers were however aware that the approach had been used by some English planning appeal decisions. She added that officers remained of the view that the application site currently had a nil use and, as such, there was no lawful existing access. The Members were also



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advised that the proposed access to Ashley Park was sub-standard and would prejudice road safety.

The Committee was reminded that DFI Roads had been consulted and objected to the proposal as it was considered contrary to policy AMP 2 of PPS 3, in that the proposed access would prejudice road safety. The visibility splays were deemed to be inadequate.

The Chairperson advised the Committee that the agent, Mr. T. Gourley, had spoken at the last meeting at which the application had been considered, on 19th January. However, Mr. Gourley had requested to address the Committee again to discuss the legal arguments as he believed they had been misconstrued. The Committee acceded to his request and he was welcomed to address the Committee.

Mr Gourley stated that, as a former Planning officer, he was disappointed in the Case officer's report. He stated that:

- he had concerns regarding the robustness of the legal opinion;
- the Case officer's report relied upon one single appeal of a certificate of lawful use, relating to the commencement of a permission in a rural area and that it was not comparable with the application in question;
- paragraph 4 of that appeal decision, which had been relied on by the planning office, stated that a dormant use could still be an extant lawful use;
- paragraph 5 of the same decision clearly stated that no abandonment was being argued by the Council in that particular case - it accepted that repeated applications maintained the use, which applied in the current application;
- the focus of the appeal concerned the formation of a new unit by merging 3 sites into one site for a dwelling, thereby creating a new "chapter or use", and that the case was completely different from the proposal for 11 Ashley Park;
- the Iddenden case determined that even though a building on a cement depot was demolished, but that no nil use arose and that the use of the site remained, albeit in a different way of operating. He stated, therefore, that the use of the access at 11 Ashley Park was still in existence and still be in entitlement to use;
- the photographs did not clearly demonstrate the dropped kerbs and did not accurately depict the visibility; and
- his letter of support detailed 3 court decisions and that the Case officer's report did not detail any.

In response to a Member's question, the Mr. Gourley advised the Committee that there was an existing entrance at the site which had been used for many decades. The dwelling had fallen into disrepair, having been vandalised and burned, and that, on account of it being a dangerous structure, Lisburn City Council had directed the owner to demolish the property as a result of force majeure. He stated that, had it not been for the

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anti-social behaviour, the application would be for the replacement of a structure, not a new access, and that the existing access would have been acceptable.

The Planning Manager (Development Management) advised the Committee that the issue at hand was one of highway safety. Visibility in a westerly direction was highly deficient as advised by the Department for Infrastructure. This matter required particular attention because of the potential implications of a road access which could result in injury, serious injury or even a fatality. The applicant would be able to exercise their right of appeal if the application was refused.

The Committee resolved to refuse the application in accordance with the officer recommendation and delegated power to the Director of Planning and Building Control for the final wording of the refusal reasons.

**(Reconsidered item) LA04/2020/0857/F –  
Demolition of existing hostel building and  
redevelopment to provide four-storey building  
comprising 15 No. residential units, office space  
and ancillary development at Ormeau Centre,  
5-11 Verner Street**

Moved by Councillor Garrett,  
Seconded by Councillor Collins and

Resolved - That the Committee agrees to defer consideration of the application to allow the ongoing engagement to continue between the developer and local residents.

The Committee noted, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

**LA04/2020/2200/F & LA04/2020/2201/DCA –  
Demolition of Nos. 27 to 37 Linenhall Street  
and Nos. 8-10 Clarence Street and erection of  
seven storey office building at 8-10 Clarence Street  
27-37 Linenhall Street and existing car park at the  
corner of Linenhall Street and Clarence Street**

Moved by Councillor Hussey,  
Seconded by Councillor McCullough and

Resolved - That the Committee agrees to defer consideration of the application to allow the developer to submit further information in respect of viability and improvements to public realm.

The Committee noted, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

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**LA04/2021/0024/F & LA04/2021/0025/DCA –  
Retrospective single storey extension to front of  
existing single storey garage/ Minor demolition  
works to front garage at 10 Broomhill Park**

(The Chairperson, Councillor Hussey, having declared an interest in this item, did not participate in the vote on the item and indicated that he would leave the meeting after he had spoken on it.)

(Councillor McKeown in the Chair)

The Principal Planning officer provided the Committee with the details of the retrospective application for an extension to the front of an existing single storey garage.

She explained that the key issues which had been considered by officers included:

- scale, massing and design
- impact on the surrounding character
- impact on the Malone Conservation Area; and
- impact on amenity.

She drew the Committee's attention to the Late Items pack and clarified that no petition had been received, but that five objections had been received. The objections raised issues including inaccuracies in PHD form, that it was contrary to policy and legislation, the retrospective nature of the application and issues surrounding the building lines. She advised the Members that the issues raised in the objections had been considered in the Case officer's report.

She advised the Members that, on balance, having taken into account the relevant planning policy legislation, representations received and other material considerations, it was considered that the proposal would integrate well with the existing dwelling and would not detract or harm the character and appearance of the surrounding area in accordance with Policy EXT1 of PPS7 (Addendum): Residential Extensions and Alterations, PPS6 and the SPPS. It was considered that the proposal would preserve the character and appearance of the Malone Conservation Area and was in line with 'A Design Guide for the Malone Conservation Area'.

The Committee was advised that the Council's Conservation and Heritage Team had been consulted and had offered no objection to the proposal

In response to a Member's question regarding a previous application for the house, which had been rejected, the Principal Planning officer drew the Committee's attention to the site history. She advised the Members that the previous application had been for a much larger extension to the first floor of the property. She emphasised to the Members that a property being within a Conservation Area did not mean that works could not take place, but rather that they had to be sensitive to the surrounding area. She explained that the application was for a 1.8 metre extension to the garage and that it would not impact on the wider Conservation Area.

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The Chairperson invited Councillor Hussey to address the Committee.

Councillor Hussey advised the Committee that he felt that the application should be refused on the basis that:

- a larger scale application had previously been submitted by the applicant, including an extension to the garage and the first floor, which had been refused by the Committee and that decision had been upheld by the PAC;
- the applicant had started the construction of the garage extension and had then been contacted by Planning enforcement in respect of the unauthorised works;
- it should be noted that the applicant had then quickly finished the garage extension before submitting the retrospective application seeking permission for it;
- Policy 5.2.32 in the Design Guide in respect of the Malone Conservation Area determined that no side extensions and no front extensions were permitted, and that the applicant was well aware of the rule; and
- the Broomhill area was one of the first developments in Belfast to have integrated garages.

(Councillor Hussey left the meeting at this point in proceedings)

The Deputy Chairperson then welcomed Mr. C. Bryson, who was speaking on behalf of an objector, Mr. B. Johnston. Mr Bryson stated that the Committee should refuse the retrospective application as:

- the applicant would have been well aware of the need to obtain demolition consent and planning permission for the works and it seemed that the applicant had total disregard for, and was hoping to circumvent, the planning process;
- the work progressed even when the applicant had been contacted by officers from the enforcement section;
- the site was within the Malone Conservation Area and thus planning control should be applied more rigorously;
- Planning policy BH12 of PPS6 required that work must conform with the relevant design guidance, not "should broadly conform with";
- the extension to the garage constituted a 55% increase in length, which brought the front line closer to the street and thereby increased its visibility and prominence;
- Policy 5.2.32 of the Design Guide stated that any extension should be to the rear wall of the existing building and nowhere did it state that extensions to the front were permissible;

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- the proposal changed the 3D form of the dwelling and therefore the character and interrelation of spaces in Broomhill;
- in relation to the previous application for the same house, the PAC decision stated that any extension affected a buildings 3D form;
- permitting that type of front extension would set a dangerous precedent for the Malone Conservation Area;
- the extension also breached the established building line along that section of Broomhill Park, the design guide makes clear that building lines could apply to side boundaries on corner plots and that was the case for Nos 8 and 14, and, when considered alongside Nos 10 and 12, they formed strong building line; and
- the proposal affected the residential amenity of 12 Broomhill Park, with the extension of a long gable wall which further exacerbated the feeling of enclosure, which was contrary to Policy EST1 of the Addendum to PPS7, as it resulted in undue dominance.

(Councillor McCullough left the meeting at this point in proceedings)

A Member asked the Principal Planning officer to clarify why they were recommending an approval, if Section 5 of the Design Guide for the Malone Conservation Area did not permit front extensions. In response, the officer drew the Committee's attention to Paragraph 9.7 of the Case officer's report, whereby it stated that "In terms of the original single storey attached garages at an Inter-War Residence, paragraph 5.2.47 [of the Design Guide] states that it would not be appropriate to add another storey but does not state that extending the existing ground floor garage to the front would be inappropriate. Therefore, it is important that the extension is assessed against the key legislative test which is whether the proposal preserves the character or appearance of the Conservation Area."

A number of Members stated that, while they were disappointed that it was a retrospective application, they did not feel that the extension was out of character for the area. Further Members stated that a site visit might be appropriate.

Moved by Councillor Garrett  
Seconded by Councillor Collins,

That the Committee grants approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegates power to the Director of Planning and Building Control for the final wording of the conditions.

On a vote, eight Members voted for the proposal, two against and two no votes and it was accordingly declared carried.

(The Chairperson, Councillor Hussey, re-joined the meeting at this point)

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**LA04/2021/0320/F - Variation of Condition 3 (agreement of proposed materials prior to commencement) of planning permission LA04/2015/0264/F to enable a change to the proposed materials to be agreed prior to occupation of the development (currently under construction at lands bounded by Bedford Street INI Building, McClintock Street and Franklin Street**

The Principal Planning officer outlined the details of the application.

The Principal Planning officer advised the Committee that the applicant was seeking to vary Condition 3, which required details of materials to be submitted and approved prior to 'commencement' of development to agreement prior to 'occupation' and to enable a change to the proposed materials.

The Committee was advised that no representations had been received regarding the proposal. The Principal Planning officer explained that, having taken account of the planning history on the site, the proposed changes were considered compliant with the development plan and other relevant policies.

He outlined that HED had been consulted and was satisfied that the proposed finishes were acceptable in the context of the listed Ewart building.

He drew the Members' attention to the Late Items pack, where a formal response had been received from the Urban Design Officer. He explained that it confirmed the position set out in the Case officer's report, whereby the Urban Design Officer had no objections to the proposed change in materials, subject to the submission of annotated elevations clearly highlighting those sections of the building where the change of materials was proposed and CGI views showing the approved materials to enable comparison with the proposed materials. The late items report also confirmed receipt of the annotated plans and CGIs. He added that the Conservation officer had also advised that he was content and had no objection.

A number of Members stated that the application to vary the condition was frustrating, given that the construction had almost been completed and that the original condition had not been adhered to.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the Section 76 Agreement and the conditions.

**LA04/2020/1783/F - Change of use and refurbishment of the ground floor and part of the first floor of a three storey building in the Conway Mill Complex to a new training gym with elevation changes at St John Bosco ABC, Conway Mill, 5-7 Conway Street**

The Members were provided with the details of the application, which was partly funded by the Council.

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It sought full planning permission for a change of use and refurbishment of the ground floor and part of the first floor of a building in the Conway Mill Complex to provide a new training gym with elevation changes.

The key issues which had been considered during the assessment included the principle of development and the acceptability of the proposed use, impact on a listed building, road issues, impact on the surrounding character, contamination and noise.

The Committee was advised that it was considered that the proposed change of use and alterations would not adversely impact the character and appearance of the surrounding area and would not impact on surrounding neighbouring properties.

No objections had been received and consultees had offered no objection to the proposal.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of those conditions.

**LA04/2020/2093/F - Change of use from retail  
furniture showroom to fitness/exercise training  
centre and leisure at 71 Ballysillan Road**

The Committee was advised of the key aspects of the application which sought full planning permission for a change of use from a retail furniture showroom to a fitness/exercise training centre. The Members were advised that the Council had an estate in the land.

The Members were advised that the main issues which had been considered in the assessment of the application were the principle of development, impact on the character and appearance of the area, impact on amenity, access and parking and road safety. The proposal had been assessed against and was considered to comply with the BUAP, Draft BMAP, PPS3 and the SPPS.

The application had been neighbour notified and advertised in the local press and no letters of representation had been received.

Environmental Health had been consulted and was content with the proposal, subject to an informative being attached to the decision regarding the transmission of potential noise.

DfI Roads had also been consulted and had offered no objection, subject to a condition being attached relating to the provision for cycle parking.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

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**LA04/2020/2469/F - Pedestrianised public space to include cafe/bar/storage container/canopy areas, performance stage, outdoor seating and associated works (temporary permission) on Brunswick Street**

The Committee was provided with the details of a Belfast City Council application. The Members noted that temporary planning permission was sought for a change of use of public road for a pedestrianised public space.

The Members noted that the proposed change of use would not adversely impact the character and appearance of the surrounding area. The proposed temporary use of the site for entertainment and food and drink consumption would add variety to an area that was dominated by the same use type.

The Committee was advised that no objections had been received.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2019/2653/F - Demolition of existing property and erection of a 9 storey building (overall height 37m) comprising a ground floor retail unit together with cycle parking and plant areas: and 8 floors of grade A office accommodation at Chancery House 88 Victoria Street**

Moved by Councillor Collins,  
Seconded by Councillor Maskey and

Resolved - That the Committee agrees to defer consideration of the application as Members had not been able to access all of the relevant documents through the Planning Portal.

The Committee noted, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

Chairperson



## PLANNING COMMITTEE – 18 MAY 2021

### APPEALS NOTIFIED

COUNCIL: BELFAST

No Appeals Notified this month

### APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2019/E0062
PLANNING REF:	LA04/2019/0342/CA		
RESULT OF APPEAL:	Upheld		
APPLICANT:	Mr Patrick McManus		
LOCATION:	Land to the north and east of 11 Manse Road, Castlereagh		
PROPOSAL:	Alleged unauthorised change of use of the land from an agricultural field to an unauthorised wood cutting business, with associated storage of logs and chippings, two storage containers and hardstanding		

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## Decisions issued between 8 April and 8 May 2021 - No. 193

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2016/2075/DC	MAJDEV	Former Visteon Factory Blacks Road Belfast BT10	Discharge of conditions 18, 19 and 22 on planning application Z/2013/1434/F	CONDITION DISCHARGED
LA04/2019/1103/F	LOCDEV	Lands situated at Alexandra Park Avenue adjacent and east of Esther Street and adjacent and west of North Queen Street Belfast.	Residential development of 21No. dwellings (comprising 2no. detached dwellings, 10no. semi-detached dwellings, 3no. townhouses & 6 No. apartments), landscaping, private and communal amenity space, on street parking, private and communal mews court parking and associated site works. (amended plans and description)	PERMISSION GRANTED
LA04/2019/1802/F	LOCDEV	170 Upper Malone Road Belfast BT17 9EH.	Demolition of existing buildings and erection of 2No. detached dwellings and garages (amended plans)	PERMISSION GRANTED
LA04/2019/1833/F	LOCDEV	11 Ashley Park Dunmurry Belfast.	New dwelling to replace previous dwelling on site, with connection to all existing services to the site and use of existing vehicular access into the site (amended description)	PERMISSION REFUSED
LA04/2019/2061/DC	LOCDEV	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	Discharge of condition 20 of planning approval La04/2018/0040/f	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2311/F	LOCDEV	60A Hatton Drive Belfast BT6 9BD.	Retrospective change of use from storage units to gym.	PERMISSION GRANTED
LA04/2019/2760/F	LOCDEV	730 - 760 Shore Road Belfast	Erection of 25 No. dwellings, consisting of 20 no. two storey semi-detached, 1 no. two storey detached and 4 no. apartments with associated site works (Amended scheme)	PERMISSION GRANTED
LA04/2019/2861/LDE	LOCDEV	Flat 2 8 Lisburn Avenue Belfast BT9 7FX	House in Multiple Occupancy - (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2878/DC	LOCDEV	Open space west of Stewartstown Road and South of Pantridge Road	Discharge of Condition no. 4 of LA04/2018/1890/F (Invasive Species Management Plan)	CONDITION DISCHARGED
LA04/2019/3001/F	LOCDEV	55 College Park Avenue Malone Lower Belfast BT7 1LR	Single storey rear and side extension. Rear dormer.	PERMISSION GRANTED
LA04/2020/0365/F	LOCDEV	4 Hollycroft Avenue Belfast BT5 5JE	Change of roof profile including raising of roof height to allow for rear dormer.	PERMISSION GRANTED
LA04/2020/0426/F	LOCDEV	228-232 Stewartstown Road Belfast	Proposed re-construction of petrol station and ancillary retail until including the replacement of fuel tanks, pumps and canopy alterations. Alteration to roof of hot food take away, compactor and provision of an EV charging facility (amended description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0675/F	LOCDEV	29 Castlehill Road Belfast BT4 3GL	erection of single storey extension to existing dwelling with single storey detached garage, along with a proposed 2 storey detached dwelling to the rear fronting onto Stormont Park.	PERMISSION GRANTED
LA04/2020/0739/F	LOCDEV	24 Lyndhurst View Avenue Belfast.	Two storey side and rear extension with ramp.	PERMISSION GRANTED
LA04/2020/0940/F	LOCDEV	10 Castlegowan Park Belfast BT5 7WG.	Proposed Single Storey Extension to Rear	PERMISSION GRANTED
LA04/2020/0949/A	LOCDEV	Europa Hotel Belfast Great Victoria Street Belfast Antrim BT2 7AP.	Surface mounted, non projecting, Fabric / Membrane Sign, approx. 5 m (H) x 3 m (W). Uplit by surface mounted light. (Retrospective)	PERMISSION REFUSED
LA04/2020/1101/F	LOCDEV	480/530 Crumlin Road Belfast BT14 7GH	Proposed Petrol Filling Station (6no pumps) with replacement canopy and Convenience shop, associated underground storage tanks, car parking, reconfiguration of existing access and other site works.	PERMISSION GRANTED
LA04/2020/1134/F	LOCDEV	9 Malone Place Belfast BT12 5FD	Change of use from HMO to guest house	PERMISSION GRANTED
LA04/2020/1184/F	LOCDEV	Opposite the Shore Road/Donagall Park Avenue Junction Adj to Loughside Park Belfast	The installation of a 20 metre Apollo streetpole with 6no. antennas (3no enclosed within a shroud) 2no. equipment cabinets, 1no. meter cabinet and ancillary apparatus/works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1352/DC	LOCDEV	Rear of 160 Barnetts Road Belfast	Discharge of conditions no's. 2, 7 and 9 of LA04/2016/2034/RM (samples, drainage plan and CMP)	CONDITION DISCHARGED
LA04/2020/1505/LBC	LOCDEV	14-16 Upper Crescent Belfast BT7 1NT	Proposed external and internal alterations to previously approved scheme granted under LA04/2017/1140/LBC including removal of 3 No. Apartments from 2nd floor rear return and associated development. Amendments to elevations including addition of roof lights, down lighters and alterations to windows. Internal layout changes (Partially Retrospective) (Amended Description and Drawings)	PERMISSION GRANTED
LA04/2020/1506/F	LOCDEV	14-16 Upper Crescent Belfast BT7 1NT	Amendments to previous approval LA04/2017/1268/F to remove 3 no. Apartments from 2nd floor rear return to provide 15 Apartments and associated development. Amendments to elevations including addition of roof lights, down lighters and alterations to windows. Internal layout changes (Partially Retrospective) (Amended description & drawings)	PERMISSION GRANTED
LA04/2020/1526/F	LOCDEV	Site Adjacent top 427 Oldpark Road Belfast BT14 6QS.	Demolition of existing building and erection of a two storey building comprising a ground floor retail unit and 1 No. two bedroom apartment at first floor.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1585/F	LOCDEV	60 & 62 Upper Newtownards Road Belfast BT4 3EL	Removal of shopfront & conversion of existing commercial premises to 5 apartments with dormers & external alterations to facade	PERMISSION GRANTED
LA04/2020/1592/F	LOCDEV	Site to the rear of No1 Parkmount Gardens Belfast BT15 4GP.	New two storey dwelling and other associated site works.	PERMISSION GRANTED
LA04/2020/1643/LDE	LOCDEV	118 Dunluce Avenue Belfast BT9 7AZ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/1669/F	LOCDEV	Lands adjacent 51 Middle Braniel Road Castlereagh.	Proposed two storey dwelling with detached garage.	PERMISSION GRANTED
LA04/2020/1687/F	LOCDEV	Infill site between 8 & 9 Balmoral Park Belfast BT10 0QB.	Proposed two storey infill dwelling on site of former borehole-water pumping station.	PERMISSION REFUSED
LA04/2020/1748/F	LOCDEV	Site located lands at no 88-100 Sunningdale Gardens Belfast BT14 8AQ	Erection of 6no 2 storey semi-detached units including all associated works	PERMISSION GRANTED
LA04/2020/1783/F	LOCDEV	St John Bosco ABC Conway Mill 5-7 Conway Street Belfast BT13 2DE	Change of use and refurbishment of the ground floor and part of the first floor of a three ?storey building in the Conway Mill Complex to a new training gym with elevation changes.	PERMISSION GRANTED
LA04/2020/1798/F	LOCDEV	25 Palmerston Road Belfast BT4 1QB.	Construction of 6no. apartments and associated infrastructure (revised proposal to that approved under Z/2015/0291/F -No increase in numbers).	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/1809/F	LOCDEV	81-107 York Street Belfast.	Minor works comprising the installation of CCTV and security lighting on the building elevations.	PERMISSION GRANTED
LA04/2020/1810/F	LOCDEV	81-107 York Street Belfast.	Installation of roof top plant equipment and extraction flues.	PERMISSION GRANTED
LA04/2020/1830/F	LOCDEV	St Joseph's College 518 Ravenhill Road Belfast BT6 OBY	PROPOSED PREFABRICATED DOUBLE CLASSROOM UNIT, CAR PARK PROVISION AND ASSOCIATED SITE WORKS.	PERMISSION GRANTED
LA04/2020/1948/F	LOCDEV	Rooftop of Belfast City Hospital Tower Block City Hospital 51 Lisburn Road Belfast BT9 7AB	Proposed installation of 12no. Panel Antenna and 4no. 600mm Dishes onto 7no. New edge Mounted pole supports plus all associated equipment, feeder cables and indoor radio electronics.	PERMISSION GRANTED
LA04/2020/2004/F	LOCDEV	27 Glenburn Park Belfast BT14 6TF	3 skylights to front elevation and rear dormer.	PERMISSION GRANTED
LA04/2020/2008/F	LOCDEV	1 Eileen Gardens Belfast BT9 6FW.	Increase in height of existing single storey rear extension and enlargement of rear roof window (amended scheme)	PERMISSION GRANTED
LA04/2020/2014/LBC	LOCDEV	43 & 45 Malone Road Belfast BT9 6RX.	Retrospective application for alterations to listed building resulting from works to facilitate change of use of existing offices to 18 bed guest accommodation and cafe	PERMISSION GRANTED



Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/2079/F	LOCDEV	Palmerston Care Home 7 Palmerston Road Belfast BT4 1QA	Extension to residential care home - detached timber POD building to provide additional space for existing residents. (Amended Description)	PERMISSION GRANTED
LA04/2020/2093/F	LOCDEV	71 Ballysillan Rd Ballysillan Belfast BT14 7QQ	Change of use from retail furniture showroom to fitness/exercise training centre and leisure.	PERMISSION GRANTED
LA04/2020/2136/F	LOCDEV	24 Deramore Gardens Belfast BT7 3FN.	Retention of two storey side and rear extension with amendments to previous approval LA04/2019/2070/F.	PERMISSION REFUSED
LA04/2020/2141/DCA	LOCDEV	1 Eileen Gardens Belfast BT9 6FW.	Demolition of existing single storey return roof to accommodate increase in height of existing single storey rear extension and enlargement of rear roof window (amended scheme)	PERMISSION GRANTED
LA04/2020/2148/F	LOCDEV	37 Lansdowne Road Belfast BT15 4AA	Two storey rear extension with elevation changes and patio. Replacement of garage. (Amended Plans)	PERMISSION GRANTED
LA04/2020/2158/DC	LOCDEV	Northern Ireland Fire and Rescue Service Training Centre 79 Boucher Crescent Belfast BT12 6HU.	Discharge of conditions 9 & 10 LA04/2015/0185/F.	CONDITION DISCHARGED
LA04/2020/2250/F	LOCDEV	7 Dundela Avenue Belfast BT4 3BQ.	Timber garden shed for domestic storage purposes only (retrospective), within curtilage of existing dwelling and new boundary wall and fence to front elevation	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/2251/LDE	LOCDEV	2aSandymount Street Belfast BT9 5DP	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/2255/LBC	LOCDEV	Block A/School House Methodist College Belfast 1 Malone Road Belfast BT9 6BY.	New additional handrail installation to existing historical stairs	PERMISSION GRANTED
LA04/2020/2271/F	LOCDEV	328 Woodstock Road Belfast BT6 9DP	Change of use from 2 storey retail to 2 bed ground floor apartment and 1 bed first floor apartment with elevational changes.	PERMISSION GRANTED
LA04/2020/2293/F	LOCDEV	14 Oakwood Park Belfast BT9 6SE	First floor extension to side of dwelling	PERMISSION GRANTED
LA04/2020/2294/F	LOCDEV	79 Galwally Avenue Breda Belfast BT8 7AJ.	Demolition of detached bungalow and replacement two storey dwelling with retention of existing garage with alterations and associated external landscaping and parking.	PERMISSION GRANTED
LA04/2020/2316/F	LOCDEV	60 CASTLEREAGH ROAD BALLYMACARRETBELFAST CO-DOWNBT5 5FP	PROPOSED ALTERATION AND EXTENSION OF AN EXISTING THREE STOREY SHOP PREMISES TO FACILITATE CHANGE OF USE TO A SINGLE DWELLING WITH THREE BEDROOMS.	PERMISSION GRANTED
LA04/2020/2324/LDP	LOCDEV	Lands at Hampton Park Gallwally Belfast.	Proposed completion of residential development of 35 dwellings, previously approved under ref. Z/2007/1401/F (Amended Description)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/2346/F	LOCDEV	SSE Arena Grounds 2 Queens Quay Belfast BT3 9QQ	Interactive play area consisting of hanging chimes made from metal pipework	PERMISSION GRANTED
LA04/2020/2379/LDE	LOCDEV	13 Carlisle Parade Belfast BT15 2PS	Install 120mm wall insulation to external wall followed by 10mm silicone render. Window Replacement. Door Replacement (where necessary). Fascia, soffit, gutter and downpipe replacement.	PERMITTED DEVELOPMENT
LA04/2020/2388/F	LOCDEV	481 Upper Newtownards Road Belfast BT4 3LL	Proposed enclosure of existing external seating area to side of existing cafe.	PERMISSION GRANTED
LA04/2020/2391/F	LOCDEV	223 Springfield Road Belfast BT12 7DD	Change of use from dwelling to HMO (retrospective)	PERMISSION GRANTED
LA04/2020/2401/F	LOCDEV	26 Upper Malone Park Belfast BT9 6PP.	Removal of existing conservatory, single storey side & rear extension. New flue on flat roof and raised patio to rear. (Amended Plans & Amended Description)	PERMISSION GRANTED
LA04/2020/2405/F	LOCDEV	28 St John's Park Belfast BT7 3JG	Single storey rear and side extension to ground floor. (Amended Plans)	PERMISSION GRANTED
LA04/2020/2425/LDE	LOCDEV	25 St Albans Gardens Belfast BT9 5DR	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/2427/F	LOCDEV	7 Lothair Avenue Belfast BT15 2HU.	Retrospective change of use from residential property to HMO.	PERMISSION GRANTED
LA04/2020/2440/F	LOCDEV	54 Windsor Avenue Belfast BT9 6EJ.	Two storey rear extension & single storey side extension. New rooflight. (Amended Plans) (Amended Description)	PERMISSION GRANTED
LA04/2020/2453/DCA	LOCDEV	54 Windsor Avenue Belfast BT9 6EJ	Part demolition of garage/shed and opening up rear wall to dwelling to accommodate extension/alterations.	PERMISSION GRANTED
LA04/2020/2461/A	LOCDEV	62 Boucher Road Belfast BT12 6LR.	Digital LED Screen.	PERMISSION REFUSED
LA04/2020/2486/F	LOCDEV	7 Clonaver Crescent North Ballymisert Belfast BT4 2FD.	partial change of use of ground floor to childminders for 8 children (previously 6).	PERMISSION GRANTED
LA04/2020/2517/F	LOCDEV	20 Juniper Way Dunmurry BT17 0BQ	Single storey side/rear extension to dwelling with ramped access	PERMISSION GRANTED
LA04/2020/2520/LDE	LOCDEV	Flat 1 9 Fountainville Avenue Belfast BT9 6AN	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/2527/F	LOCDEV	20 Killagan Bend Belfast BT6 0DU	Single storey rear extension with ramped access. Elevation changes.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/2531/F	LOCDEV	157 Bloomfield Avenue Belfast BT5 5AE	Change of use of upper two floors from Office to 3 bed Apartment	PERMISSION GRANTED
LA04/2020/2535/F	LOCDEV	101 Malone Avenue Belfast BT9 6EQ	Internal alterations to change from domestic garage to 1 bed ancillary annex accommodation	PERMISSION REFUSED
LA04/2020/2539/F	LOCDEV	37 Harberton Park Belfast BT9 6TX.	Two storey extension to the rear of dwelling and extension to existing detached garage. (Amended Description)	PERMISSION GRANTED
LA04/2020/2549/F	LOCDEV	Unit 13 Townsend Enterprise Park 28 Townsend Street Belfast BT13 2ES.	Replacement light industrial unit in Enterprise Park due to fire damage.	PERMISSION GRANTED
LA04/2020/2552/DC	LOCDEV	136 -138 University Avenue Belfast BT7 1GY.	Discharge of condition no. 3 of LA04/2017/2110/F (samples)	CONDITION NOT DISCHARGED
LA04/2020/2554/F	LOCDEV	168 North Road Belfast	Single storey rear/side extension. Existing detached garage demolished and existing site entrance widened	PERMISSION GRANTED
LA04/2020/2561/LBC	LOCDEV	5 Arthur SquareBelfastBT1 4FD	Internal refurbishment works and non illuminated external signage	PERMISSION GRANTED
LA04/2020/2562/A	LOCDEV	5 Arthur SquareBelfastBT1 4FD	3no. Retail Fascia Sign1no. Retail Hanging Signs	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/2578/F	LOCDEV	In front of car dealer at 209 Knock Road (& approx. 50m south of 89 Knockwood Park) Belfast County Down BT5 6QE	The installation of a 20 metre Apollo streetpole with 6no. antennas (3no enclosed within a shroud) 2no. equipment cabinets, 1no. meter cabinet and ancillary apparatus/works.	PERMISSION GRANTED
LA04/2020/2582/F	LOCDEV	82 Andersonstown Park Belfast BT11 8FP	Two storey rear/side extension and single storey rear extension. (Amended Plans)	PERMISSION GRANTED
LA04/2020/2584/F	LOCDEV	1 Marlborough Park Cross Avenue Belfast BT9 6GB	Single storey side extension	PERMISSION GRANTED
LA04/2020/2585/F	LOCDEV	Unit 4 Marlborough House 348 Lisburn Road Belfast BT9 6GH	Change of use from office (Class A2) to restaurant, including installation of extractor flue.	PERMISSION GRANTED
LA04/2020/2586/LDE	LOCDEV	Flat 2 43 Wellesley Avenue Belfast BT9 6DJ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/2597/F	LOCDEV	47 Castlehill Road Stormont Belfast BT4 3GN	Single storey rear and side extension. Front porch extension. Demolition of existing garage and construction of new garage to rear. Rendering of dwelling. New vehicular entrance from Castlehill Road. New boundary wall to side.	PERMISSION GRANTED
LA04/2021/0007/LDE	LOCDEV	Flat 3 92 Malone Avenue Belfast BT9 6ES	House in multiple occupancy HMO	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0008/LDP	LOCDEV	40 Ailesbury Crescent Belfast BT7 4EZ	Single storey rear extension with associated works	PERMITTED DEVELOPMENT
LA04/2021/0012/LDE	LOCDEV	28 Lisburn Road Belfast BT9 6AA	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0014/LDE	LOCDEV	32 Lisburn Road Belfast BT9 6AA	House in Multiple Occupation (HMO)I enclose copy of past 5 years tenancy agreements.	PERMITTED DEVELOPMENT
LA04/2021/0016/LDE	LOCDEV	30 Lisburn Road Belfast BT9 6AA	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0024/F	LOCDEV	10 Broomhill Park Belfast BT9 5JB	Retrospective single storey extension to front of existing single storey garage	PERMISSION GRANTED
LA04/2021/0029/F	LOCDEV	72 Seaview Drive Belfast BT15 3ND	Proposed two storey extension to the rear	PERMISSION GRANTED
LA04/2021/0048/F	LOCDEV	81 Shore CrescentBelfast BT15 4JP	Proposed garage to rear of property	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0070/DC	LOCDEV	Site of Former Vere Foster Primary School Moyard Parade Belfast BT12 7HG	Discharge of conditions no's. 7 and 8 of LA04/2020/0880/F (Noise impact assessment)	CONDITION NOT DISCHARGED
LA04/2021/0080/F	LOCDEV	42 Orby Drive Belfast BT5 6AF	AMENDED DESCRIPTION- Demolition of existing rear return + construction of single storey rear extension. Loft conversion with dormer to rear and decking area to rear	PERMISSION GRANTED
LA04/2021/0082/F	LOCDEV	4 Dunowen Gardens Belfast BT14 6NQ	Proposed single storey rear kitchen/living area extension with associated site works	PERMISSION GRANTED
LA04/2021/0083/F	LOCDEV	2 Geneva Gardens Belfast	Single storey and two storey rear extension.	PERMISSION GRANTED
LA04/2021/0084/F	LOCDEV	112 West Circular Road Belfast. BT13 3QJ.	Two & Single Storey Extension to rear of dwelling.	PERMISSION GRANTED
LA04/2021/0085/F	LOCDEV	23 Madison Avenue Belfast BT15 5BX	Single storey extension to rear yard. (Amended Plans)	PERMISSION GRANTED
LA04/2021/0093/F	LOCDEV	1 Castlehill Drive Belfast BT4 3GS.	Proposed garden store to side of dwelling with enclosed carport and associated hard and soft landscaping. Widening of existing access.	PERMISSION GRANTED
LA04/2021/0130/F	LOCDEV	Rear Retail Unit 26-28 Ann Street Joys Entry Belfast BT1.	Change of use from retail to restaurant/cafe.	PERMISSION GRANTED



Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0135/A	LOCDEV	City Quays2 5 Clarendon Road Belfast BT1 3BG	2no High Level Built-up Lettering, Face Illuminated: Sign 01 to South West Elevation Sign 02 to North East Elevation	PERMISSION GRANTED
LA04/2021/0137/F	LOCDEV	83 Bloomfield Avenue Belfast BT5 5AB	Change of use to a 5 bed HMO & single storey rear extension	PERMISSION GRANTED
LA04/2021/0150/F	LOCDEV	19 Voltaire Gardens Newtownabbey BT36 7EY.	Proposed new single kitchen and bathroom extension to rear of existing dwelling. Including new rear and side garden retaining walls.	PERMISSION GRANTED
LA04/2021/0154/DCA	LOCDEV	1 Marlborough Park Cross Avenue Belfast BT9 6GB.	Gable elevation to be partially demolished	PERMISSION GRANTED
LA04/2021/0164/F	LOCDEV	6 Aberfoyle Park Belfast BT10 0DY.	Single storey side and rear extension. Patio to rear. (Amended Description)	PERMISSION GRANTED
LA04/2021/0175/DC	LOCDEV	Lands between Utility Street and Eureka Drive Belfast	Discharge of condition no. 2 of Z/2014/0107/F (Verification Report)	CONDITION DISCHARGED
LA04/2021/0197/F	LOCDEV	54 Ava Crescent Belfast BT7 3DU	Brick single storey flat roofed extension to rear of property and solar/ PV array installation on existing roof	PERMISSION GRANTED
LA04/2021/0199/F	LOCDEV	119 Hopewell Crescent Belfast BT13 1DP	Single storey rear extension to provide ground floor WC and bedroom	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0202/F	LOCDEV	25 Fortwilliam Demesne Belfast BT154AS	Single storey extension to side of dwelling	PERMISSION GRANTED
LA04/2021/0226/F	LOCDEV	70 Norwood Avenue Belfast BT4 2EF	Proposed double storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2021/0227/F	LOCDEV	15 St James Park Belfast BT12 6DT.	Proposed new 2 storey kitchen/dining and bedroom extension to rear of existing dwelling. Including window alterations to side elevation.	PERMISSION GRANTED
LA04/2021/0233/F	LOCDEV	2 Kilbourne Park Belfast BT17 0HZ	Single storey extension to rear. Single storey extension to side. New front porch	PERMISSION GRANTED
LA04/2021/0248/F	LOCDEV	14 The Green Dunmurry Belfast BT17 0EH.	Single storey rear extension, rear dormer and garden shed.	PERMISSION GRANTED
LA04/2021/0251/LDE	LOCDEV	Flat 2 - 1 Cameron Street Belfast BT7 1GU.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0266/F	LOCDEV	283-285 Upper Newtownards Road Belfast BT4 3JH	Creation of outdoor seating area and construction of 3 timber pergola?s with removable fabric roof and sides	PERMISSION GRANTED
LA04/2021/0280/F	LOCDEV	61 Martinez Avenue Belfast BT5 5LY	Single Storey rear extension. Raised patio to rear.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0298/F	LOCDEV	6 Waterloo Park Belfast BT15 5HU.	2 storey rear extension, new access and dropped kerb to front and raised patio and steps to rear. (amended plans)	PERMISSION GRANTED
LA04/2021/0307/F	LOCDEV	10 Willowvale Avenue Belfast BT11 9JX	Single storey rear extension	PERMISSION GRANTED
LA04/2021/0312/F	LOCDEV	626 Crumlin Road Belfast BT14 7GL.	Single storey rear extension.	PERMISSION GRANTED
LA04/2021/0323/F	LOCDEV	44 Bristow Park Belfast BT9 6TJ	2 storey side and rear extensions. Alterations to front facade and roof alterations including dormer window to rear. New patio to rear.	PERMISSION GRANTED
LA04/2021/0324/LDE	LOCDEV	71 Jerusalem Street Belfast BT7 1QP.	House in multiple occupancy HMO.	PERMITTED DEVELOPMENT
LA04/2021/0325/F	LOCDEV	6 Norwood Avenue Belfast BT4 2EE	Demolition of an existing single detached garage and erection of a two storey sideextension providing additional living accommodation and an integral garage. Patio to rear. (Amended Description)	PERMISSION GRANTED
LA04/2021/0336/A	LOCDEV	Lands at Castlehill South of Woodcroft Heights and the East Glenview Avenue and Castlegrange Belfast BT5 7GU	Erection of a freestanding 5m hoarding structure with advertisement	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0347/F	LOCDEV	20 Fortwilliam Park Belfast BT15 4AL	Proposed first floor side extension with minor internal and external alterations	PERMISSION GRANTED
LA04/2021/0361/F	LOCDEV	25 Hawthornden Road Belfast	Roof space conversion incorporating new flat roof rear dormer. Fire escape velux to front	PERMISSION GRANTED
LA04/2021/0364/NMC	LOCDEV	71 Knock Eden Park Belfast BT6 0JG.	NMC to LA04/2020/1346/F	NON MATERIAL CHANGE GRANTED
LA04/2021/0367/F	LOCDEV	25 Kingsdale Park Belfast BT5 7BZ	Single storey extension to side and rear of dwelling	PERMISSION GRANTED
LA04/2021/0370/F	LOCDEV	112 Hyndford Street Belfast BT5 5JG.	Single storey rear extension (Retrospective).	PERMISSION GRANTED
LA04/2021/0372/DCA	LOCDEV	20 Fortwilliam Park Belfast BT15 4AL.	Proposed demolition of front garage elevation to extend garage forward and allow construction of 2 storey extension over.	PERMISSION GRANTED
LA04/2021/0380/F	LOCDEV	72 Holywood Road Belfast BT14 1NT	Change of use from a ground floor shop to a hot food carry out with sit-in facilities	PERMISSION GRANTED
LA04/2021/0400/DC	LOCDEV	Rosepark House Upper Newtownards Road Belfast.	Discharge of condition 16c LA04/2017/0235/F relating to contamination Remediation Verification Report for Phases 2, 3 and 4	CONDITION DISCHARGED
LA04/2021/0409/LDE	LOCDEV	11 Sandymount Street Stranmillis Belfast BT9 5FE	House in multiple occupancy HMO	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0415/F	LOCDEV	7 Knockvale Park Belfast BT5 6HH	Two storey extension to rear and alterations to side gable. Demolition of garage.	PERMISSION GRANTED
LA04/2021/0429/F	LOCDEV	40 Egeria Street Belfast BT12 5PN	Demolition of existing rear extension to allow for a new two storey rear extension to allow kitchen on ground floor with bedroom above.	PERMISSION GRANTED
LA04/2021/0435/F	LOCDEV	38 Iveagh Parade Belfast BT12 6AZ.	First floor extension to rear.	PERMISSION GRANTED
LA04/2021/0437/F	LOCDEV	136 Orangefield Crescent Belfast BT6 9GJ	Single storey side and rear extension and insertion of 2 no. ground floor side windows. Roofspace conversion with rear dormer and front Velux windows. New garden room and alterations to detached garage.	PERMISSION GRANTED
LA04/2021/0443/LDE	LOCDEV	10 Sandhurst Gardens Belfast BT9 5AW.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0445/F	LOCDEV	37 Deerpark Road Belfast BT14 7PU.	Two storey rear extension and alterations to side gable.	PERMISSION GRANTED
LA04/2021/0446/F	LOCDEV	59 Rockmore Road Ballymurphy Belfast BT12 7PD.	Two storey extension to rear.	PERMISSION GRANTED
LA04/2021/0454/F	LOCDEV	25 Sandhill Parade Belfast BT5 6FG.	Single storey extension to rear of dwelling.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0455/F	LOCDEV	42 Locksley Gardens Belfast BT10 0EB.	Single Storey Extension to rear with attic conversion.	PERMISSION GRANTED
LA04/2021/0458/DC	LOCDEV	Lands to the north of 26 & 35 Cairnmartin Crescent Belfast BT14 7GY.	Discharge of condition no. 7 of LA04/2019/2372/F (Verification Report)	CONDITION DISCHARGED
LA04/2021/0463/F	LOCDEV	2 Ashley Gardens Dunmurry BT17 9FB.	Single storey rear extension and detached garage to rear.	PERMISSION GRANTED
LA04/2021/0474/F	LOCDEV	116 Brooke Drive Belfast BT11 9NR	Single storey side extension	PERMISSION GRANTED
LA04/2021/0482/F	LOCDEV	161 Orby Drive Belfast BT5 6BB	Single storey rear/side extension.	PERMISSION GRANTED
LA04/2021/0485/F	LOCDEV	46 Glanaan Ave Dunmurry BT17 9AU	Single storey extension to side and rear	PERMISSION GRANTED
LA04/2021/0486/F	LOCDEV	30 Meadowhill Belfast BT11 8QR	Proposed roofspace conversion creating dormer to rear of dwelling	PERMISSION GRANTED
LA04/2021/0495/F	LOCDEV	56 North Road Belfast BT5 5NH	Single Storey rear extension to dwelling to provide new kitchen and utility. Demolish existing front porch, provide new bay window and update existing boundary elevations	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0496/F	LOCDEV	30 Kingsmere Avenue Belfast BT14 6ND	Part single and part 2 storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2021/0497/F	LOCDEV	28 Isadore Avenue Belfast BT13 3QQ	Proposed single storey extension to rear of dwelling.	PERMISSION GRANTED
LA04/2021/0499/LDE	LOCDEV	1B Eglantine Place Belfast BT9 6EY	House in multiple occupation HMO	PERMITTED DEVELOPMENT
LA04/2021/0500/LDE	LOCDEV	1A Eglantine Place Belfast BT9 6EY	House in multiple occupation HMO	PERMITTED DEVELOPMENT
LA04/2021/0506/F	LOCDEV	7 Waterloo Gardens Belfast BT15 4EX.	Single storey rear extension with elevational changes and associated works.	PERMISSION GRANTED
LA04/2021/0507/F	LOCDEV	13 Luxor Gardens Belfast BT5 5NB.	Single storey rear extension with elevation changes.	PERMISSION GRANTED
LA04/2021/0508/F	LOCDEV	22 Flush Park Belfast BT6 OGD	Single Storey Rear Extension, with internal refurbishment work and associated external works.	PERMISSION GRANTED
LA04/2021/0509/LDP	LOCDEV	14 Windsor Avenue Belfast BT9 6ET.	Lawful completion of the approved development for apartment dwellings at No. 14 Windsor Avenue, Belfast, BT9 6ET relating to permission Z/2010/1715/F	PERMITTED DEVELOPMENT
LA04/2021/0525/LDE	LOCDEV	7 Carmel Street Belfast BT7 1QE.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0526/LDE	LOCDEV	24 Carmel Street Belfast BT7 1QE.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0540/DC	LOCDEV	Lands to the west of Owen O'Cork Mill 288 Beersbridge Road Belfast.	Discharge of conditions nos 2, 3 and 5 of LA04/2017/1012/F (Validation Report)	CONDITION DISCHARGED
LA04/2021/0549/F	LOCDEV	147 Joanmount Gardens Belfast BT14 6NZ	Single storey bay window extension to front of dwelling	PERMISSION GRANTED
LA04/2021/0552/F	LOCDEV	3 Irwin Drive Belfast BT4 3AR	Proposed Single storey extension to rear and erection of single storey garage	PERMISSION GRANTED
LA04/2021/0562/DC	LOCDEV	Impact Training 14 Lanark Way Belfast BT13 3BH	Discharge of condition no. 4 of LA04/2019/1178/F (Noise Verification Report)	CONDITION NOT DISCHARGED
LA04/2021/0571/F	LOCDEV	13 Bloomfield Drive Belfast BT5 5NY	Two storey rear extension	PERMISSION GRANTED
LA04/2021/0576/DC	LOCDEV	Lands at 35-37 Diamond Gardens Belfast.	Discharge of condition no. 7 of LA04/2018/0009/F (Noise Verification Report)	CONDITION DISCHARGED
LA04/2021/0578/DC	LOCDEV	95 Crumlin Road Belfast BT14 6AD Site of 1-7 (Formerly) Cliftonpark Avenue.	Discharge of condition no. 13 of LA04/2016/2532/F (cycle parking)	CONDITION DISCHARGED
LA04/2021/0582/CONTPO	LOCDEV	Pineridge Apartments 1-3 Windsor Close Belfast BT9 6FG.	Works to 6 trees.	WORKS TO TREES IN CA - AGREED



Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0587/CONTPO	LOCDEV	46 Green Road Belfast BT5 6JA	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/0588/F	LOCDEV	22 Ravenhill Park Gardens Belfast	Two storey rear and side extension, single storey side extension and garden room/store in garden	PERMISSION GRANTED
LA04/2021/0596/DCA	LOCDEV	25 Fortwilliam Demesne Belfast BT15 4AS.	Removal of kitchen wall to access extension.	PERMISSION GRANTED
LA04/2021/0614/NMC	LOCDEV	7 Kensington Gardens Belfast BT5 6NP.	Non material change to LA04/2017/2797/F	NON MATERIAL CHANGE REFUSED
LA04/2021/0643/CONTPO	LOCDEV	37 Kings Road Belfast BT5 6JG.	Works to 4 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0646/DC	LOCDEV	Lands at 15-17 Upper Lisburn Road Belfast	Discharge of condition no. 11 LA04/2018/1170/F (Waste Management Plan)	CONDITION DISCHARGED
LA04/2021/0656/CONTPO	LOCDEV	148 Ligoniel Road Belfast BT14 8DT.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/0679/DC	LOCDEV	Lands west of Monagh By-Pass Belfast	Discharge of condition no 17 of planning approval LA04/2020/0804/f	CONDITION DISCHARGED
LA04/2021/0682/CONTPO	LOCDEV	Street trees (Lime) on Malone Park and Malone Park Central Belfast BT9 6NL.	Street trees (Lime) on Malone Park and Malone Park Central.	WORKS TO TREES IN CA - AGREED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0689/LDE	LOCDEV	39 Saint Albans gardens Stranmillis Belfast BT9 5DR	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0694/DC	LOCDEV	753 Antrim Road and lands to the east of nos 751-755 Antrim Road Belfast BT15 4EN.	Discharge of condition no. 11 of LA04/2019/2255/F (protective barriers)	CONDITION NOT DISCHARGED
LA04/2021/0705/F	LOCDEV	76 Owenvarragh Park Belfast BT11 9BE	Proposed double and single storey extension to rear and side of dwelling	PERMISSION GRANTED
LA04/2021/0715/LDE	LOCDEV	Flat 2 9 Lawrence Street Belfast BT7 1LE.	House in Multiple Occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0740/F	LOCDEV	79 Upper Newtownards Road Belfast BT4 3HU.	Conversion of the existing dwelling to a house of multiple occupation.	PERMISSION GRANTED
LA04/2021/0758/LDE	LOCDEV	8 Eblana Street Belfast BT7 1LD.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0771/F	LOCDEV	2 Waterloo Park Belfast BT15 5HU	Roofspace conversion with rear and side dormers. Single storey extension to side and rear. Elevation changes and raised patio to side and rear. 2m high fence to side. New access steps and landscaping works to front.	PERMISSION GRANTED
LA04/2021/0796/CONTPO	LOCDEV	8 Kings Road Belfast BT5 6JJ.	Works to 5 trees.	WORKS TO TREES IN CA - AGREED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0798/CONTPO	LOCDEV	37 & 39A Kings Road Belfast BT5 6JG.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0835/CONTPO	LOCDEV	73-75 Somerton Road Belfast BT15 4DE.	Works to 17 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0837/DC	LOCDEV	Titanic Quarter Eastern Access Road	Discharge of condition no 7 of planning approval LA04/2019/2810/f	CONDITION DISCHARGED
LA04/2021/0852/DC	LOCDEV	Lands adjacent to 91 Gilnahirk Road Belfast	Discharge of condition no. 9 of LA04/2016/0343/F (Construction Method Statement)	CONDITION DISCHARGED
LA04/2021/0898/CONTPO	LOCDEV	25 Harberton Park BT9 6TW.	Works to 4 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0899/CONTPO	LOCDEV	33 Kirkliston Drive Belfast BT5 5NX.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0903/CONTPO	LOCDEV	35 Kirkliston Drive Belfast BT5 5NX.	Works to 4 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0904/CONTPO	LOCDEV	47 Lower Crescent Belfast BT7	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/0919/NMC	LOCDEV	48-52 York Street Belfast BT15 1AS.	Non material change LA04/2016/1213/RM.	NON MATERIAL CHANGE GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0969/CONTPO	LOCDEV	56 Malone Park Belfast BT9 6NN.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/0983/CONTPO	LOCDEV	62 Myrtlefield Park Belfast BT9 6NG.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/0984/CONTPO	LOCDEV	24 Osborne Gardens Belfast BT9 6LF.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/1016/CONTPO	LOCDEV	2 Kirkliston Drive Belfast BT5 5NX.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> Tuesday 18 <sup>th</sup> May 2021	
<b>Application ID:</b> LA04/2020/1363/F	
<b>Proposal:</b> 21 Apartments and 3 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space.	<b>Location:</b> 173 Newtownards Road Belfast BT14 1AB and nos 1-5 Templemore Avenue Belfast BT5 4FP
<b>Referral Route:</b> Representations are contrary to Officer's recommendation.	
<b>Recommendation:</b>	The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to refuse the application.
<b>Applicant Name and Address:</b> Cornerstone Construction (NI) Ltd 385 Springfield Road Belfast BT12 7DG	<b>Agent Name and Address:</b> CPS Planning Consultants 164 Lisburn Road Belfast BT9 6AL
<p><b>Executive Summary:</b> Planning permission is sought for the erection of 21 apartments and 3 retail units within a single building which ranges from 4 to 6 storeys in height.</p> <p>The site has an area of 0.04ha and is located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP); and the draft Belfast Metropolitan Plan 2015 (BMAP). The site is within a housing action area in the BUAP. The site falls within the draft Templemore Avenue ATC</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of the proposal at this location</li> <li>• Design, layout and impact on the character and appearance of the area</li> <li>• Impact on Residential Amenity</li> <li>• Impact on Built Heritage</li> <li>• Access, Parking, and Transport</li> <li>• Infrastructure Capacity</li> <li>• Impact on Human Health</li> </ul> <p>The principle of the proposal is acceptable on the basis that the site is within the development limits in both the extant and draft plans (within BUAP and dBMAP 2004) and the proposed use is compatible in the area which is characterised as mixed use commercial and residential.</p> <p>It is considered that the proposal would result in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and PPS 7 in that it would</p>	

result in an overly dominant building that will cause unacceptable damage to the local character due to the height, scale, massing which results in overdevelopment of the site.

The proposal is contrary to draft BMAP Arterial Route Policy AR02 where it states that building heights and massing should be appropriate to the scale of the street and shall generally be 2 to 3 storeys high.

The proposed amenity provision is inadequate and inappropriate and is therefore contrary to the SPPS and PPS 7 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.

The proposal will impact on the setting of the listed buildings and as a result fails to comply with PPS 6 Development affecting the Setting of a Listed Building.

In terms of prospective residents, all dwelling units are proposed to be built to a size not less than those set out Policy LC1 providing adequate space however, in some apartments the living accommodation will be poor as there are no windows provided to kitchens. And the only amenity space provided is a fourth-floor terrace.

It is also considered that the separation distances proposed will not significantly impact on existing residential amenity by way of overlooking, dominance, loss of light or overshadowing.

A total of eleven representations and a petition of support with 554 signatures have been received. Representations have been received from the wider East Belfast area and further afield including Craigavon. Signatures from the petition of support are primarily from the immediate area. The points raised include the following:

- the proposal will help to regenerate the area and that the scale of the building should be approved as it is a gateway building on a brownfield site and will enhance the appearance of a derelict site.
- comments of support also refer to the applicants, Cornerstone Ltd and the high standard of their work
- the proposal will enhance the appearance of a derelict site
- community, employment and commercial benefits
- housing provision,
- the design will offer style which will add interest to the architectural character of the area

In respect of the impact on parking and traffic, DfI Roads has no objections Rivers require additional information. HED (Historic Buildings) have objected to the proposal. NI Water and Environmental Health have considered the proposal and offered no objections.

The agent was made aware of the design concerns and was advised that BCC Planning would be recommending refusal in line with our ten Operating Principles. The agent did not amend the scheme but submitted a rebuttal to the issues raised by the consultees.

Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable and refusal is recommended for the reasons set out in the case officer report below. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the refusal reasons.





**Visual**

<b>Characteristics of the Site and Area</b>	
1.0	<b>Description of Proposed Development</b> 21apartments and 3 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space.
2.0	<b>Description of Site</b> The site is located at the junction of Newtownards and Templemore Avenue, encompassing what was no.173 Newtownards Road & 1-5 Templemore Avenue. The site is approximately 0.04Ha in size and is located on a main arterial route into the city centre. The site is located within the development limits of Belfast. Much of the site is vacant apart from 2no. small retail units to the southern area of the site. The existing retail units are a mix of render and brick materials. The vacant part of the site is overgrown with shrubs, vegetation, and trees. The surrounding area is characterised primarily as residential within the immediate area, with ecclesiastical, educational, and retail land uses are also within walking distance. The site is within walking



	distance of the retail area of Newtownards Road and Belfast City Centre. Most dwellings within close proximity to the site are mainly finished in red brick.
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	<p><b>Site History</b></p> <p>Planning Reference No: Z/2005/2089/F  Proposal: Erection of 2no. ground retail units and 12 no. apartments above on floors 1-3  Address: 173-175 Newtownards Road &amp; 1 Templemore Avenue, Belfast, BT5 4FP  Decision: Permission Granted 20.09.2006</p> <p>Planning Reference No: Z/2007/2789/F  Proposal: Demolition of existing units and erection of four-storey building to contain 20 no. apartments.  Address: 177-187 Newtownards Road, Ballymacarret, Belfast, BT04 1AF  Decision: Permission Granted 16.10.2008</p> <p>Planning Reference No: Z/2009/0112/F  Proposal: Amendment to Planning Approval ref: Z/2007/2789/F consisting of 16 No. 1 bed apartments being replaced with 15 No. 2 bed apartments. 4 no. 1 bed apartments to remain as approved. Additional Plant Room. (Amended description)  Address: 177-187 Newtownards Road, Belfast. BT4 1AD  Decision: Permission Granted</p>
4.0	<b>Policy Framework</b>
4.1	<p>Belfast Urban Area Plan 2001  Draft Belfast Metropolitan Area Plan 2004  Draft Belfast Metropolitan Area Plan 2015  (Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. 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)  Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.</p>
4.2	<p>Strategic Planning Policy Statement (SPPS)  PPS 3: Access, Movement and Parking  PPS 6: Planning, Archaeology, and the Built Heritage  PPS 7: Quality Residential Developments  PPS 12: Housing in Settlements  PPS 15: Planning and Flood Risk  Creating Places  Development Control Advice Note 8 – Housing in Existing Urban Areas</p>

5.0	<b>Consultations:</b>
5.1	<b>Statutory Consultee Responses</b> DFI Roads – No objection subject to conditions NI Water - No objections Rivers - Further information is required. A PDE response from NIW consenting to discharge to their system and attenuation size and calculations based on the discharge rate stipulated in the PDE response letter in order to fully assess the submitted drainage assessment.
5.2	HED – object to the application – rebuttal information from the applicant was reconsulted and HED response will be reported to members in late items
5.3	<b>Non-Statutory Consultee Responses</b> Environmental Health – No objections
6.0	<b>Representations</b> The application has been neighbour notified and advertised in the local press. No objections have been received.
6.1	A letter of petition in support of the proposal was signed by 544 people. Eleven letters of support have also been received.
6.2	This includes a letter of support from Councillor George Dorrian DUP outlining that the proposal will help to regenerate the area and that the scale of the building should be approved as it is a gateway building on a brownfield site and will enhance the appearance of a derelict site.
6.3	Comments of support also refer to the applicants, Cornerstone Ltd and the high standard of their work, how the proposal will enhance the appearance of a derelict site, community benefits, employment and commercial benefits, housing provision, the design will offer style which will add interest to the architectural character of the area and how the design is consistent with the character of the area. the issues listed above will form part of the officer's consideration.
7.0	<b>Assessment</b>
7.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> <li>• The principle of the proposal at this location</li> <li>• Design, layout and impact on the character and appearance of the area</li> <li>• Impact on Residential Amenity</li> <li>• Impact on Built Heritage</li> <li>• Access, Parking, and Transport</li> <li>• Infrastructure Capacity</li> <li>• Impact on Human Health</li> </ul>
7.2	<b>The principle of the proposal at this location</b>

7.3	<p>The application site is within a housing action area within the development limit of the Belfast Urban Area Plan. Policy BH3 encourages new housing to stimulate urban renewal, recognising how new housing is crucial to the rejuvenation of older parts of the built-up area. Policy L3 applies as the site is located on an arterial route. It encourages the upgrade and appearance of frontages on main arterial routes through infill development and rehabilitation.</p>
7.3	<p>Within dBMAP the application site is located along an Arterial route and is within an Area of Townscape Character and Commercial Area within the development limit of Belfast City. Policy SETT 3 from draft BMAP sets out that appropriate housing development, along with retail and office uses will facilitate the regeneration of arterial routes. The description of lands to facilitate an increase in housing within the existing urban footprint will provide the opportunity to increase the support for services provided in local areas. The surrounding area is predominantly mixed use with residential and retail clearly forming part of this character. Whilst the proposal is in a shopping/commercial area it is not within a commercial node as per draft BMAP zoning. However, the retail units on the ground floor would offer additional services to the wider neighbourhood and complement the commercial offerings in the area. As the site needs regeneration, it is considered that the proposed redevelopment of the site for housing and retail are acceptable in principle.</p>
7.3	<p><b>Impact on the character and appearance of the area</b></p> <p>The proposed development has been assessed against the SPPS and Policy QD1 of PPS7. The proposed development comprises of a single building with 3 no. small retail units at ground floor totalling 254m<sup>2</sup> gross floor area and 21 no. apartments over 5 floors above. There will be 18 no. 1 bed apartments and 3 no. 2 bed apartments.</p>
7.4	<p>The façade will use facing brick to emulate the finishes on surrounding dwellings and buildings with the introduction of vertical metal cladding and infill cladding panels in an attempt to break the massing of the proposal. The materials are considered to be acceptable.</p>
7.5	<p>The building occupies the corner of Templemore Avenue and Newtownards Road. The building fronting onto the Newtownards Road is 6 storeys with a ridge height of 19m. The Templemore Avenue elevation steps down from 6 storeys to 4 storeys with heights ranging from 19m to 13m. The top floor of the building is slightly stepped back of the building onto the street.</p>
7.6	<p>Draft BMAP Arterial Route Policy AR02 states that building height and massing should be appropriate to the scale of the street and shall generally be 2 to 3 storey high which is significantly lower than the proposal. The height of the proposal is clearly contrary to draft BMAP which is a material consideration.</p>
7.7	

7.8	<p>When viewing the proposal against Templemore Avenue from the Newtownards Road; it steps down in an attempt to respect the predominantly residential scale and nature of the street. The submitted planning and design and access statements have argued that the proposal fits comfortably within the context of the street and wider neighbourhood. It states that <i>“the proposed building is higher than the adjoining buildings, however it is located within an established area where there is a number of similar height / taller buildings, most of which are as tall, or taller than the current proposal.”</i> There is an absence of evidence to support this statement. Reference is also made to the height of the old college building on Tower Street stating that the size of this is much taller than the proposal. No reference has been made to the actual height of neighbouring buildings and the former College building is set at a distance to the site and is typical of an institutional building. The justification in terms of the height, scale and massing appears to be based on a historic approval for Z/2009/0112/F (16 apartments) which was a 5-storey building adjacent to the site. The applicant has claimed that the foundations for this proposal are complete and as a result this is an extant site with permission to construct 5 storeys.</p>
7.9	<p>Reference is also made to nearby tall church spires, a large technical building (Tower Street) and the Skainos Centre in justifying the height of the proposal. The church buildings are very different in terms of functionality and design. The Skainos centre doesn't read within the context of the site and the same can be said for the Tower Street college building which is set back significantly from the proposed site.</p>
7.10	<p>Whilst the proposal respects the building line within its context it fails to adequately explain how the scale, height and massing of the proposal will fit into the streetscape and in particular how it will read and impact on Templemore Avenue and Newtownards Road which in this area consists mainly of two and three storey properties. The design of the proposed six storey development creates a dominant bulk and mass along Newtownards Road and Templemore Avenue where the immediate area is predominantly characterised by low rise buildings. this is an indication of overdevelopment of the site.</p>
7.11	<p>There are existing terraced, semi-detached and apartment buildings in the area. Whilst the site is close to some commercial units it should be noted that the residential character of the area is predominantly characterised by low density dwellings. The height, scale and massing of the proposal is out of character with the area.</p> <p>As set out previously the proposal is at odds with the heights set out in draft BMAP. The proposal will also have a detrimental impact on the setting of listed buildings as set out under the 'Impact on Built Heritage' section. The proposal would result in in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and Policy QD 1</p>

7.12	<p>Criteria (a) and (b) of PPS 7 –Quality Residential Developments, if permitted, it would result in unacceptable damage to the local character due to the height, scale, massing and overdevelopment of the site.</p>
7.13	<p>The site falls within the draft Templemore Avenue Area of Townscape Character (Ref BT 074). Whilst the PAC have determined that PPS 6: Policy ATC 2 New Development in an ATC doesn't apply the character of the area is an important material consideration. This section of Templemore Avenue is defined by single storey, flat roofed retail units and the vacant site of the proposed. Whilst a suitably designed development would enhance the appearance of a derelict site it is considered that the proposed development will not maintain the existing character of the Templemore Avenue area which is shaped by Victorian and Edwardian terraced housing. Whilst the existing site doesn't contribute to the special features of this area a 6-storey building with the proposed scale, height and massing would be at odds with the 2/3 storey domestic scale character of the street. The building will read as an over dominant block more akin to city centre development within the draft ATC when viewed looking from south to north along Templemore Avenue.</p>
7.14	<p>The scale, height, massing, layout and design of any new residential building will need to take account of the immediate surroundings in order to create a contextually appropriate and visually integrated scheme. The height of the proposed building would significantly exceed the height of the neighbouring buildings. The proposal would be visually dominate from views along the Newtownards Road and Templemore Avenue. The exposed blank façade of the predominantly six storey western elevation is entirely devoid of any openings and would be very prominent visually along the Newtownards Road when approaching from the city side of the road. The applicant stated that some community artwork could occupy this gable, but no details were provided. In any case, the proposal represents overdevelopment of the site. It is considered that the overall height, scale and massing of the building would be over dominant and result in a clear imbalance along both Templemore Avenue and Newtownards Road.</p> <p><b><i>Layout &amp; Amenity Space</i></b></p> <p>The part 6/4 storey building will comprise of a single building comprising a total of 21 apartments (comprising of 18No. 1 bed and 3 No. 2bed). The central apartment units fail to provide kitchen windows to the units as they are entirely internal. The ground floor consists of 3 No. retail units comprising a total of 223m2 retail space fronting onto Templemore Avenue and Newtownards Road. There is no in curtilage car parking. Cycle parking is located on the ground floor and accessed from the entrance foyer off Templemore Avenue. Access points to the apartments and bin storage are also accessed from this entrance. Each apartment will have outlook onto a public street. The bin storage area is in a rear corner of the ground floor courtyard. This will be shared by residents and the commercial tenants. An external terraced area is located on the fourth floor</p>

7.15	and is accessible via the lift and stairwell for all residents. There is no private amenity for residents.
7.16	<p>The proposed development has been assessed against the SPPS, Policy QD 1 of PPS7 and Creating Places. The proposed development incorporates a ground floor courtyard (73sqm) which is accessed by the entrance foyer and from the rear door of the retail units. This area will be occupied by a covered bin store (19.5sqm), cycle parking, benches and a bicycle stand. As it is accessed by the retail units, it will essentially operate as a service yard and is likely to provide limited amenity for residents themselves.</p> <p>The 4<sup>th</sup> floor external roof space terrace, is accessible but not readily for the majority of residents. Overall, the total amenity (including the ground floor service yard) provision equates to approximately 140sqm, with an average of 6.66 sqm of amenity provision per unit. It is considered that the scheme fails to provide a quality amount of amenity provision for the 21 apartments. The applicant acknowledged the shortfall of amenity space within their planning statement. They argue that is acceptable due to the built-up environment of the area and its proximity to large areas of public open space, including Pitt Park, Connswater Greenway, Victoria Park and King George playing fields. Pitt Park is located within a few minutes' walk from the site. It is considered that the shortfall in amenity provision is yet another indication of overdevelopment of the site. As such the proposed amenity provision is inadequate and inappropriate and is therefore contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.</p>
7.17	<p><b>Apartment Sizes</b></p> <p>All units are built to a size not less than those set out in Policy LC1 Protecting Local Character, Environmental Quality and Residential Amenity (addendum to PPS 7: Safeguarding the character of established residential areas).</p>
7.18	<p><b>Active Frontage</b></p> <p>Good place making involves the creation of developments which fully activate streets, contributing to creating a welcoming and safe environment for all intended users and the neighbouring residents. The retail units front onto the street which assist in the proposal creating active frontage along both the Templemore Avenue and Newtownards Road increasing surveillance which is compliant with the good design principles of the SPPS and PPS 7 Policy QD 1 criteria 9 in that this aspect of the proposal helps to deter crime and promote personal safety.</p>
7.19	<p><b>Density</b></p>

7.20	<p>The surrounding area is defined by a mixture of medium and high-density housing, retail, ecclesiastical, community and education buildings. The proposed density of development would be higher than that within the local area. However, given its location along an arterial route, its proximity to the city centre and its location on a derelict site it is considered that a medium to high density development if well designed is possible at this location.</p>
7.21	<p><b>Impact on Residential Amenity</b></p> <p>The layout/aspect of the proposed building is such that there will be no significant overlooking into neighbouring properties. In addition, there is sufficient separation to existing neighbouring properties to ensure that dominance and overshadowing will not occur to an unacceptable degree. The proposal occupies a corner site with low density residential on the opposite side of the site along the Newtownards road (25m from closest residential property) and Templemore Avenue. This is adequate separation distance to ensure that the residential amenity of this property or neighbours are not adversely affected. The applicant submitted a shadow analysis assessment which supports that the proposal will not create any adverse impact on neighbouring properties through overshadowing. The design of the proposal will not have a significant detrimental impact on dwellings within the area.</p>
7.22	<p>The proposal will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and as such will not have a detrimental impact on residential amenity.</p>
7.23	<p><b>Impact on Built Heritage</b></p> <p>HED (Historic Monuments) has assessed the application and based on the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.</p>
7.24	<p>HED (Historic Buildings) has considered the impacts of the proposal on the listed buildings and on the basis of the information provided, advises that the proposal will have an adverse impact on listed buildings.</p> <p>HED comments are made in relation to the requirements of the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12 and 6.13 and of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage Policy BH11 (Development affecting the Setting of a Listed Building). The application site is in close proximity to / impacts upon a number of listed buildings which is of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011. The list below includes listed buildings deemed to be impacted by this application:</p> <p>HB26 07 002 St Patricks Church of Ireland Grade B1  HB26 08 006 Westbourne Presbyterian Church Grade B1  HB26 08 007 St Matthew's Roman Catholic Church Grade B+</p>

<p>7.25</p> <p>7.26</p> <p>7.27</p> <p>7.28</p>	<p>HB26 08 012 Megain Memorial Church of the Nazarene Grade B</p> <p>Historic Environment Division (HED), Historic Buildings, consider that the proposal, notably the development block fronting onto the Newtownards Road, fails to respect the listed buildings, including the historic character, in terms of scale, height and massing of the local environs. HED (Historic Buildings) consider the proposal misses an opportunity to reinforce the historic scale and character of the area, retaining the listed buildings as the focal point within a setting of relatively low scale and height (generally 2-3 storey) surrounding terraces. Such an approach would retain and underpin the distinctive character and creating a positive local historic identity to continue to be read for future generations - a key driver of the Local Development Plan process.</p> <p>As highlighted by HED the proposed six storey building is on a prominent site with listed buildings in close proximity to it. The location is therefore historically sensitive, and it is important that any new development seeks to integrate harmoniously into this setting. At six floors in height, the proposed development is considerably greater in scale than its surrounds urban context. As such it is considered that the proposal will impact on the setting of the listed buildings, particularly on the two closest listed buildings (St Patricks Church of Ireland Grade B1 and Westbourne Presbyterian Church Grade B1) and as a result fails to comply with Policy BH 11 Development affecting the Setting of a Listed Building.</p> <p><b>Access, parking, and transport</b></p> <p>Due to its location, the proposal is will be well served by public transport and will be easily accessed by foot and by bicycle. The site is well served by public transport along the Newtownards Road and is within easy walking distance of bus stops. These are serviced by both Metro and Ulsterbus services. These provide a frequent service between Belfast City Centre and east along the Newtownards Road. The site is within reasonable walking distance of the Titanic Quarter Rail Halt. From here, rail services are available to the entire rail network across Ireland. There will be no car parking provided within the curtilage of the site. A centrally located cycle store will be provided within the ground floor of the development and this will be lit and covered. The applicant submitted a travel plan as part of the application. The Travel Pan has shown that there are several measures, which could be used to encourage residents to travel to/from the development by an alternative method of transport other than the private car. DFI Roads offered no objections to the proposal subject to conditions.</p> <p><b>Infrastructure Capacity</b></p> <p>The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal flood plain. DFI Rivers have reviewed the drainage assessment and have commented that they require a PDE response from NIW consenting to discharge to their system and</p>
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7.29	<p>attenuation size and calculations based on the discharge rate stipulated in the PDE response letter in order to fully assess the submitted drainage assessment. NI Water have no objection to the proposal. Given the scale and nature of development proposed, it is not considered that proposed development would have a significant impact on existing infrastructure and as such, there are no issues of principle. In addition, connections to the water and foul sewer system are covered by separate legislation.</p> <p><b>Impact on Human Health</b> The proposal will not result in an unacceptable impact in terms of noise, air quality or contamination issues. Environmental Health has no objection subject to conditions.</p>
7.31	<p><b>Conclusion</b> Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable and refusal is recommended for the reasons set out in the case officer report below. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the refusal reasons.</p>
8.0	<p><b>Reasons for Refusal:</b></p>
8.1	<p>The proposal would result in in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and Policy QD 1 Criteria a and b of PPS 7 –Quality Residential Developments, if permitted, it would result in an over dominant building which would result unacceptable damage to the local character due to the proposed height, scale, massing, density and overdevelopment of the site.</p>
8.2	<p>The proposed amenity provision is inadequate and inappropriate and is therefore contrary to the SPPS and PPS 7 Policy QD1 of Planning Policy Statement 7 criteria (c) in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality private and communal amenity space and internal layout.</p>
8.3	<p>The proposal will impact on the setting of the listed buildings and as a result fails to comply with PPS 6 Policy BH 11 Development affecting the Setting of a Listed Building.</p>

ANNEX	
<b>Date Valid</b>	17th July 2020
<b>Date First Advertised</b>	31st July 2020
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) 1 Abetta Parade Belfast Down The Owner/Occupier, 1 Templemore Avenue,Belfast,Down,BT5 4FP 14c Stockmans Lane Belfast The Owner/Occupier, 171 Newtownards Road,Belfast,Down,BT4 1AB The Owner/Occupier, 173 Newtownards Road,Belfast,Down,BT4 1AB 2 Kensington Court Craigavon Down 23 Orangefield Green Belfast Down 239 Newtownards Road Belfast Down 239 Newtownards Road Belfast Down The Owner/Occupier, 4 Saunders Close,Belfast,Down,BT4 1EJ 42 Cabin Hill Park Belfast Down 5 Oval Court Belfast Down The Owner/Occupier, 5 Saunders Close,Belfast,Down,BT4 1EJ The Owner/Occupier, 5 Templemore Avenue,Belfast,Down,BT5 4FP The Owner/Occupier, 7 Templemore Avenue,Belfast,Down,BT5 4FP The Owner/Occupier, Belfast Metropolitan College,Tower Street,Belfast,Down,BT5 4FH George Dorrian DUP Councillor,Titanic DEA The Owner/Occupier, Flat 1,2 Templemore Avenue,Belfast,Down,BT5 4FT Megain Memorial Church Of The Nazarene Newtownards Road Belfast	
<b>Representations from Elected Representatives:</b>  <b>Cllr Dorrian in support</b>	

<b>Date of Last Neighbour Notification</b>	3/8/20
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	

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## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 18 <sup>th</sup> May 2021	
<b>Application ID:</b> LA04/2020/2280/F	
<b>Proposal:</b> Proposed mixed use development comprising 1no. ground floor retail unit and 13no. apartments, associated amenity space, landscaping and all other site works.	<b>Location:</b> 93-95 Falls Road Belfast BT12 4PE
<b>Referral Route:</b> 6no. objections have been received to this proposal for 1no. retail unit & 13no. apartments contrary to BCC Planning Service recommendation to approve.	
<b>Recommendation:</b> The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application, subject to a S76 agreement.	
<b>Applicant Name and Address:</b> Scarsdale Properties LLP 263 Falls Road Belfast BT12 6FB	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<p><b>Executive Summary:</b> This application seeks full planning permission for the demolition of the existing bank building and the construction of part 4 storey part 3 storey mixed use development containing one retail unit and 2 apartments on the ground floor and 11 apartments on the upper floors. This follows on from a previously refused scheme under reference LA04/2018/2292/F.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Retail Impact</li> <li>• Design, Impact on character and appearance of the area</li> <li>• Impact on amenity</li> <li>• Access, Movement and Parking</li> <li>• Flooding</li> <li>• Infrastructure Capacity</li> </ul> <p>The site is unzoned whiteland in the BUAP. In Draft BMAP 2004 and 2015, the site is located along an arterial route in a designated shopping commercial area. The redevelopment of this brownfield site and the principle of social housing apartments at this location are considered acceptable in principle. The provision of the retail unit is compliant with dBMAP.</p> <p>The proposed development will not adversely impact the character and appearance of the surrounding area. It is considered to be sympathetic in its built form, scale, massing and appearance with the surrounding area and neighbouring properties. It is considered that the proposal will not raise any unacceptable issues in relation to residential amenity including overshadowing, loss of light and overlooking.</p>	

The proposal is unlikely to have a significant impact on the local road network in terms of traffic, road safety and parking. No provision for parking has been incorporated, however, this reduced standard is considered acceptable due to the site's highly sustainable location along an arterial route with the provision of Green Travel Measures. The developer has agreed to provide a travel card for each unit for 3 years as well as the provision of a cycle user subsidy scheme (e.g. Belfast Bikes) for the same period, should approval be achieved.

The previous reasons for refusal under application LA04/2018/2292/F have been adequately addressed.

DFI Roads, Rivers Agency, DAERA, BCC Environmental Health and BCC Urban Design Officer offer no objections to the proposal.

NI Water have advised that whilst there is capacity at the WWTW, the sewer network within the catchment area is at capacity. The applicant is currently in discussions with NI Water regarding a potential solution. It is considered that the issue can be resolved by means of a negative condition to address this matter.

6 letters of objection have been received including a representation from Clonard Residents Association, citing concern with the following:

- Disruption and noise pollution during construction.
- Parking pressure/ lack of availability.
- Highway safety.
- Loss of light / overshadowing.
- Overlooking / loss of privacy;
- Lack of amenity space;
- No prior consultation with local area;
- Anti-social behaviour.

These matters are addressed in the main body of the report.

Having regard to the policy context and objections received, the proposal is considered on balance to be acceptable and planning permission is recommended for approval.

**Recommendation** - Approval subject to conditions and Section 76 Agreement

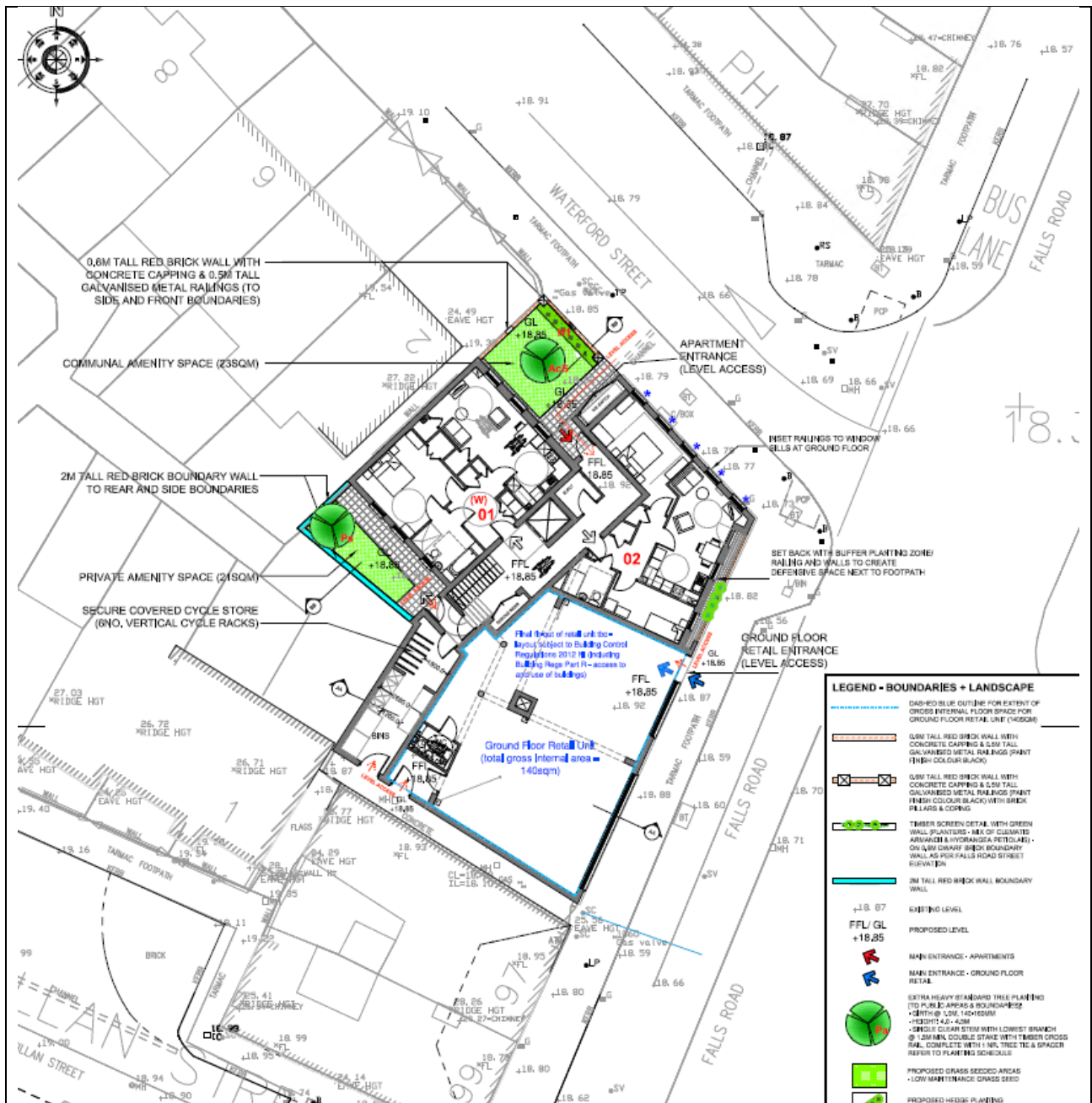
It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to grant conditional planning permission and to finalise the wording of conditions and the completion of a Section 76 Agreement to secure the green travel measures.

**Signature(s)**

## Case Officer Report

### Site Location Plan

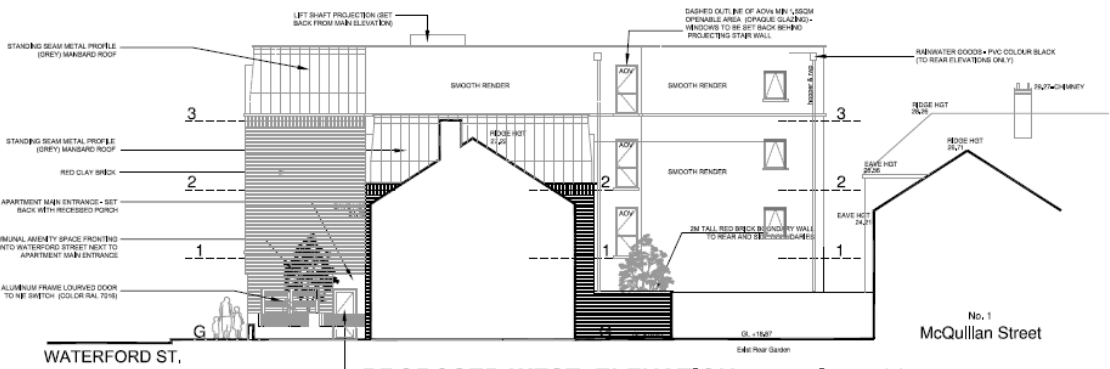




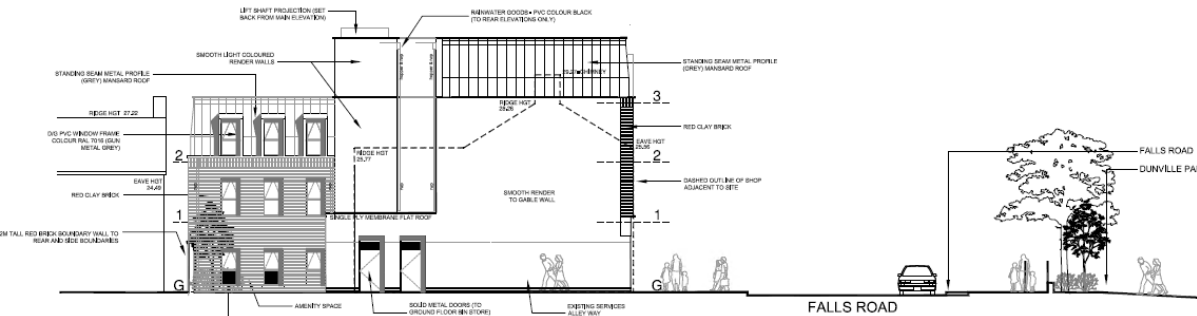




PROPOSED NORTH / WATERFORD STREET ELEVATION scale 1.100



PROPOSED WEST ELEVATION scale 1.100  
REAR ELEVATION



PROPOSED SOUTH ELEVATION scale 1.100  
MCQUILLAN STREET

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<p><b>Description of Proposed Development</b></p> <p>This application seeks full planning permission for the construction of a mixed-use development containing 1 retail unit and 13 apartments (12 x 2 bedroom and 1 x 1 bedroom), associated amenity space, landscaping and all other site works. A vacant social club building which was a former bank building are to be demolished.</p> <p>There is an entrance to the retail unit on the Falls Road. There is another rear access to the retail unit and bin store from the narrow alleyway between the application site and No. 97 Fall Road. Apartments can be accessed via Waterford Street. Amenity space has been incorporated at ground floor level as well as a bin store and bicycle storage.</p> <p>The scheme has been amended following a PAD under ref: LA04/2020/0244/PAD; and refusal of LA04/2018/2292/F - Demolition of existing building and erection of 16No. apartments for social housing use and 1No. retail unit together with associated works.</p> <p>The applicant/ agent have advised that the development is to be Category 1 Social Housing apartments for the active elderly.</p>
<b>2.0</b>	<p><b>Description of Site and Area</b></p> <p>The application site comprises of a former vacant bank building- now vacant social club fronting onto Falls Road and Waterford Street. Falls Road is a busy arterial route well served by public transport – buses and black taxis.</p> <p>The surrounding area is defined by a mix of commercial, retail and residential uses, with Waterford Street and McQuillan Street characterised by two storey terraced dwellings. Open space - Dunville Park is located directly opposite the site and the Royal Victoria Hospital is close by. There are a number of schools and a university within walking distance and Falls Leisure Centre is easily accessed also.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<p><b>Site History</b></p> <p>LA04/2018/2292/F - Demolition of existing building and erection of 16No. apartments for social housing use and 1No. retail unit together with associated works. Permission Refused 05.09.2019</p> <p>LA04/2020/0244/PAD - Demolition of existing building to facilitate mixed use development comprising 1 no. ground floor retail unit and 14 no. Category 1 over 55's social housing apartments, associated amenity space and all other site works. – PAD Concluded.</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan 2004
4.3	(Draft) Belfast Metropolitan Area Plan 2015
	<p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. 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.</p>

	4.3.1	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits
	4.3.2	Policy SETT 3 Arterial Routes
	4.3.3	Policy R4 Arterial Routes and Local Centres
4.4	Regional Development Strategy 2035	
4.5	Strategic Planning Policy Statement 2015 (SPPS)	
4.6	Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 12: Housing in Settlements Planning Policy Statement 15: Planning and Flood Risk	
4.7	Developer Contribution Framework (2020)	
<b>5.0</b>	<b>Statutory Consultees Responses</b>	
5.1	DFI Roads – No objection subject to condition	
5.2	NI Water – WWTW available, however sewer network is at capacity	
5.3	Rivers Agency – No objection subject to conditions	
5.4	NIEA Water Management Unit – content if NIW content NIEA Regulation Unit – no objection subject to conditions	
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>	
6.1	BCC Environmental Health – No objection subject to conditions	
6.2	Urban Design Officer – No objection subject to conditions	
<b>7.0</b>	<b>Representations</b>	
7.1	<p>The application was neighbour notified on the 2<sup>nd</sup> December 2020 and advertised in the local press on the 20<sup>th</sup> November 2020.</p> <p>6 letters of objection have been received including 5 from neighbours from McQuillan Street and Waterford Street; a further objection has been received from Clonard Residents Association. The representations are summarised</p> <ul style="list-style-type: none"> <li>Concerns of disruption and noise pollution when building work commences <i>Officer Response: Environmental Health have advised that the developer follows noise control advice for construction and demolition sites.</i></li> <li>Concerns as to how waste will be managed <i>Officer Response: A bin store is enclosed and integrated into the proposed building. A Service Management Plan has been provided which includes management of waste. In addition, Environmental Health have powers to investigate complaints regarding environmental issues associated with waste.</i></li> <li>Concerns regarding parking space availability <i>Officer Response: The previous parking survey identified capacity in the surrounding area. A planning agreement is to be signed whereby the developer will provide Translink travelcards for each dwelling unit in addition to other measures to encourage green travel and to encourage a shift from car dependency. Bicycle storage has been included in the development.</i></li> <li>Concerns regarding highway safety <i>Officer Response: DFI Roads are the governing authority with regard to road safety, they have deemed the proposal acceptable and consider it will not compromise road safety</i></li> <li>Concerns regarding loss of light/ overshadowing at adjacent properties <i>Officer response: A 'daylight modelling analysis' has been undertaken which demonstrates shadows cast by the buildings currently in situ and the new building</i></li> </ul>	

	<p>from spring through to and winter. It indicates there will be minimal – if any change in the shadow cast by the buildings currently in situ.</p> <ul style="list-style-type: none"> <li>Concerns regarding potential overlooking and loss of privacy at adjacent properties <u>Officer response –</u> There are no windows proposed in the elevation adjacent to 2 Waterford street so overlooking in this context is not possible. There is potential overlooking of the rear of properties along McQuillan Street from the bedroom windows in the north facing elevation. However, this has been mitigated through the set back at first floor level and above to match the existing rear building line of the existing Waterford Street terraces. Therefore, maintaining a similar back to back relationship to what currently exists. In terms of the rear elevation (western), opaque glazing is proposed and a setback of 5.5m has been incorporated at first floor level and above with minimised openings. These measures will ensure an unacceptable level of overlooking does not occur.</li> <li>Concern that there is lack of amenity space particularly for children to play</li> <li><u>Officer response:</u> Reduced amenity space provision has been incorporated into the design of the proposal, this is considered acceptable in this urban context as Dunville Park is highly accessible being located directly opposite and the other various local amenity provisions nearby.</li> <li>Concerns that no prior consultation with neighbours has been undertaken <u>Officers Response:</u> This is a statutory requirement for pre application community consultation for major development proposals, however this scheme is not of a scale that requires prior consultation with neighbours.</li> <li>Concerns that apartment living attracts anti-social behaviour <u>Officer response;</u> the proposal is in keeping with 'Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland' guidelines. Strong boundary treatment provide a further degree of security.</li> </ul>
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	<p>Parking Standards DCAN 15: Vehicular Access Standards Creating Places Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland The Belfast Agenda</p>
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of development</li> <li>- Retail Impact</li> <li>- Design, Impact on character and appearance of the area</li> <li>- Impact on amenity</li> <li>- Access, Movement and Parking</li> <li>- Flooding</li> <li>- Infrastructure Capacity</li> </ul>
9.3	<p><u>Principle of development</u> 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.</p>
9.4	In general, the weight that should be given to draft policy increases as it approaches the date of final publication. It is the view that the draft BMAP, in its most recent, post-

	examination, form continues to exist. As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted. Draft BMAP remains the most advanced and up to date collection of development management policies for the City Council's area, albeit that those policies do not carry the statutory force conferred upon an adopted statutory development plan by the 2011 Act.
9.5	The version of draft BMAP which was purported to be adopted and not the one published in 2004 should be given substantial weight together with and in consideration of all other material matters.
9.6	The BUAP designates the site as un-zoned whiteland. In draft BMAP 2004 and 2015, the site is located on an arterial route in a designated shopping commercial area. The redevelopment of this brownfield site and the principle of social housing apartments at this location is considered to be acceptable. The proposed retail unit at ground floor is also compliant with draft BMAP and is considered to be acceptable providing an active frontage along the arterial route.
9.7	<u>Retail Impact</u> The proposal would result in the creation of a retail unit with a maximum gross floorspace of 140m <sup>2</sup> . In this instance, the proposal is for retailing within a designated shopping and commercial area. The proposed development would help meet a local need in an established residential area and would be within the floorspace thresholds set out in Policy R4. The retail development is limited in scale and would not prejudice the vitality and viability of nearby centres. The proposal would accord with the SPPS and Draft BMAP in this regard.
9.8	The Environmental Health team has advised that within the odour assessment submitted reference was made to 'a new café and hot food unit' at ground floor level. Clarification was sought from the agent, however the type of retail unit proposed for the ground floor has not not been confirmed. In any case, a retail unit is what has been applied for and what is being assessed. An informative has been included to advise that planning permission should be sought if the retail unit is to operate as a café or hot food unit.
9.9	<u>Design, Impact on character and appearance of the area</u> The proposed density of development would be in keeping within the density parameters already established further along this arterial route. The proposed replacement building would be 4 storeys on the Falls Road elevation at a maximum height of 12.175m which is appropriate for its location along the arterial route and having regard to the heights of buildings further along the Falls Road. The height is reduced to 3 storeys (approximately 9.2m) at Waterford Street to respect the lower residential scale of properties. The ridge height of the 3 storey block is the same height (top of chimney) as the 2 storey residential terrace houses at Waterford Street. The proposed scale, height and massing represents a sympathetic design that on balance sits comfortably within the streetscape.
9.10	The building is to be constructed using red clay brick with element of render at the side and rear, Windows are to be set in by a depth of one brick which provides a depth to the building façade and avoids a sense of flatness. The stepped mansard roofline is to be constructed in standing seam metal- in grey. The two different roof heights and pronounced surrounds to dormer windows add emphasis to the dormers and help with the overall building proportions and composition.
9.11	The Council's Urban Design Officer has reviewed the drawings and although content with the design suggests that the deeper feature header band detail above ground floor level is extended along the full extent of the Waterford Street block of the four storey component to help break up the extent of the brickwork. A condition will be included to secure this improved design change.

9.12	Boundary treatment includes 0.6m red brick wall with 0.5m metal railings at Waterford Street which encloses amenity space of 21sqm; a 2m red brick wall to the rear and side boundaries at McQuillan Street encloses a small integral amenity space of area 23sqm. To the front, the ground floor apartment is set back from the street and adjoining retail unit, with a buffer planting zone, wall and railings breaking up the frontage.
9.13	The proposed development forms a strong edge with the street and would provide a continuous and active frontage along the Falls Road. The proposal would enhance the overall character and respect the built form of this part of the Falls Road and therefore accords with the SPPS, Policy QD1 of PPS7, Draft BMAP, Creating Places and Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland.
9.14	<u>Impact on amenity</u> For each apartment the main outlook from the primary living areas would be to the street ensuring that future occupants would be afforded an adequate degree of light and outlook. Each apartment is an acceptable size and meets the minimum space standards set out in Annex A of addendum to PPS7.
9.15	Two grassed communal amenity space areas have been incorporated. The total area of the 2 spaces is 43sqm. This falls short of the minimum provision of 10sqm for each apartment as set out in Creating Places, however with Dunville Park directly opposite, a reduced provision is considered acceptable for this inner urban location along an arterial route.
9.16	A Noise and Odour Assessment have been provided in support of the proposal, which have been reviewed by Environmental Health. A number of mitigation measures are proposed to protect the amenity of existing and future occupants.
9.17	Daylight modelling analysis of the existing buildings and the proposed has been undertaken by The Boyd partnership – Chartered Architects. Results indicates that during the morning, midday and evening from spring through to winter similar shadows will be cast to what is in place at present. The building has been sensitively designed at align with the building line of adjoining properties with setbacks to reduce the impact on Waterford Street and Mc Quillan Street occupiers. Openings have minimised at the rear with the use of opaque glazing to reduce the potential for overlooking. Overall, it is not considered that they will be an unacceptable loss of amenity in terms of overshadowing, loss of light, overlooking or overbearing impact to existing properties.
9.18	In light of the above, it is considered that an adequate level of residential amenity would be maintained for future and existing occupiers in this inner urban location in accordance with Policy QD1 of PPS7 and the SPPS.
9.19	<u>Access, Movement and Parking</u> The application was submitted with a Transport Assessment Form and Parking Statement. A zero level of car parking is proposed which falls short of the recommended parking standard. However, justification is provided for this reduced standard due to the site's highly sustainable location along an arterial route in close proximity to a wide range of local amenities and public transport links which reduces the reliance on the private car in line with the main objectives of the SPPS and Draft BMAP. Provision has been made on site for covered cycle parking. In addition, the car parking survey carried out shows there is spare capacity in the evening time to accommodate any overspill from the site at nearby Clonard Street, Dunville Street, Waterford Street, Colligan Street and McQuillan Street without having an adverse impact on street car parking, highway safety and the convenience of local residents.

9.20	DFI Roads were consulted and they have confirmed that they are satisfied that parking on street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. On this basis, the proposal is considered to accord with Policy QD1 of PPS7, PPS3, SPPS and Draft BMAP.
9.21	To promote green travel, the applicant has agreed to provide Translink travel cards for each dwelling unit, – one pass for an occupier per unit, and up to 2 full time members of staff for the retail unit for a period of 3 years in addition to the provision of a cycle user subsidy scheme (e.g. Belfast Bikes) to encourage use of public transport.
9.22	Satisfactory provision has been made within the building for bicycle parking, and for storage of waste.
9.23	<p><u>Flooding</u></p> <p>The site is not located within the fluvial flood plain, it is not prone to historical flooding nor surface water retention. A Drainage Assessment has been submitted and it is proposed to attenuate for more than the 1 in 30 year storm event in the drainage network. Rivers Agency has requested a plan of the drainage system is submitted prior to commencement of development. Rivers Agency have cited no objection to the proposal subject to inclusion of said condition. As such, the proposed development would comply with Policy FLD3 of PPS 15 and the SPPS.</p>
9.24	<p><u>Infrastructure Capacity</u></p> <p>NI Water have advised that whilst there is available capacity to receive wastewater at the local waste water treatment works, the sewer network within the catchment area is at capacity. The applicant is currently in discussions with NI Water regarding a potential solution. NI Water have confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. This includes two new sludge processing tanks for Belfast and subsequent improvements to the city's six existing sludge processing tanks. These works are estimated to be completed within 2.5 years – well within the five year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues.</p>
9.25	It is considered that the issue can be resolved by means of a negative condition to address this matter.
9.26	<p><u>Planning History</u></p> <p>The proposed scheme has been amended since the refusal of application LA04/2018/2292/F. The number of units have been reduced along with the height, scale and massing. The previous refusal reasons have now been adequately addressed.</p>
<b>10.0</b>	<p><b>Summary of Recommendation:</b></p> <p>Having regard to the policy context and other material considerations raised by consultees and third parties, it is concluded that, on balance, the proposal is considered acceptable. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to grant conditional planning permission subject to completion of Section 76 agreement to secure the green travel measures.</p>
<b>11.0</b>	<p><b>Conditions</b></p> <p>1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: Time Limit.</p>

2. Prior to the commencement of any of the approved development on site, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 must be submitted to the Council for its consideration and approval in writing. The development shall not be carried out unless in accordance with the approved details.  
Reason – To safeguard against flood risk to the development and elsewhere.
3. As part of site clearance works, all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Guidance on Pollution Prevention No. 2 (GPP2). Where the tank is industrial size or there are a number of tanks but for a domestic tank, sampling and analysis is not required.  
Reason: Protection of environmental receptors to ensure the site is suitable for use.
4. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>  
In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.  
Reason: Protection of environmental receptors to ensure the site is suitable for use.
5. After completing all remediation works under Condition 4 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>  
The verification report should present all the remediation and monitoring works and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.  
  
Reason: Protection of environmental receptors to ensure the site is suitable for use.
6. Secure and covered cycle parking shall be provided in accordance with Drawing No. 03A published on the Planning Portal on 3<sup>rd</sup> February 2021.  
Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car
7. The development hereby permitted shall operate in accordance with the approved Service Management Plan, published on the Planning Portal on 12th November 2020.  
Reason: In the interests of road safety and the convenience of road users.
8. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority 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



	<p>best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use. Reason: Protection of human health.</p> <p>9. Prior to occupation of the apartments, the noise mitigation measures relating to the development facades, glazing and ventilation systems as recommended in Section 6 of the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021, shall be installed and retained thereafter to ensure that internal noise levels within habitable rooms shall not exceed:</p> <ul style="list-style-type: none"> <li>• 35dB LAeq,16 hr between 07.00hrs and 23.00hrs within any habitable room, if required with the windows closed and alternative means of ventilation provided in accordance with current Building Control Regulations requirements</li> <li>• 30 dB LAeq,8hr within bedrooms between 23.00hrs and 07.00hrs, if required with the windows closed and alternative means of ventilation provided in accordance with current Building Control Regulations requirements.</li> <li>• 45dB LAFmax, by more than 10 single sound events in any proposed bedrooms, if required with the windows closed and alternative means of ventilation provided in accordance with current Building Control Regulations requirements.</li> </ul> <p>Reason: Protection of public health and residential amenity.</p> <p>10. Prior to operation of the retail unit, the noise mitigation measures relating to the party floor/ceiling of the development as recommended in Section 9 of the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021, shall be installed and retained thereafter. Reason: Protection public health and residential amenity</p> <p>11. No deliveries shall be permitted to the retail development between the hours of 23:00 and 07:00hrs on any day. Reason : Protection public health and residential amenity</p> <p>12. No external plant is permitted within the hereby permitted retail development. Reason: Protection public health and residential amenity</p> <p>13. Prior to occupation of the hereby permitted development, a mechanical ventilation system as per the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021. (Section 11 - Odour) shall be installed within the development. Reason: Protection of residential amenity.</p> <p>14. Prior to installation of the mechanical ventilation system as per the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021. (Section 11 - Odour), the location of the air inlet and outlet points shall be depicted on a scaled drawing and submitted to the Planning Authority for approval and shall be agreed in writing. The ventilation inlet and outlet points shall be located as approved. Reason: Protection of residential amenity.</p> <p>15. Notwithstanding the approved plans the brickwork feature header band above the ground floor level should be extended along the Waterford Street elevation for the full extent of the four storey component of the development hereby approved.  Reason: In the interests of visual amenity.</p>
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	<p>16. Prior to commencement of development, sample panels of the external materials to used on the development hereby permitted shall be submitted to and approved in writing by the Council. The development shall be constructed in accordance with the approved details thereafter.</p> <p>Reason: In the interest of visual amenity.</p> <p>17. No development shall commence on site until details of sewerage waste disposal have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul drainage of the site.</p> <p>18. Obscure glazing shall be provided in accordance with the approved plans and permanently retained as such thereafter.</p> <p>Reason: In the interests of residential amenity.</p> <p>Informatives</p> <p>THE POLLUTION CONTROL AND LOCAL GOVERNMENT (NI) ORDER 1978  Due to the proximity of residential properties to the proposed development site, the applicant would be advised of the following good practice documents for noise control during the demolition/construction phase of the development:</p> <ul style="list-style-type: none"> <li>- Belfast City Council's Noise Control Advice Note for Construction and Demolition Sites (available at <a href="http://www.belfastcity.gov.uk/buildingcontrol-environment/noisecontrol/typesofnoise.aspx">http://www.belfastcity.gov.uk/buildingcontrol-environment/noisecontrol/typesofnoise.aspx</a>.) and</li> <li>- British Standard 5228 -1:2009+A1:2014 – Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration</li> </ul> <p>Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is: Belfast North Section Office, 1A Airport Road, Belfast, BT3 9DY. A monetary deposit will be required to cover works on the public road.</p> <p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent roads by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor.</p> <p>All construction plant and materials shall be stored within the curtilage of the site.</p> <p>It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site</p> <p>Separate planning approval should be sought if the retail unit is to be used as a café or hot food unit.</p>



**Notification to Department (if relevant) – N/A**

**Representations from Elected members – None**

## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2020/1974/F	<b>Date of Committee:</b> 18 May 2021
<b>Proposal:</b> Proposed erection of new station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building.	<b>Location:</b> Yorkgate Rail Station, Lands bounded by York Street, Dock Street, Whitla Street and M2 Motorway, Belfast
<b>Referral Route:</b> Transport Infrastructure planning application (not included within scheme of delegation)	
<b>Recommendation:</b> The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application.	
<b>Applicant Name and Address:</b> Translink 3 Milewater Road Belfast BT3 9BG	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast
<b>Executive Summary:</b>  <p>The proposed development is for 'Proposed erection of new station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building'.</p> <p>The proposal relates to the redevelopment of the existing rail station. The railway infrastructure is already in place and the principle of development is considered acceptable.</p> <p>The site is not zoned for a use within BUAP or draft BMAP, however the site forms part of the Carrs Glen Community Greenway and is located adjacent to an arterial route, as designated within dBMAP. The BUAP proposed a Cross Harbour Rail Link, linking Yorkgate Rail Station with the main city railway line, an infrastructure project which has been completed.</p> <p>The SPPS promotes sustainable patterns of development, aims to improve connectivity and facilitate travel by public transport in preference to the private car. It also aims to ensure accessibility for all and promotes the provision of adequate cycling facilities in new developments.</p> <p>In terms of design, the proposed station building is of a high standard, the split-level nature of the building allows for substantial regrading of open space fronting the station which improves general access arrangements while giving the building increased presence. The proposal includes significant improvements to the public realm, including wider footpaths, seating areas, green spaces and improvements to the Whitla Street underpass in the form of upgraded lighting and painting of walls. Furthermore, the proposal includes a community garden, which is welcomed and will result in wider community benefits.</p>	

Additional information has been submitted in relation to contamination, noise, travel, ecology, landscaping, tree impact, flood risk and drainage. No objections have been received from the relevant consultees or any third parties.

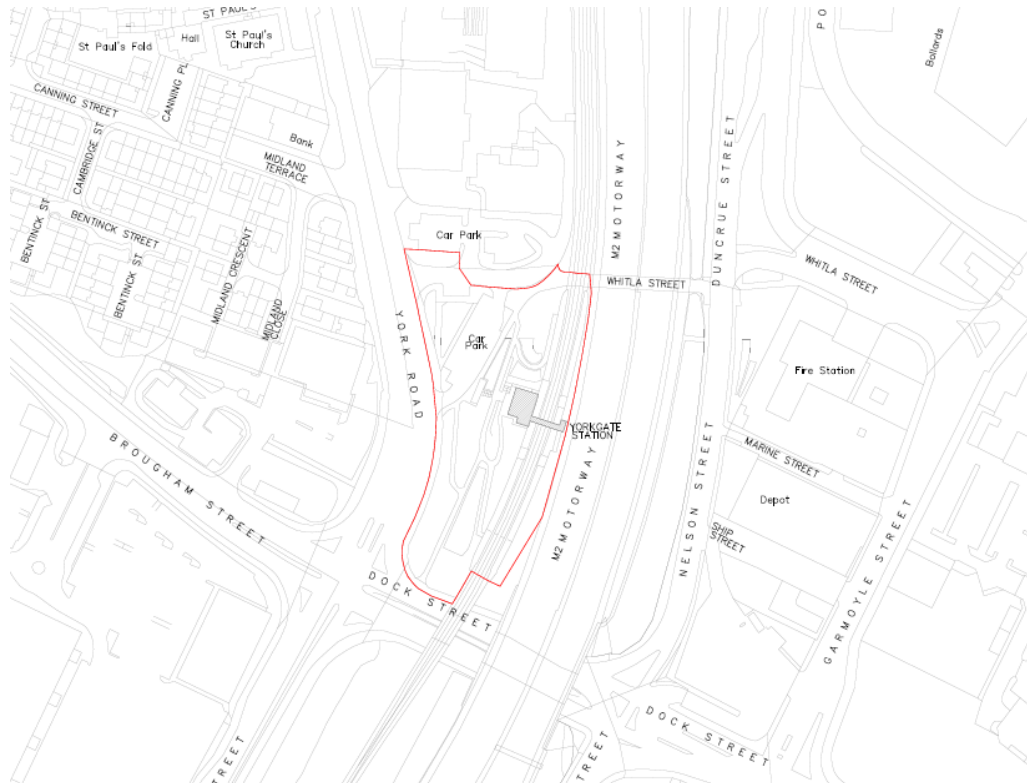
### Recommendation:

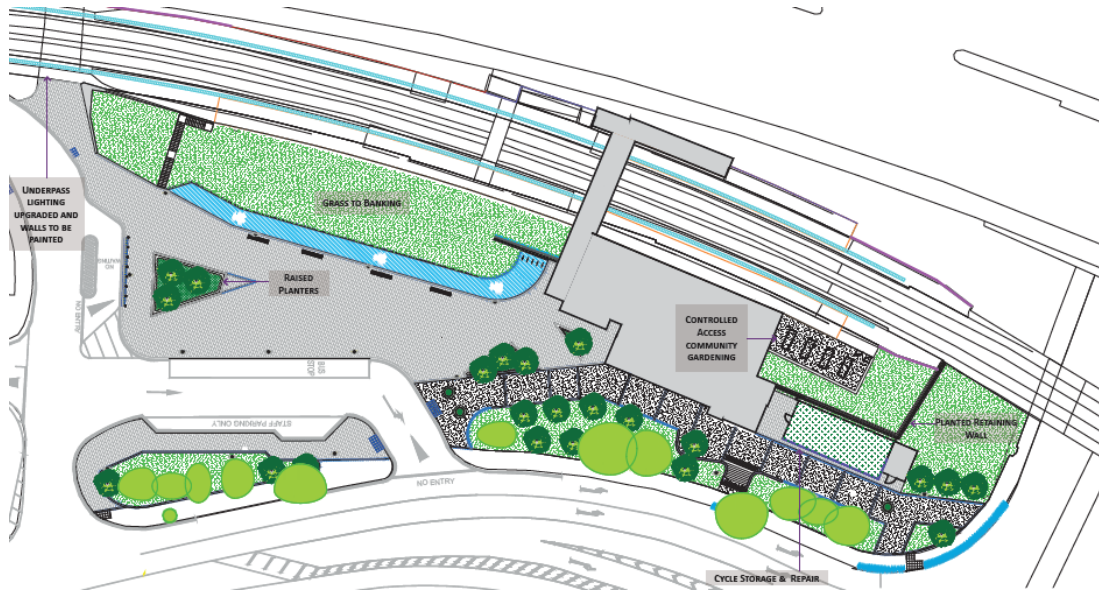
It is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of the conditions.

## Characteristics of the Site and Area

### 1.0 Description of Proposed Development

- 1.1 The proposed development is for the 'Proposed erection of new station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building'.
- 1.2 The new station building is a split-level building, with the lower ground floor providing street access eliminating the need for ramp access and the upper ground floor with concourse, waiting area, access to the platforms and other facilities. The building is proposed to be finished in a mix of materials, including corten steel and zinc cladding, grey facing brick, stone cladding and coloured glass. The proposal includes a bridge link providing access to both platforms.
- 1.3 The proposal includes a reconfiguration of the external layout, with additional pedestrian facilities, cycle parking, landscaping and bus / taxi drop off areas.





## 2.0 Description of Site

- 2.1 The application site covers the extent of Yorkgate Rail Station and is situated on an irregularly shaped site, bounded by York Street, Dock Street, Whitla Street and the M2 Motorway. The site measures approximately 0.9 hectares.
- 2.2 The existing rail station is 2 storeys in height and finished in a mix of red brick and metal cladding. The site slopes significantly from west to east, with existing parking facilities located on the western portion of the site, adjacent to York Street and Whitla Street. The building is located on higher ground to the east, with the two railway lines running along the eastern boundary, parallel to the M2 motorway.
- 2.3 The surrounding context is characterised by a mix of uses and is dominated by transport infrastructure. Commercial uses are located to the north and west of the site, including an Iceland Supermarket, petrol filling station and the large Yorkgate shopping complex to the south west. The rear of residential development at Midland Court is located to the west of the site on the opposite site of York Street. To the east of the site is the M2 Motorway and Belfast Harbour Area.

## Planning Assessment of Policy and other Material Considerations

### 3.0 Site History

3.1	Z/2012/0358/F - New pedestrian staircase built out of the side of existing over-track crossing to lead around station and out to entrance, and second staircase from east platform down bank to path at dock street – Granted 28/9/12
3.2	Z/2010/0600/LDP – Platform Extension – Permitted development.
3.3	Z/1991/2270 - Construction of an elevated railway including a new bridge over the River Lagan (Scheme A). This application is accompanied by an environmental statement as required under Planning (Assessment of Environmental Effects) - Granted
3.4	Z/1991/2271 - Construction of an elevated railway including a new bridge over the River Lagan (Scheme B) The application is accompanied by an environmental statement required under Planning (Assessment of Environmental Effects) - Granted
3.5	Z/1991/2272 - Construction of an elevated railway including a new bridge over the River Lagan (Scheme C) The application is accompanied by an environmental statement required under Planning (Assessment of Environmental Effects) – Granted
3.6	Z/1990/3139 - Railway halt and associated works – Granted
3.7	Z/1990/3143 - Widening of North bound carriageway of motorway. An Environmental statement accompanies this application – Granted
3.8	Z/1990/3158 - Extension of Larne Railway line to Dock Street and construction of new halt at Whitla Street/Dock Street. An Environmental Statement accompanies this application - Granted
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (2004 and 2014) (dBMAP)
4.3	Regional Development Strategy (RDS) Strategic Planning Policy Statement (SPPS) PPS 2 Natural Heritage PPS 3 Access, Movement and Parking PPS 13 Transportation and Land Use PPS 15 Planning and Flood Risk
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection, subject to conditions
5.2	NIEA – No objection, subject to conditions
5.3	NI Water – No objection
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objection, subject to conditions



6.2	Rivers Agency – No objection
6.3	BCC Tree and Landscaping – No objection, subject to conditions
6.4	BCC Transport and Infrastructure – No objection
6.5	BCC City and Regeneration – No objection
<b>7.0</b>	<b>Representations</b>
7.1	No representations have been received in relation to this proposed development.
<b>8.0</b>	<b>Assessment</b>
8.1	<p><u>Development Plan context</u></p> <p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP remaining a material consideration.</p>
8.2	<p>The site is not zoned for a use within BUAP or draft BMAP, however the site forms part of the Carrs Glen Community Greenway and is located adjacent to an arterial route, as designated within dBMAP. The BUAP proposed a Cross Harbour Rail Link, linking Yorkgate Rail Station with the main city railway line, an infrastructure project which has been completed.</p>
8.3	<p><u>SPPS</u></p> <p>The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.</p>
8.4	<p>The SPPS promotes sustainable patterns of development that encourage active travel and aims to improve connectivity and facilitate travel by public transport in preference to the private car. The greater use of sustainable transport will assist in meeting regional targets in relation to greenhouse gas emissions, reducing carbon footprint, slowing climate change and improving air quality.</p>
8.5	<p>The SPPS also aims to ensure accessibility for all, with the needs of people with disabilities and others whose mobility is impaired given particular consideration. It also promotes the provision of adequate cycling facilities in new developments.</p>
8.6	<p><u>Principle of Development</u></p>

	The proposal relates to the redevelopment of the existing rail station. The railway infrastructure is already in place and the principle of development is considered acceptable.
8.7	<p><u>Design and character</u></p> <p>It is considered that the proposed station building is of a high standard of design. The proposed materials are considered acceptable, with the Council's Urban Design Unit (UD) advising that the proposed design results in a pleasant yet contrasting palette that utilises tones that pick up on red brick of surrounding buildings and helps soften and integrate the building into the landscape. It is also noted that the overall height of the proposed building will be lower than that existing, resulting in a less prominent building within the landscape. The split-level nature of the building allows for substantial regrading of open space fronting the station which improves general access arrangements while giving the building increased presence. The proposal includes significant improvements to the public realm, including wider footpaths, seating areas, green spaces and improvements to the Whitla Street underpass in the form of upgraded lighting and painting of walls. Furthermore, the proposal includes a community garden, which is welcomed and will result in wider community benefits.</p>
8.8	<p><u>Access, Movement and Connectivity</u></p> <p>The proposed split-level design of the new station building results in enhanced accessibility, with the removal of existing ramp accesses to the station. The station is now accessed at lower ground level, with lift, stair and escalator access to upper ground floor level where the main facilities are located. The proposed layout also includes enhanced pedestrian facilities.</p>
8.9	79 no. cycle parking spaces are proposed adjacent to the main station building and bus stop and taxi drop off facilities are included, thereby encouraging active travel and sustainable transport modes.
8.10	The proposal also includes improvement works to the Whitla Street underpass to the north of the rail station. This underpass represents a key cycle and pedestrian route linking the station and York street with Duncrue Street and the wider Harbour area. In the event of approval, an appropriate condition should be added to secure these improvement works.
8.11	The proposal results in a reduced standard of car parking at the site, however no objections have been raised by any consultees, as the proposed scheme offers alternative and active transport arrangements. Furthermore, public parking is available in close proximity to the site. The Transport Assessment Form (TAF) advises that these parking spaces have been removed to allow improved public realm and improved access to the station for pedestrians and cyclists.
8.12	It is noted that the submitted TAF does not provide any information on journeys to the site as passenger growth and associated journeys are independent of the development. The TAF advises that passenger growth is led by external factors, for example, the opening of University of Ulster Campus. It is considered the proposed station will be better able to accommodate additional passengers that arise as a result of nearby developments.
8.13	DFI Roads have provided comments on the proposal and offered no objections, subject to conditions.
8.14	<p><u>Impact on trees / Landscaping</u></p>

	<p>The proposed development results in the felling of a number of existing trees within the site. BCC's Tree and Landscaping Officer (TO) has advised that tree retention is always preferred to replacement planting however it is acknowledged that all but one of the trees to be felled are either early mature or semi-mature and therefore easier to replace. Furthermore, many of these trees have been identified as in poor condition. The TO advises that the proposed landscaping will ensure plenty of greening to assist integration. An additional 22 replacement trees are proposed which will contribute to the visual amenity of the proposed site. The TO has offered no objections to the proposal, subject to conditions.</p>
8.15	<p><u>Contamination</u></p> <p>Preliminary and Generic Quantitative Risk Assessments (PRA / GQRA) have been submitted in support of the proposal. NIEA Regulation Unit (RU) and BCC Environmental Health (EHO) have provided comments on the contamination information. The PRA concludes that the site does not pose an unacceptable risk to the water environment and the GQRA indicates that groundwater at the site is not of reduced quality. The Assessment does however identify potential unacceptable risk to human health from carbon dioxide ground gas, with remedial measures proposed to mitigate these risks. EHO identified potential issue with the proposed community garden, however the consultant has provided mitigation measures to negate any impact on the garden area. RU and EHO have confirmed they have no objections to the proposal, subject to conditions.</p>
8.16	<p><u>Amenity (Air Quality, Noise)</u></p> <p>The proposed development lies close to the M1/Westlink Air Quality Management Area (AQMA) where air quality is of concern. No details have been provided on proposed combustion system(s) and associated flues and emission rates. EHO advise that any combustion plant where the single or combined NOx emission rate is more than 5mg/sec could give rise to air quality impacts and have suggested an appropriate negative condition in the event of approval.</p>
8.17	<p>A Noise Impact Assessment (NIA) has been submitted in support of the proposal. EHO have provided comment and welcomed the assessment of associated plant noise in respect of nearby residential properties. EHO have provided a condition in relation to noise in the event of approval.</p>
8.18	<p><u>Sewage infrastructure</u></p> <p>NI Water (NIW) responded to a Pre development Enquiry (PDE) regarding the proposed development in December 2020. The PDE advises that the receiving Waste water treatment facility has sufficient capacity to serve the proposal, however there is no public storm sewer available to serve the proposal. NIW advise that the developer should liaise with Rivers Agency to address this issue. It is considered that this issue can be dealt with by way of a negative condition.</p>
8.19	<p><u>Flooding &amp; Drainage</u></p> <p>Part of the site lies within the 1 in 200-year coastal flood plain, therefore Policy FLD 1 of PPS 15 is applicable to the proposal. The proposal involves the replacement of a building therefore is deemed an exception to the policy. Consequently, a Flood risk assessment (FRA) has been submitted, which DFI Rivers Agency have assessed and do not dispute its conclusions.</p>
8.20	

<p>8.21</p> <p>8.22</p>	<p>A Drainage Assessment (DA) has also been submitted in accordance with Policy FLD 3 of PPS 15. DFI Rivers Agency accept the logic of the DA and advise they have no reason to disagree with its conclusions.</p> <p>Dfi Rivers Agency reservoir inundation maps indicate that part of this site is in a potential area of inundation emanating from Antrim Road Waterworks Upper Reservoir. However, they have advised that Antrim Road Waterworks Upper Reservoir has 'Responsible Reservoir Manager Status'. Consequently, DFI Rivers Agency has no reason to object to the proposal from a reservoir flood risk perspective.</p> <p><u>Ecology</u></p> <p>An Ecology survey report was submitted in support of the proposal. NIEA Natural Environment Division (NED) are content that the ecologist has considered potential impacts on protected / priority species as a result of the proposal. No priority habitats exist within or surrounding the application site. NED note that the structures / vegetation on site offer very limited opportunities for protected / priority species. The ecologist has assessed the existing buildings and associated structures as having negligible bat roosting potential, therefore impacts on bats as a result of the proposal are not considered likely. However, NED advise that should any evidence of bats be discovered during works, then all works must cease and advice sought from the NIEA Wildlife Team on how to proceed. In summary, NED are content with the proposal.</p>
<p>9.0</p> <p>9.1</p>	<p><b>Summary of Recommendation: APPROVAL</b></p> <p>It is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>
<p>10.0</p>	<p><b>Conditions</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The vehicular access, including visibility splays and any associated works to the public road, shall be provided in accordance with Drawing No. 07A, uploaded to the planning portal on 16th March 2021</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> <p>3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted becomes operational 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>

	<p>4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No. 06A, uploaded to the planning portal on 16th March 2021 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.</p> <p>REASON: To ensure adequate provision has been made for parking within the site.</p> <p>5. The development hereby permitted shall not become operational until cycle parking facilities have been provided in accordance with Drawing No. 06A, uploaded to the planning portal on 16th March 2021.</p> <p>REASON: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No. C0778/DCL/YS/XX/DR/C/00014 Revision 001, bearing the Department for Infrastructure Determination date stamp 4th May 2021.</p> <p>REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>7. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>No part of the development hereby permitted shall be occupied until the works necessary for the improvement of the public road have been completed in accordance with the details outlined in blue on drawing No. C0778/DCL/YS/XX/DR/C/00014 Revision 001, bearing the Department for Infrastructure Determination date stamp 4th May 2021. The Department hereby attaches to the determination a requirement under Article 3(4)A of the above Order that such works shall be carried out in Accordance with an agreement under Article 3(4)C.</p> <p>REASON: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.</p> <p>8. All existing trees on the site with the exception of those identified for felling on stamped approved Drawing No. 11A uploaded to the Planning Portal on 16th March 2021, shall be permanently retained. No retained tree shall be cut down, uprooted or destroyed or have its roots disturbed within the root protection area nor shall arboriculture work or tree surgery take place without the written consent of the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>9. If any retained tree is removed, uprooted or destroyed or dies, another tree or trees shall be planted at the same place and that tree shall be of</p>
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such size and species and shall be planted at such time as specified in writing by the Council.

Reason: To ensure the continuity of amenity afforded by existing trees.

10. No equipment, machinery or materials are to be brought on the site for the purpose of the development, including demolition and site clearance, until tree protection measures for any trees to be retained have been put in place in accordance with recommendations in the John Morris Arboricultural Consultancy Arboricultural Impact Assessment and Method Statement ref. 20-145-04\_v2, dated 11 March 2021 uploaded to the Planning Portal on 16th March 2021. These protection measures shall remain in place until the construction works hereby approved are complete and all plant and machinery has been removed from the site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development works to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

11. Any excavation and or construction within the Root Protection Area of any existing tree shall be carried out in accordance with recommendations outlined in John Morris Arboricultural Consultancy Arboricultural Impact Assessment and Method Statement ref. 20-145-04\_v2, dated 11 March 2021 uploaded to the Planning Portal on 16th March 2021.

Reason: To avoid damage to tree roots.

12. No development shall take place until a revised landscaping scheme has been submitted to and approved in writing by the Council. The scheme of planting as finally approved shall be carried out prior to the occupation development hereby approved or before the end of the first planting season after occupation, whatever is sooner, and shall be permanently retained thereafter or unless otherwise agreed in writing by the Council.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. Any new trees or plants that are dead or dying, removed or are seriously damaged within five years of being planted shall be replaced within next planting season with others of a similar size and species, unless the Council gives written consent to any variation.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

14. The development hereby approved shall not be occupied until a long-term landscape management and maintenance plan has been submitted to and agreed by Belfast City Council. Once completed, all soft landscaping shall be managed and maintained in accordance with this plan.

Reason: In the interest of visual amenity.

15. Prior to the operation of the hereby permitted development, the applicant shall provide to and have agreed in writing by the Planning Authority, a Verification Report. This report must demonstrate that the remediation measures outlined in the Pentland Macdonald Generic Quantitative Risk Assessment (GQRA) and Remediation Strategy, Report no :PM20-1006 dated April 2020 and the Pentland MacDonald document ?Additional Contaminated Land Information? document reference number PM20-1006\_Let1 dated 9 November 2020 have been implemented.

The Verification Report shall demonstrate the successful completion of the remediation works and that the site is now fit for end use. It must demonstrate that the identified contaminant-pathway-target linkages as outlined in the Pentland Mac Donald Report are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular the Verification report must demonstrate that:

- Gas protection measures commensurate with Gas Characteristic Situation 2 have been designed and installed in accordance with BS 8485 and their installation has been verified in line with Ciria C735.
- That all raised planters within the controlled community gardening area have been finished with a 0.5m layer of clean imported soil, demonstrably suitable for end use (residential with plant uptake).

Reason: Protection of human health

16. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority 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.

Reason: Protection of human health.

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

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

18. After completing any remediation works required under Condition 17, and prior to operation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk

Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

19. In the event that the hereby permitted development is to include any central combustion plant for heating and/or hot water where the single or combined NOx emission rate is greater than 5mg/sec, full specification details, including emission rates and flue termination heights of the proposed combustion system and if necessary an air quality assessment shall be submitted to and approved in writing by the planning authority. The information submitted must demonstrate that the proposed combustion system will not have a significant adverse air quality impact on human health.

Reason: Protection of human health.

20. The rating level (dBLAr,T) from the operation of all combined plant and equipment should not exceed the existing daytime and night-time background sound level respectively at the nearest sound sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 ?Methods for rating and assessing industrial and commercial sound?.

Reason: Protection of residential amenity

21. Prior to the operation of the hereby approved development, details of the improvement works to the Whitla Street Underpass shall be submitted to and approved by the Council. These approved works shall be implemented and operational within 6 months of the operation of the hereby approved development.

Reason: To improve the environmental quality for end users.

22. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, have been submitted to and approved, in writing, by the Council. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to allow the Council to control the external appearance.

23. No development shall commence on site until details of surface water drainage have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate drainage of the site.



**Notification to Department (if relevant)**

**Representations from Elected members:**

**N/A**

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## Development Management Officer Report Committee Application

Summary	
<b>Application ID:</b> LA04/2020/1726/F	<b>Committee Meeting Date:</b> Tuesday 18 <sup>th</sup> May 2021
<b>Proposal:</b> New 3G pitch in revised position with floodlights, dug outs, turnstiles, 1.2m fence to pitch and associated ground works (previous approved application Z/2013/1485/F). (Amended Plans)	<b>Location:</b> Belfast Celtic FC Glen Road Heights Belfast BT11 8RB
<b>Referral Route:</b> Falls outside Delegated Scheme due to size	
<b>Recommendation:</b>	The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application, subject to conditions.
<b>Applicant Name and Address:</b> Belfast Celtic CIC Non Profit Making Club Glen Road Heights Belfast BT11 8RB	<b>Agent Name and Address:</b> Durnien Surveyors and Project managers 667 Shore Road Newtownabbey BT37 0ST
<p><b>Executive Summary:</b> The application is seeking full planning permission for a new 3G pitch in revised position with floodlights, dug outs, turnstiles, 1.2m fence to pitch and associated ground works (previous approved application Z/2013/1485/F). (Amended Plans).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The principle of a new 3G pitch and floodlighting at this location.</li> <li>• Impact on residential amenity.</li> <li>• Impact on the wider environment including bats.</li> </ul> <p>There is an existing pitch in situ, therefore the use of the land and principle of the development is already established and considered acceptable. The revised position includes re-locating the pitch marginally to the west with floodlights, dug-outs, turnstiles and all other associated ground works.</p> <p>The application site is located outside and abutting the settlement limit of Belfast and within an Area of High Scenic Value. The proposal is assessed against:</p> <ul style="list-style-type: none"> <li>• Planning Policy 2: Natural Heritage</li> <li>• PPS 3: Access, Movement and Parking</li> <li>• PPS 8: Open Space, Sport and Outdoor Recreation</li> <li>• PPS 15 (Revised): Planning and Flood Risk</li> <li>• PPS 21: Sustainable Development in the Countryside</li> </ul> <p>DFI Roads, Environmental Health, Rivers Agency, NI Water, UK Crown Bodies and NIEA have no objections to the proposal, subject to conditions. Environmental Health advised that since the time of the original application, there have been new houses built in the area close to Glen Road Heights and as such sought more information /</p>	

clarification. As a result, the proposal amended the floodlighting reducing the number from 8 to 4 poles with 4 lights on each pole at a height of 18.3m.

No representations were received in the first Neighbour Notification period. The application was re-NN and will expire Monday 24<sup>th</sup> May. A Decision will not be issued until after this date and if any comments are received raising any material planning matters, the application will be brought back to the Planning Committee for re-consideration.

**Recommendation- approval subject to conditions**

Having regard to the policy context and other material considerations, the proposal is considered acceptable and due to compliance with the development plan and policy and taking account of consultation responses approval of planning permission is recommended - Subject to conditions which are included in the report below. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.



<b>1.0</b>	<b>Description of Site and Area</b>
1.1	<p>The application site consists of an existing grass soccer pitch and changing facilities. The site is accessed off the Glen Road and through Glen Road Heights.</p> <p>The surrounding area is predominantly residential with a new housing scheme at Glen Road Heights. The application site is located outside and abutting the settlement limit of Belfast and within an Area of High Scenic Value.</p>
<b>2.0 Description of Proposed Development</b>	
2.1	The application is seeking full planning permission for a new 3G pitch in revised position with floodlights, dug outs, turnstiles, 1.2m fence to pitch and associated ground works (previous approved application Z/2013/1485/F). (Amended Plans)
<b>Planning Assessment</b>	
<b>3.0</b>	<b>Planning History</b>
3.1	<p>Z/2009/1154/F - Playing pitch to the North of 1 Glen Road Heights, Belfast BT11 8HQ - Erection of covered seated stand, additional toilet facilities, disabled access ramp, access steps and fencing. - PERMISSION GRANTED</p> <p>Z/1996/2548 - GLEN ROAD ADJACENT TO TRAVELLERS SITE BELFAST BT11 - Changing pavillion and football pitch - PERMISSION GRANTED</p> <p>Z/2013/1485/F - Sports and Leisure Swifts FC, Glen Road Heights, Belfast BT11 8RB, - New 3G pitch in revised position with floodlights, dug outs, turnstiles, 1.2m fence to pitch and associated ground works - PERMISSION GRANTED</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Belfast Metropolitan Area Plan 2015
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	<p>Planning Policy Statement (PPS) 2 – Natural Heritage</p> <p>Planning Policy Statement (PPS) 3 – Access, Movement and Parking</p> <p>Planning Policy Statement (PPS) 8 – Open Space, Sport and Recreation</p> <p>Planning Policy Statement (PPS) 15 – Planning and Flood Risk</p> <p>Planning Policy Statement (PPS) 21 - Sustainable Development in the Countryside</p>
<b>5.0</b>	<b>Statutory Consultees</b>
	DFI Roads – No Objection
<b>6.0</b>	<b>Non-Statutory Consultees</b>
	<p>Environmental Health – Addition Info Requested</p> <p>Rivers Agency - Addition Info Requested</p> <p>NI Water – No Objections</p> <p>NIEA - Addition Info Requested</p> <p>Environmental Health – No Objections, Subject to Conditions</p> <p>UK Crown Bodies –No Objection</p> <p>Rivers Agency – No Objections, Subject to Conditions</p>
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press and no comments have been received.

	The application was re-NN and will expire Friday 21 <sup>st</sup> May. A Decision will not be issued until after this date and if any comments are received raising any material planning matters, the application will be re-presented to Planning Committee.
<b>8.0</b>	<b>Assessment</b>
8.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The principle of a new 3G pitch and floodlighting at this location.</li> <li>• Impact on residential amenity.</li> <li>• Impact on the wider environment including bats.</li> </ul>
8.2	<p>PPS 21: Sustainable Development in the Countryside</p> <p>The application site is located outside and abutting the settlement limit of Belfast as defined in the Belfast Metropolitan Area Plan 2015 and therefore falls under the definition of countryside as defined in PPS 21: Sustainable Development in the Countryside.</p> <p>Policy CTY 1 states that there is a range of types of development which are acceptable in principle in the countryside and that will contribute to the aims of sustainable development. Under the sub heading of non-residential, one acceptable use is “outdoor sport and recreational uses in accordance with PPS8”.</p>
8.3	<p>PPS 8: Open Space, Sport and Outdoor Recreation</p> <p>The preamble of this document states that PPS8 sets out the policy for the protection of open space, the provision of new areas of open space in association with residential development and the use of land for sport and recreation. Open space is defined as all open space of public value and the range is set out in Annex A of this policy statement. The new 3G pitch would fall under A2 of Annex A-outdoor sport facilities.</p> <p>Given the location of the site, outside the development limit, Policy OS3 Outdoor Recreation in the Countryside is relevant. This policy states that proposals for outdoor recreation use in the countryside will be permitted subject to 8 criteria:</p> <ol style="list-style-type: none"> <li>No adverse impact on features of importance to nature conservation, archaeology or built heritage.</li> <li>No permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities</li> <li>No adverse impact on visual amenity or the character of the local landscape and the development can be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography</li> <li>No unacceptable impact on the amenities of people living nearby</li> <li>Public safety is not prejudiced and the development is compatible with other countryside uses in terms of the nature, scale, extent and frequency or timing of the recreational activities proposed.</li> <li>Any ancillary buildings or structures are designed to a high standard, are of a scale appropriate to the local area and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment</li> <li>The proposed facility takes into account the needs of people with disabilities and is, as far as possible, accessible by means of transport other than the private car; and</li> <li>The road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for access, parking, drainage and waste disposal.</li> </ol> <p>The above criteria were assessed under the previous application, Z/2013/1485/F and were deemed to be compliant with no adverse impact. A key consideration was the already established use as a pitch, the proposed works being considered as minor and</p>

	<p>the requirement for the upgrade including floodlights. This is essential equipment for Belfast Celtic (then Swifts FC) to carry out their activities including training especially during the winter months when daylight is limited.</p> <p>Policy OS 7 is applicable given the inclusion of floodlighting in the proposal. It advises that floodlighting will only be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> <li>(i) there is no unacceptable impact on the amenities of people living nearby;</li> <li>(ii) there is no adverse impact on the visual amenity or character of the locality; and</li> <li>(iii) public safety is not prejudiced.</li> </ul> <p>Again, the above criteria were assessed under the previous application and deemed to be compliant. However, since its approval, there is a change in circumstance with new/additional residential dwellings. Environmental Health requested further information beyond that submitted with the original application. As a result, the floodlighting was reduced. Information submitted on behalf of the applicant, advised that the new scheme combined with the latest LED Lighting technology has now reduced the number of columns to 4.</p> <p>Environmental Health have no objections, subject to conditions.</p>
8.4	<p><b>Natural Heritage</b> PPS 2 Policy NH2 – Species Protected by Law is applicable. The site is located close to habitat where bats are known to forage. The proposal is subject to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) (known as the Habitats Regulations). It was agreed in the original application that the floodlighting would not be operational between the 1st April and 30th September in order to mitigate potential impact on bats.</p> <p>This was discussed with NIEA, and confirmation was received that the Wildlife team are content that this remains suitable mitigation.</p>
8.5	<p><b>Access, Movement and Parking</b> DFI Roads offers no objection to this development proposal. Accordingly, the proposal is acceptable in terms of traffic, parking and access considerations and is also therefore in accordance with the relevant sections of PPS 3.</p>
8.6	<p><b>Planning and Flood Risk</b> In terms of site drainage, Rivers Agency and NI Water were consulted. A Drainage Assessment was requested and submitted in support of the application. The proposal has been assessed against Policy FLD 1, 2, 3, 4 and 5 of revised PPS 15.</p>
9.0	<p><b>Summary of Recommendation – Approval</b> Having regard for the policy context and the considerations above, the proposal is deemed acceptable.</p>
10.0	<p><b>Conditions</b></p>
10.1	<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011</p> <p>2. The development hereby permitted, shall be constructed in accordance with the approved plans.</p>



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

3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

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

4. The development shall not become operational until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

5. Prior to the commencement of any of the approved development on site, a final drainage assessment, compliant with FLD 3 & Annex D of PPS 15, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted to the Planning Authority for its consideration and approval.

Reason: To safeguard against flood risk to the development and from the development to elsewhere.

6. The floodlighting scheme shall be installed as per the Fresh Design drawing titled: 'Existing and proposed layout – REV D – Floodlights' updated Feb 21, Dwg. No. D01; project No.13-29, Client Belfast Celtic FC and as per the lighting specification presented within the Musco Lighting Report dated 17 Feb-21, reference: #209052B.

Reason: Protection of residential amenity

7. Prior to the operation of the approved lighting scheme, an Artificial Obtrusive Light Verification report shall be submitted to the planning authority for review and approval in writing. The report shall demonstrate that the approved lighting scheme has been installed and shall verify that all artificial floodlighting connected with the development has been measured and/or determined and confirmed to be within the vertical illuminance (Lux) levels for Environmental Zone 2 at the windows of habitable rooms of the most sensitive residential properties as stipulated in the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011, as updated in 2020 GN01:2020.

Reason: Protection of residential amenity

8. The flood lights shall not be operational beyond 10pm Monday to Friday; beyond 8pm on a Saturday or beyond 6pm on a Sunday or a public holiday.

Reason: Protection of residential amenity

9. The floodlighting hereby approved shall not be used between the 1st April and 30th September in any given year.

Reason: To minimise the effects of the proposal on bats, a European protected species.

Informatives:

	<ol style="list-style-type: none"><li>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI.</li><li>2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.</li><li>3. The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed on the Planning Portal NI.</li></ol>
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ANNEX	
<b>Date Valid</b>	07.09.2020
<b>Date First Advertised</b>	18.09.2020
<b>Date Last Advertised</b>	N/A
<b>Details of Neighbour Notification (all addresses)</b>	
01,1 Glen Road Heights,Belfast,Antrim,	
10 Glen Road Grove,Belfast,Antrim,BT11 8RU	
10 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
11a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
11 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
11 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
11 Glen Road Rise,Belfast,Antrim,BT11 8SA	
12 Glen Road Grove,Belfast,Antrim,BT11 8RU	
12 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
12 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
12 Glen Road Rise,Belfast,Antrim,BT11 8SA	
13a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
13 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
13 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
13 Glen Road Rise,Belfast,Antrim,BT11 8SA	
147b ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BX	
147c ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BX	
147d ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BX	
147e ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BX	
14 Glen Road Grove,Belfast,Antrim,BT11 8RU	
14 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
14 Glen Road Rise,Belfast,Antrim,BT11 8SA	
15a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
15 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
15 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
15 Glen Road Rise,Belfast,Antrim,BT11 8SA	
16 Glen Road Grove,Belfast,Antrim,BT11 8RU	
16 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
16 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
16 Glen Road Rise,Belfast,Antrim,BT11 8SA	
17a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
17 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ	
17 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
17 Glen Road Rise,Belfast,Antrim,BT11 8SA	

18 Glen Road Grove,Belfast,Antrim,BT11 8RU
1,8 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
18 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
18 Glen Road Rise,Belfast,Antrim,BT11 8SA
191b ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BS
191c ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BS
191d ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BS
191e ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BS
193a ,Glen Road,Andersonstown,Belfast,Antrim,BT11 8BU
193 Glen Road,Andersonstown,Belfast,Antrim,BT11 8BU
19a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
19 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
19 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
19 Glen Road Rise,Belfast,Antrim,BT11 8SA
1a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
1 Glen Road Grove,Belfast,Antrim,BT11 8RU
1 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
1 Glen Road Rise,Belfast,Antrim,BT11 8SA
20 Glen Road Grove,Belfast,Antrim,BT11 8RU
20 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
20 Glen Road Rise,Belfast,Antrim,BT11 8SA
21 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
21 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
21 Glen Road Rise,Belfast,Antrim,BT11 8SA
22 Glen Road Grove,Belfast,Antrim,BT11 8RU
22 Glen Road Rise,Belfast,Antrim,BT11 8SA
23a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
23 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
23 Glen Road Rise,Belfast,Antrim,BT11 8SA
24 Glen Road Rise,Belfast,Antrim,BT11 8SA
25 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
25 Glen Road Rise,Belfast,Antrim,BT11 8SA
26 Glen Road Rise,Belfast,Antrim,BT11 8SA
27 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
27 Glen Road Rise,Belfast,Antrim,BT11 8SA
28 Glen Road Rise,Belfast,Antrim,BT11 8SA
29 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
3 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
3 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
3 Glen Road Rise,Belfast,Antrim,BT11 8SA
40 Glen Road Rise,Belfast,Antrim,BT11 8SA
41 Glen Road Rise,Belfast,Antrim,BT11 8SA
44 Glen Road Rise,Belfast,Antrim,BT11 8SA
4 Glen Road Grove,Belfast,Antrim,BT11 8RU
4 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8HQ
4 Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB
4 Glen Road Rise,Belfast,Antrim,BT11 8SA

5a ,Glen Road Heights,Andersonstown,Belfast,Antrim,BT11 8RB	
5 Glen Road Grove,Belfast,Antrim,BT11 8RU	
<b>Date of Last Neighbour Notification</b>	23.09.2020
<b>InforDate of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 02A 03 04 05A 07 08 09 10 11	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: N/A Response of Department: N/A	

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## Development Management Officer Report Committee Application

Summary	
<b>Application ID:</b> LA04/2020/2258/F	<b>Committee Meeting Date:</b> 18 <sup>th</sup> May 2021
<b>Proposal:</b> Demolition of dwelling and outbuildings and construction of 2no detached two storey dwellings with parking and associated site access and landscaping works.	<b>Location:</b> 9 Cadogan Park Belfast
<b>Referral Route:</b> non-delegated proposal involves total demolition within Conservation Area	
<b>Recommendation:</b> The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application, subject to conditions.	
<b>Applicant Name and Address:</b> Maria Developments Ltd 5 Lougherne Road Hillsborough BT26 6BX	<b>Agent Name and Address:</b>
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for the demolition of the existing dwelling and outbuildings, the erection of two new detached two storey dwellings with subsequent parking and landscaping</p> <p>The key issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>- Acceptability of demolition</li> <li>- Scale, Massing &amp; Design of replacement dwellings</li> <li>- Impact on the Surrounding Character</li> <li>- Impact on the Conservation Area</li> <li>- Impact on Amenity</li> </ul> <p>The site is located within Sub Area D “Cadogan” within the Malone Conservation Area Guide. Sub Area D abuts three other Sub Areas of the Lisburn Road, Malone Road and Marlborough. The Council has received no third-party comments.</p> <p>BCC Conservation and Heritage Team - Offered no objection to the proposal following amendments.</p> <p>BCC Environmental Services - no objection</p> <p>BCC Trees and Landscaping – generally content but raised a concern regarding potential impact on a street tree to facilitate new driveway access. Hand digging and the use of hand tools are to be conditioned.</p> <p>DfI Roads Service no objection</p> <p>NI Water – A PDE is required – a condition is recommended.</p>	

Amended plans received detailing reduction in footprint of dwellings to respect the spatial quality of the existing character of the conservation area and additional landscaping information was also received.

The demolition of the existing property is considered to be acceptable; the Conservation Officer has expressed the opinion that the building is of little merit and does not make a positive contribution therefore its removal is acceptable. With regards to Section 104(11) and development in Conservation Areas the proposal will preserve the character area.

The proposed design, scale and massing is reflective of the wider context of the conservation area, reflecting traditional design and materials and whilst the plot is sub divided there are similar size plots in the area and of the same configuration.

**Recommendation**

It is considered that the proposed development complies with the tests of the legislation, Development Plan and retained planning policy, in particular those set out in PPS6 and the Malone Conservation Guide therefore, the recommendation is to approve, subject to conditions. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.



Site Location Plan





Characteristics of the Site and Area	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	Planning permission is sought for the demolition of dwelling and outbuildings and construction of 2no detached two storey dwellings with parking and associated site access and landscaping works.
<b>2.0</b>	<b>Description of Site.</b>
2.1	The site currently contains a large single storey dwelling that fills the full width of the plot. The plot is a basic rectangle shape defined by mature vegetation. The topography is relatively flat with a gentle slope from front to back. The site is located within Sub Area D "Cadogan" within the Malone Conservation Area Guide. Sub Area D abuts three other Sub Areas of the Lisburn Road, Malone Road and Marlborough. The Sub Area also abuts the Adelaide Park Conservation Area.
2.2	The general character of the Sub Area is of domestic scale rectangular plots laid in a linear formation with properties dating from the Edwardian period through to the 1930s. The landscaping and boundary treatment and the spatial quality between the dwellings all contribute to the existing character. The site and the surrounding properties follow the character for the conservation area.
Planning Assessment of Policy and other Material Considerations	
<b>3.0</b>	<b>Planning History</b>
3.1	Previous permissions for small scale extensions to the dwelling approved in the 1980s Z/2005/2547/F
3.2	

	Planning permission granted for neighbouring dwelling @ no.7 for “Demolition of existing dwelling and erection of pair of semi-detached dwellings and associated site works including a new boundary wall along the eastern boundary”.
<b>4.0</b>	<b>Policy Framework</b>
4.1	<p><u>Planning policy framework and guidance included:</u> Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2004 &amp; 2015</p> <p>Following the Court of Appeal decision on BMAP, the extant development plan is now the BUAP. 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.</p> <p>SPPS for Northern Ireland Planning for a Sustainable Environment Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 6: Planning Archaeology and the Built Heritage Planning Policy Statement 7: Quality Residential Environments Addendum to PPS 7: Safeguarding the Character of Established Residential Areas DCAN 8 Housing in Existing Urban Areas Creating Places Malone Conservation Area Guide</p>
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	<p>DfI Road Service - no objection NI Water - no objection - applicant to clarify water/sewage requirements with NIW</p>
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
	<p>BCC Conservation Area team - no objection following amendments to scheme BCC Tree/Landscape team – concerns regarding impact on street trees BCC Environmental Health - no objection</p>
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. No third-party representations have been received.
<b>8.0</b>	<b>Other Material Considerations</b>
	Malone Conservation Area Guide
<b>9.0</b>	<b>Assessment</b>
9.1	<p><u>The key issues to be considered are:</u></p> <ul style="list-style-type: none"> <li>- Principle of Development</li> <li>- Acceptability of demolition</li> <li>- Design, Layout, scale and Massing</li> <li>- Impact conservation area</li> <li>- Impact on neighbouring amenity</li> <li>- Acceptable provision of amenity</li> <li>- Parking/traffic Issues</li> <li>- Environmental issues</li> <li>- Water &amp; sewage</li> </ul>
9.2	<u>Principle of development:</u>

	<p>The site is located within the established settlement limits for the city within the extant and draft area plans, therefore there is a presumption in favour of development. The site is designated with the Malone Conservation area thus elevating the level of management surrounding the design and other issues of development within the conservation area. The SPPS advises that planning permission ought to be granted for sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance, it also echoes the requirements of PPS 6 that the development should not harm the existing character and where possible should enhance the existing character.</p>
9.3	<p>With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of.</p> <p>(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise.</p> <p>(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise</p>
9.4	<p>The SPPS states that in managing development within a designated Conservation Area the guiding principal is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist</p>
9.5	<p>Par. 6.19 of the SPPS sets out the criteria which should be applied when determining such development.</p>
9.6	<p><u>Demolition:</u></p> <p>The demolition of the existing property is considered to be acceptable; the Conservation Officer has expressed the opinion that the building is of little merit and does not contribute to the surrounding character therefore its removal is acceptable.</p>
9.7	<p><u>Design, Layout, scale and Massing</u></p> <p>The design of the proposed dwellings draws upon traditional construction styling and materials within the conservation area the use of red brick and render within the wall construction and the use of natural slate to the roofs mirrors much of what is found in the conservation area. The use of painted timber windows and doors is in keeping with traditional building methods and materials. Other design features such as solid to void ratios and roof heights and chimney stacks are reflective of neighbouring properties. The layout, following amendments, is reflective of the surrounding area with clear definition between the proposed properties and also with neighbouring properties that allows an appreciation of gable depths and views to the rear lands that contributes to the spatial quality of the conservation area. The scale and massing of the proposed dwellings are quite different from the existing single storey dwelling on site and that also at no.7. However, the proposed designed scale and massing is reflective of the wider context of the conservation area.</p>
9.8	<p><u>Impact on existing conservation character and trees/landscaping:</u></p> <p>The proposal is for two detached dwellings in the confines of a large plot within the Malone conservation area. The plot currently houses one large single storey bungalow and outbuildings that stretches the full width of the site. The proposal in its original form was considered unacceptable by the conservation team due to insufficient separation distances between the proposed dwellings and the neighbouring dwelling. The plans were amended to take account of the comments from the conservation team. Following consideration of amendments, the additional comments from the conservation team indicate that the proposal in its present form is acceptable.</p>

	<p>Given the comments from the conservation team it is considered that the proposed dwellings will make a positive contribution to the existing area and is therefore an acceptable form of development.</p>
9.9	<p>The tree and landscape officer is generally content with the proposal and its impact on trees and the additional planting to be done as part of the overall development. The officer did require an immature birch tree to be retained that is annotated on plans to be removed. The location of the tree, if retained, will be to a narrow side path to the new dwelling, as such, it is considered that it will only come into conflict with the proposed dwelling as it grows and is likely to have root damage from the excavations required for the development. It is also considered that the amenity value offered by the tree will be lost when the proposed dwelling is erected with the tree being sandwiched between the proposed dwelling and the dwelling at no.11.</p>
9.10	<p>The officer also spoke of concerns regarding street trees that could be affected by the development of an additional vehicular access point. The submitted information shows that the existing kerb is to be dropped by 25mm (from 75mm to 50mm). The officer was concerned that this may cause damage to the root structure of the street trees. It is considered unlikely that significant construction digging methods would need deploying to reduce the kerb and footpath height by 25mm. Therefore, it is unlikely that the dropping of the kerb and making good the footpath would cause significant damage to the root structure of the street trees; a planning condition requiring the use of hand tools only would suffice to protect the tree root structure.</p>
9.11	<p><u>Impact on neighbouring amenity:</u> In terms of overlooking there is no significant issues that cannot be overcome with the inclusion of planning conditions. The proposed dwellings have a traditional outlook that mimics the surrounding area with windows to the front a rear elevation allowing views onto the Cadogan Park and over the rear garden. The proposal is also designed for each of the houses to have first and second floor windows to the gables. To one side of each dwelling a first-floor master bedroom and a guest bedroom have secondary windows the first and second floor windows to the opposite side serves bathrooms. It is considered that the inclusion of a planning condition requiring the master and guest bedroom secondary windows to be fitted with obscure glazing and retained thereafter would be sufficient to prevent any unacceptable loss of privacy. The proposed bathrooms, by convention, are normally fitted with obscure glazing therefore no need to be conditioned.</p>
9.12	<p>The orientation, direction of sun travel and the separation distances between the site and the neighbouring dwelling will prevent any significant loss of daylight or over shadowing. It is considered that the proposal will not result in significant harm to the amenity of neighbouring properties.</p>
9.13	<p><u>Amenity provision within the sites:</u> The proposed dwellings respect the existing building line thus ensuring that the amenity area to the front of each dwelling is on a par with neighbouring properties. The rear amenity provision is circa 180sqm and is compatible with the surrounding area and more than the figure of 70sqm to be founded in planning guidance Creating Places.</p>
9.14	<p><u>Parking/traffic provision:</u> DfI Roads Service was consulted on the proposal and after consideration of the proposal offered no objection. The amenity to the front of the proposed dwelling is compatible with the surrounding area therefore the incutillage parking space is of a similar quality.</p>
9.15	<p><u>Environmental issues:</u></p>

<p>9.16</p> <p>9.17</p>	<p>BCC Environment Health Service was consulted on the proposal having requested and receiving a contaminated land report offered no objection to the proposal. It is therefore considered that there is no significant environmental issue associated with the development.</p> <p><u>Water/Sewage issues:</u> NI Water was consulted on the proposal and as for other development within the south Belfast area has advised that there is a potential for the network to be overpowered by new developments. It is for the applicant to enter a Pre-Development Enquiry with NIW to resolve any outstanding water/sewage issues. A condition is recommended to ensure the dwellings will be adequately served.</p> <p><u>Conclusion:</u> It is considered that the proposal is acceptable the demolition will not result in the loss of a building that contributes to the surrounding character. The design of the proposed dwellings will also not detract from the surrounding character, drawing as it does, upon design characteristics from the surrounding built environment. Impacts on neighbouring amenity is limited and not significant, the inclusion of a planning condition can control any perceived concerns regarding overlooking from the gable windows at first and second floor levels. There are no outstanding parking or environmental issues impacting on the proposal. It is for the developer and NIW to overcome the issue around sewage capacity. Regarding impact on street trees it is considered that the works can be completed without a significant impact on the root structure of the trees with appropriate planning condition.</p>
<p>10.0</p> <p>10.1</p>	<p><b>Summary of Recommendation: Approval Subject to Conditions</b></p> <p>Having regard for the policy context and the considerations above, the proposal is deemed on balance, acceptable.</p> <p>Summary of Recommendation: Approval</p>
<p>11.0</p>	<p><b>Conditions and Informatives</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p> <p>3. The vehicular accesses shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</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> <p>4. The first and second floor gable windows to the master and guest bedrooms, as annotated in, hereby approved, drawings</p>

19001-101-02, 19001-102-02, 19001-201-02 & 19001-202-02 published to the Planning Portal 26th March 2021 shall be fitted with obscure glazing and permanently retained thereafter.

Reason: to protect the privacy/amenity of neighbouring properties.

5. The dropping of the kerb stones and reduction in footpath level to facilitate the formation of the new vehicular access shall be carried out by hand digging.

Reason: to prevent unnecessary harm to the root structure of the nearby street trees.

6. All hard and soft landscaping shall be in accordance with, hereby approved, drawing L102 uploaded to the planning portal 26th March 2021. The landscaping, to each dwelling, shall be completed within six months of the dwelling being occupied

Reason: to ensure an acceptable level of landscaping is provided that will contribute to the existing high level of landscaping within the conservation area.

7. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

8. No development shall commence on site until details of sewerage waste disposal have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate foul drainage of the site

**Informative:**

1. The developer is strongly advised to consider all consultees comments prior to commencing this proposal. All relevant comments from Consultees can be viewed on the planning portal NI quoting application reference number.





ANNEX	
<b>Date Valid</b>	13 <sup>th</sup> January 2021
<b>Date First Advertised</b>	29 <sup>th</sup> January 2021
<b>Date Last Advertised</b>	
<b>Elected representative Interest:</b> None  <b>Neighbours notified &amp; Advertised:</b> 8 Neighbours	
<b>Date of Last Neighbour Notification</b>	30 <sup>th</sup> September 2020
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 – Site Location Plan 02 – Block Plan 03 – Existing Plans 04 – Existing & Proposed Elevations 05 – Proposed Plans	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: N/A Response of Department:	

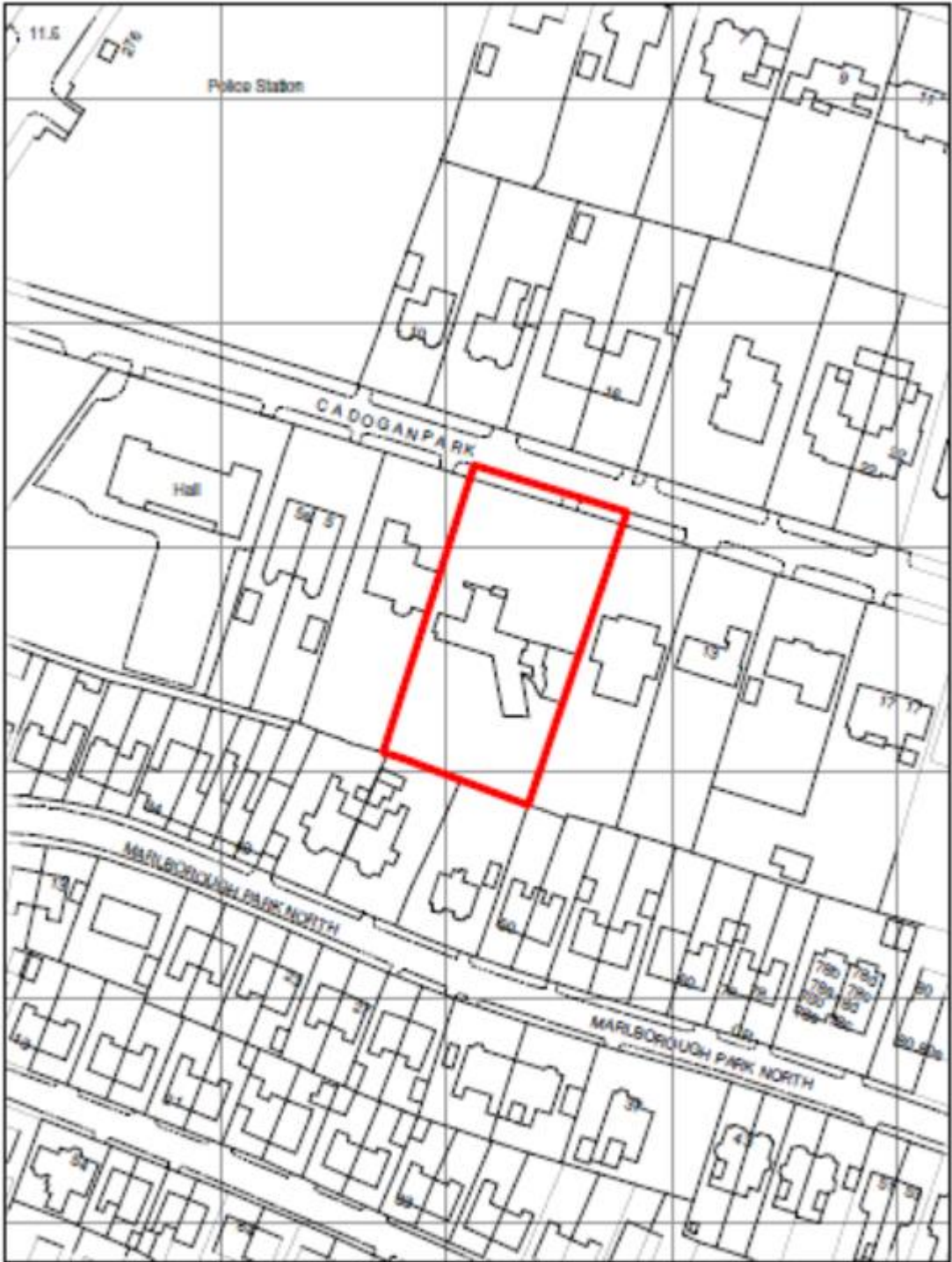
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## Committee Application

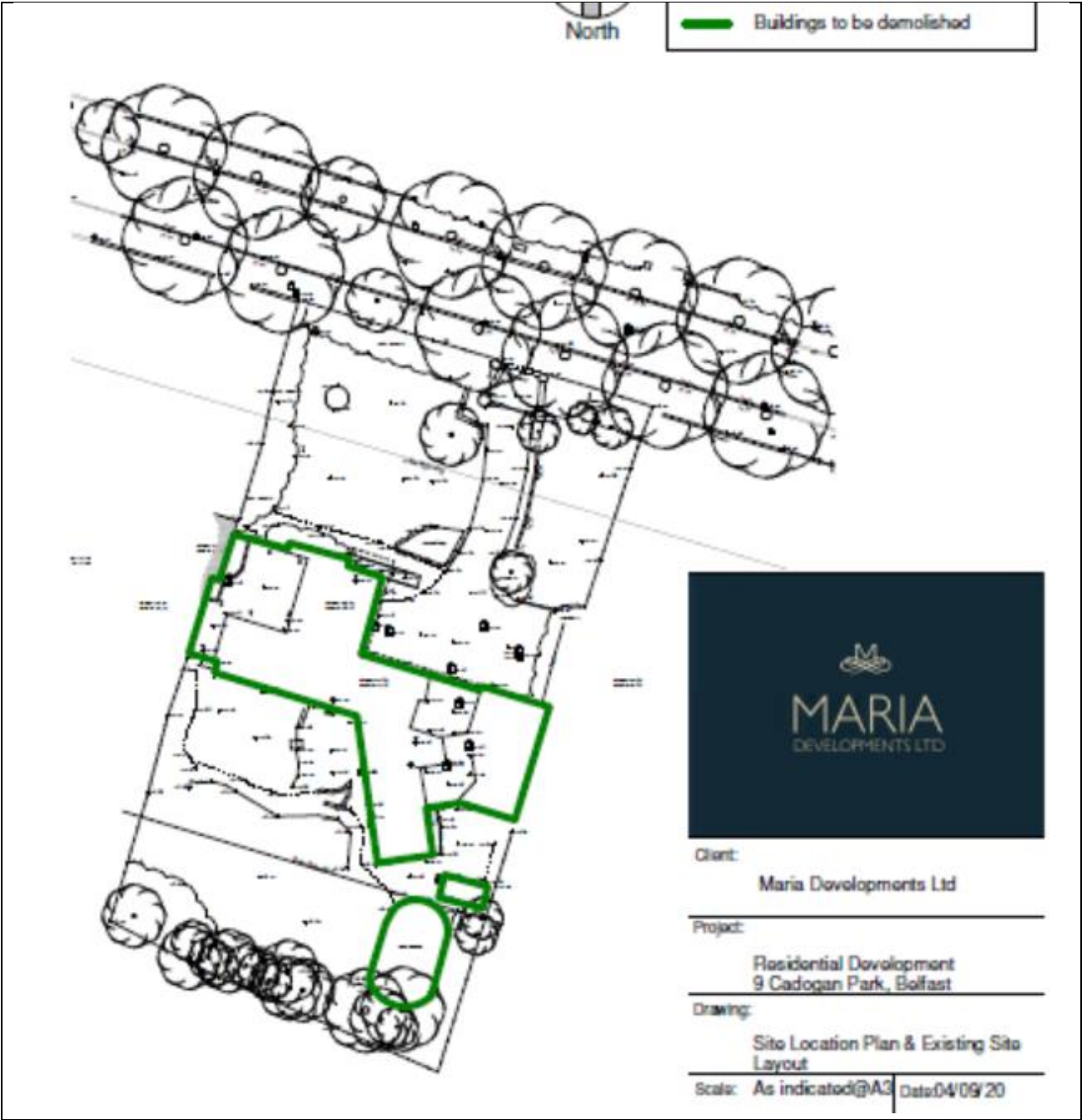
<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2020/2257/DCA	<b>Date of Committee:</b> 18 <sup>th</sup> May 2021
<b>Proposal:</b> Demolition of dwelling and outbuildings	<b>Location:</b> 9 Cadogan Park Malone Lower Belfast BT9 6HG.
<b>Referral Route:</b> Full demolition of main building within the conservation area	
<b>Recommendation:</b>	The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application.
<b>Applicant Name and Address:</b> Maria Developments Ltd 5 Lougherne Road Hillsborough BT26 6BX	<b>Agent Name and Address:</b>
<p><b>Executive Summary:</b>            This application seeks conservation area consent for full demolition of the existing dwelling and outbuildings at 9 Cadogan Park, Belfast.</p> <p>The main issue to be considered in this case is:</p> <ul style="list-style-type: none"> <li>• The acceptability of demolition in the Conservation Area</li> </ul> <p>The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. A satisfactory replacement scheme has been proposed under application LA04/2020/2258/F that is considered to enhance the character and appearance of Malone Conservation Area. On this basis, demolition is considered acceptable in accordance with Policy BH14 of PPS6, paragraphs 6.18 - 6.19 of the SPPS, Malone Conservation Area Design Guide and Section 104 (11) of the Planning Act (Northern Ireland) 2011.</p> <p>The BCC Conservation Officer was consulted and has no objection to the loss of the building and is content following amendments with the replacement scheme of two detached dwellings.</p> <p>No representations received.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal is approved.</p> <p><b>Recommendation – Approved subject to conditions</b></p> <p>It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to grant conditional planning permission and to finalise the wording of conditions.</p>	

Case Officer Report

Site Location Plan



1 Site Location Plan  
1:1250



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> This application seeks conservation area consent for the full demolition of the existing dwelling and outbuildings.  There is a corresponding planning application for the replacement scheme under reference LA04/2020/2258/F.
<b>2.0</b>	<b>Description of Site and Area</b> The site comprises of a single storey detached dwelling finished in render. To the front of the site there is driveway and garden enclosed by a boundary planting and fencing. To the rear is a large rear garden bounded by timber fencing and planting. The surrounding area comprises of a mix of residential, Church uses.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> LA04/2020/2258/F – associated full application for demolition of existing dwelling and erection of 2no. two storey detached dwellings with
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015  Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which 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.
	Draft BMAP 2004
	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)
	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 6: Planning, Archaeology and the Built Environment
4.6	Section 104 (11) of the Planning Act (Northern Ireland) 2011
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	None
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Conservation Officer – No objection to the loss of the building, an acceptable replacement scheme has been submitted and considered by Officers to be acceptable complying with policies BH12 and BH14
<b>7.0</b>	<b>Representations</b>
7.1	The application was advertised in the local press on the 20 <sup>th</sup> Nov. 2020.  No representations received.

<b>8.0</b>	<b>Other Material Considerations</b>
8.1	Malone Conservation Area Design Guide
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: - The acceptability of demolition in the Conservation Area
9.3	<u>The acceptability of demolition in the Conservation Area</u> The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. It appears to be a late 1960s early 1970s single storey dwelling with outbuildings attached which is not in keeping with the character of buildings upon which the Conservation Area is based mostly two and two and a half storey buildings built between 1903 and 1939.
9.4	A satisfactory replacement scheme has been proposed under application LA04/2020/2258/F which is considered to enhance the character and appearance of Malone Conservation Area, the assessment of which is addressed in detail in the development management officer report for that application.
9.5	To conclude, it is considered that demolition is justified in accordance with Policy BH14 of PPS6, paragraphs 6.18 - 6.19 of the SPPS, Malone Conservation Area Design Guide and Section 104 (11) of the Planning Act (Northern Ireland) 2011.
<b>10.0</b>	<b>Summary of Recommendation:</b> Having regard to the development plan, relevant policy context and other material considerations, the proposal is considered acceptable. It is requested that the Planning Committee delegates authority to the Director of Planning and Building Control to grant conditional conservation area consent and to finalise the wording of conditions.
<b>11.0</b>	<b>Conditions</b>  1. This consent is granted subject to the implementation of the satisfactory replacement scheme as approved under planning application ref. LA04/2020/2258/F.  Reason: To ensure the implementation of a satisfactory replacement scheme in the interests of Malone Conservation Area.

**Notification to Department (if relevant):** N/A

**Representations from Elected members:** N/A

**Details of Neighbour Notification (all addresses)** N/A

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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Committee Application	
Development Management Report	
<b>Application ID:</b> LA04/2021/0636/F	<b>Date of Committee:</b> Tuesday 18 <sup>th</sup> May 2021
<b>Proposal:</b> Single and two storey extension to rear with alterations to side elevations.	<b>Location:</b> 25 Ravenhill Park Belfast BT6 0DE
<b>Referral Route:</b> Those made by Council staff at senior management grade (PO12) or above and all staff in Place and Economy Department and Legal Services, under Section 3.8.3 of the Scheme of Delegation.	
<b>Recommendation:</b> The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application, subject to conditions.	
<b>Applicant Name and Address:</b> Michael and Katharine Browne 25 Ravenhill Park Belfast BT6 0DE	<b>Agent Name and Address:</b> Conor McKenna 16 Loughbeg Park Carryduff BT8 8PE
<p><b>Executive Summary:</b> Planning Permission is sought for a single and two storey extension to the rear of the existing dwelling with alterations to the side elevations.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The effect on character and appearance</li> <li>• The design of the proposal</li> <li>• The impact on amenity</li> <li>• The impact on the Ravenhill Park Area of Townscape Character.</li> </ul> <p>The proposed extension will not adversely impact the character and appearance of the surrounding area. It is considered to be sympathetic in its built form, scale, massing and appearance with the existing property and with surrounding neighbouring properties.</p> <p>It is considered that the proposal will not raise any issues in relation to residential amenity including overshadowing, loss of light, dominance and overlooking.</p> <p>There is sufficient space remaining within the curtilage of the property for domestic purposes including a garden area, parking and the manoeuvring of vehicles and storage of bins.</p> <p><b>Recommendation- approval subject to conditions</b> Having regard to the policy context and third-party objection, the proposal is considered, on balance, to be acceptable and planning permission is recommended for approval. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to approve the application, subject to conditions.</p>	

## Case Officer Report

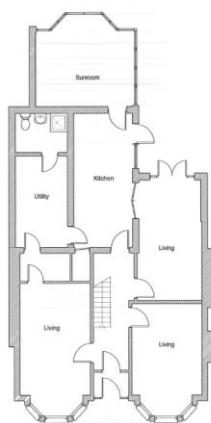
### Site Location Plan:



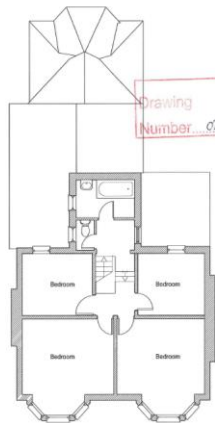
Site Visit: 23.04.2021

### Existing Floor Plans

### Proposed Floor Plans



Existing Ground Floor Plan  
Scale 1:100



Existing First Floor Plan  
Scale 1:100



Proposed Ground Floor Plan  
Scale 1:100



Proposed First Floor Plan  
Scale 1:100

## Committee Application

Characteristics of the Site and Area	
<b>1.0</b>	<b>Description of Proposed Development</b> The application is seeking full planning permission for a single and two storey extension to the rear of the property with alterations to the side elevations.
<b>2.0</b>	<b>Description of Site</b> The application site is located at 25 Ravenhill Park in South East Belfast and is comprised of a detached dwelling, finished in red brick with a render finish to the rear. The dwelling is double fronted with two storey bay windows on either side of the entrance. The site benefits from paved amenity space to the front of the dwelling allowing for in-curtilage parking and grassed amenity space to the rear.  The surrounding area is predominantly residential with detached dwellings, finished in a mix of brick and render. The site falls within the Ravenhill Park Area of Townscape Character (ATC).
Planning Assessment of Policy and other Material Considerations	
<b>3.0</b>	<b>Site History</b> None
<b>3.1</b>	<b>Surrounding Site History</b> Z/2010/1529/F - 27 Ravenhill Park, Ballynafoy, Belfast, BT6 0DE, - Erection of two storey rear extension and single storey garden store. - PERMISSION GRANTED
<b>4.0</b>	<b>Policy Framework</b>
<b>4.1</b>	Belfast Urban Area Plan
<b>4.2</b>	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. 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.
<b>4.3</b>	Strategic Planning Policy Statement for Northern Ireland (SPPS)
<b>4.4</b>	Addendum to Planning Policy Statement 7: Residential Extensions and Alterations
<b>4.5</b>	Addendum to Planning Policy Statement 6: Areas of Townscape Character
<b>5.0</b>	<b>Statutory Consultees Responses</b> None
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b> None

<b>7.0</b>	<b>Representations</b> The application has been neighbour notified and advertised in the local press and no comments have been received.
<b>8.0</b>	<b>Other Material Considerations</b> None
<b>8.1</b>	<b>Any other supplementary guidance</b> None
<b>9.0</b>	<b>Assessment</b>
<b>9.1</b>	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The effect on character and appearance</li> <li>• The design of the proposal</li> <li>• The impact on amenity</li> <li>• The impact on the Ravenhill Park Area of Townscape Character.</li> </ul> <p>It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> <p><b>Character and Appearance</b></p> <p>The proposed extension will not adversely impact the character and appearance of the surrounding area as it will not be visible from the wider area and is considered to be sympathetic with the built form and appearance of the existing property. The scale of the proposal is considered to be in keeping with the existing dwelling on site and with surrounding neighbouring properties. The proposal will not extend beyond the existing conservatory. The roof pitch of the extension is set below the ridge line of the existing dwelling. Single and two storey extensions are commonplace within the surrounding area. The proposal will not become an overly dominant addition to the dwelling and will not detract from the character or appearance of the surrounding area.</p> <p><b>Design</b></p> <p>The quality of the design and finish of the proposal is considered to be compliant with the addendum to PPS7 Policy EXT1 in that the scale, massing and design are sympathetic with the built form and appearance of the existing dwelling and will not detract from the appearance and character of the surrounding area. The external walls will be finished in render, given the mix of materials in the area and the host dwelling, this is considered to be acceptable.</p> <p>The proposal is considered to comply with Policy EXT 1 of the addendum to PPS7 as the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing dwelling and the surrounding area.</p> <p><b>Impact on amenity</b></p> <p>The proposal is considered to be in accordance with Policy EXT1 of the addendum to PPS7 in that the proposal will not unduly affect the privacy or amenity of neighbouring residents.</p> <p>It is considered that the proposal will not raise any issues in relation to overshadowing, loss of light and/or dominance. The dwellings on either side of the application site extend sufficiently to the rear. The dwellings are detached sites with south facing rear gardens.</p>

	<p>In terms of overlooking, the openings at ground floor will be screened by the boundary treatments and those on the rear elevation will overlook the amenity space of the site. There will be two windows at first floor on the side elevations which will serve a bathroom and hallway which will overlook blank gable walls. It is considered that the proposal will not result in direct or intrusive overlooking.</p> <p>There is sufficient space remaining within the curtilage of the property for recreational and domestic purposes including parking and the manoeuvring of vehicles.</p> <p><b>Impact on the Ravenhill Park Area of Townscape Character</b></p> <p>In processing planning applications within ATCs, the key consideration is to ensure that development proposals respect the appearance and qualities of each townscape area and maintain or enhance their distinctive character. The proposed development remains in-keeping with the existing building and therefore would not negatively impact upon the character of the Ravenhill Road ATC, complying with Policy ATC 2 of the addendum to PPS6.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
<b>11.0</b>	<p><b><u>Conditions</u></b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</li> </ol> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> <li>2. The development hereby permitted, shall be constructed in accordance with the approved plans.</li> </ol> <p>Reason: In the interests of the character and appearance of the area</p> <p><b><u>Informative</u></b></p> <ol style="list-style-type: none"> <li>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 23/03/2021 Drawing Nos 01, 04, 05</li> </ol>
<b>Notification to Department (if relevant)</b> N/A	
<b>Representations from Elected members:</b> N/A	

ANNEX	
<b>Valid</b>	16.03.2021
<b>Date First Advertised</b>	02.04.2021
<b>Date Last Advertised</b>	N/A
<b>Details of Neighbour Notification</b> (all addresses) 01.04.2021  23 Ravenhill Park,Belfast,Down,BT6 0DE 26 Ravenhill Park,Belfast,Down,BT6 0DE 27 Ravenhill Park,Belfast,Down,BT6 0DE 28 Ravenhill Park,Belfast,Down,BT6 0DE 30 Ravenhill Park,Belfast,Down,BT6 0DE Bethlehem Nursery School,516 Ravenhill Road,Belfast,Down,BT6 0BW St Michaels Primary School,514 Ravenhill Road,Belfast,Down,BT6 0BW	
<b>Date of Last Neighbour Notification</b>	01.04.2021
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 Site Location Plan 02 Existing Floor Plans 03 Existing Elevations 04 Proposed Floor Plans 05 Proposed Elevations	
<b>Notification to Department (if relevant) – N/A</b> Date of Notification to Department: n/a Response of Department: n/a	
<b>Elected Representatives:</b> N/A	



## Committee Application

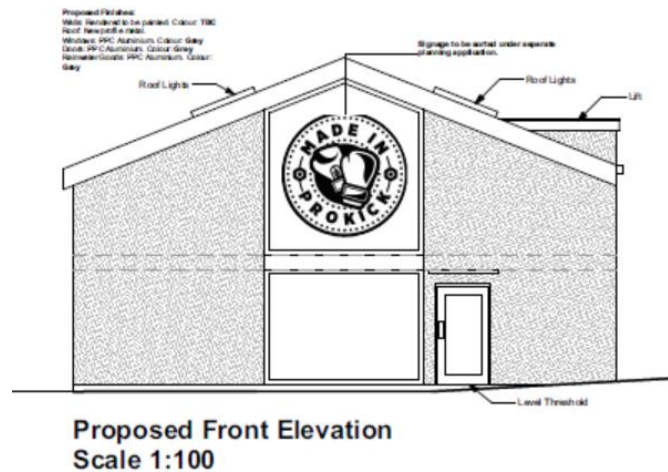
Development Management Report	
<b>Committee Date:</b> Tuesday 18th May 2021	<b>Application ID:</b> LA04/2020/1697/F
<b>Proposal:</b> Change of use from existing warehouse to martial arts boxing club & gym with elevation changes	<b>Location:</b> 2-6 Laburnum Street Belfast BT5 5BD
<b>Referral Route:</b> The Council is providing funding for the proposal As per Scheme of Delegation 3.8.5 (d)	
<b>Recommendation:</b> The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application, subject to conditions.	
<b>Applicant Name and Address:</b> Prokick Gym Wilgar Street Belfast BT4 3BL	<b>Agent Name and Address:</b> Michael Herron Architects 2nd Floor Corner House 64-66a Main Street Coalisland
<b>Executive Summary</b> <p>The application seeks full planning permission for a change of use from an existing warehouse to a martial arts boxing club and gym with elevation changes also proposed. The gym and boxing club will occupy two floors, with the ground floor providing the main gym, changing facilities, ancillary office and a store. The first floor provides space for two large boxing rings and a matted gym area.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Impact on the character and appearance of the area</li> <li>• Impact on Area of Townscape Character</li> <li>• Impact on amenity</li> <li>• Access and Parking</li> <li>• Road safety</li> </ul> <p>The application was neighbour notified and advertised in the local press. One letter of representation was received. The letter stated it did not object to the proposal but raised an issue with existing parking in close proximity to their property.</p> <p>BCC Environmental Health Services were consulted and are content with the proposal subject to conditions and an informative being attached to the decision regarding the transmission of potential noise.</p> <p>DfI Roads were also consulted and offered no objection subject to conditions being attached to the decision notice regarding the provision of cycle parking and implementation of a Travel Plan.</p> <p>The proposal has been assessed against and is considered to comply with the BUAP, Draft BMAP, PPS3, PPS4, PPS6 Addendum and the SPPS. Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal is approved.</p>	

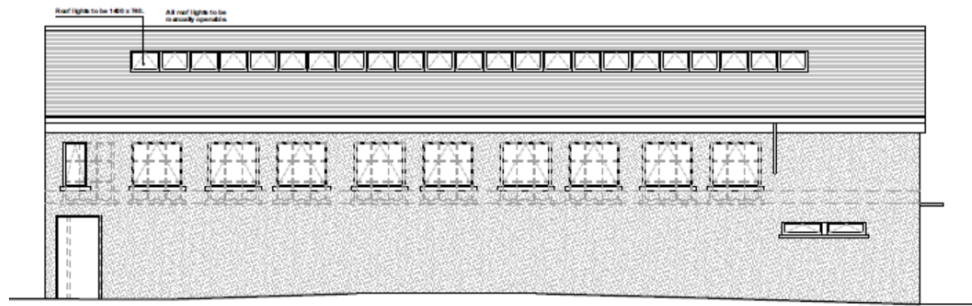
**Recommendation:**

It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to approve the application and to finalise conditions.

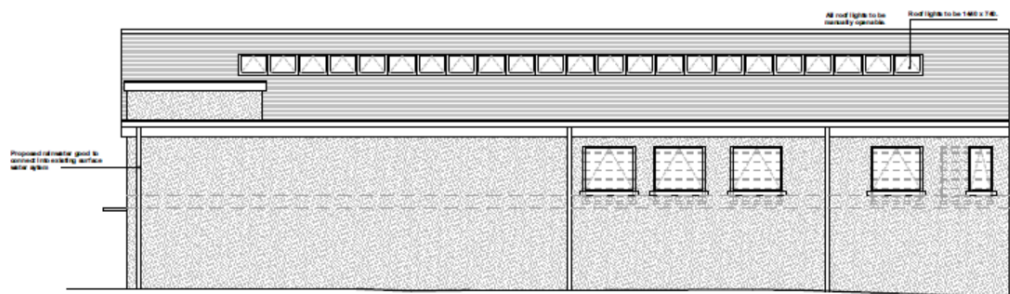
## Case Officer Report

### Site Location Plan:

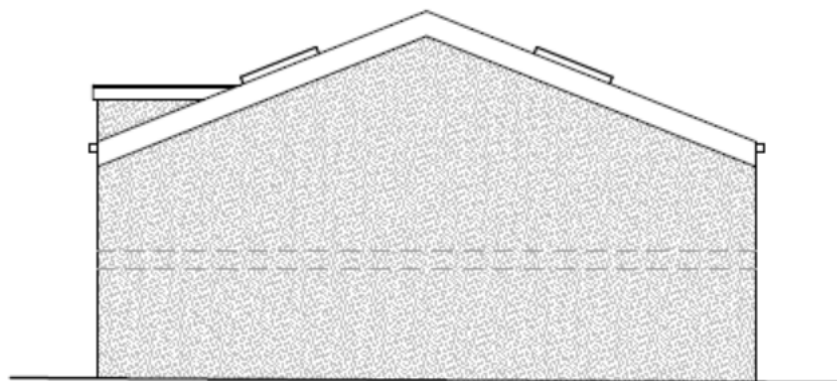




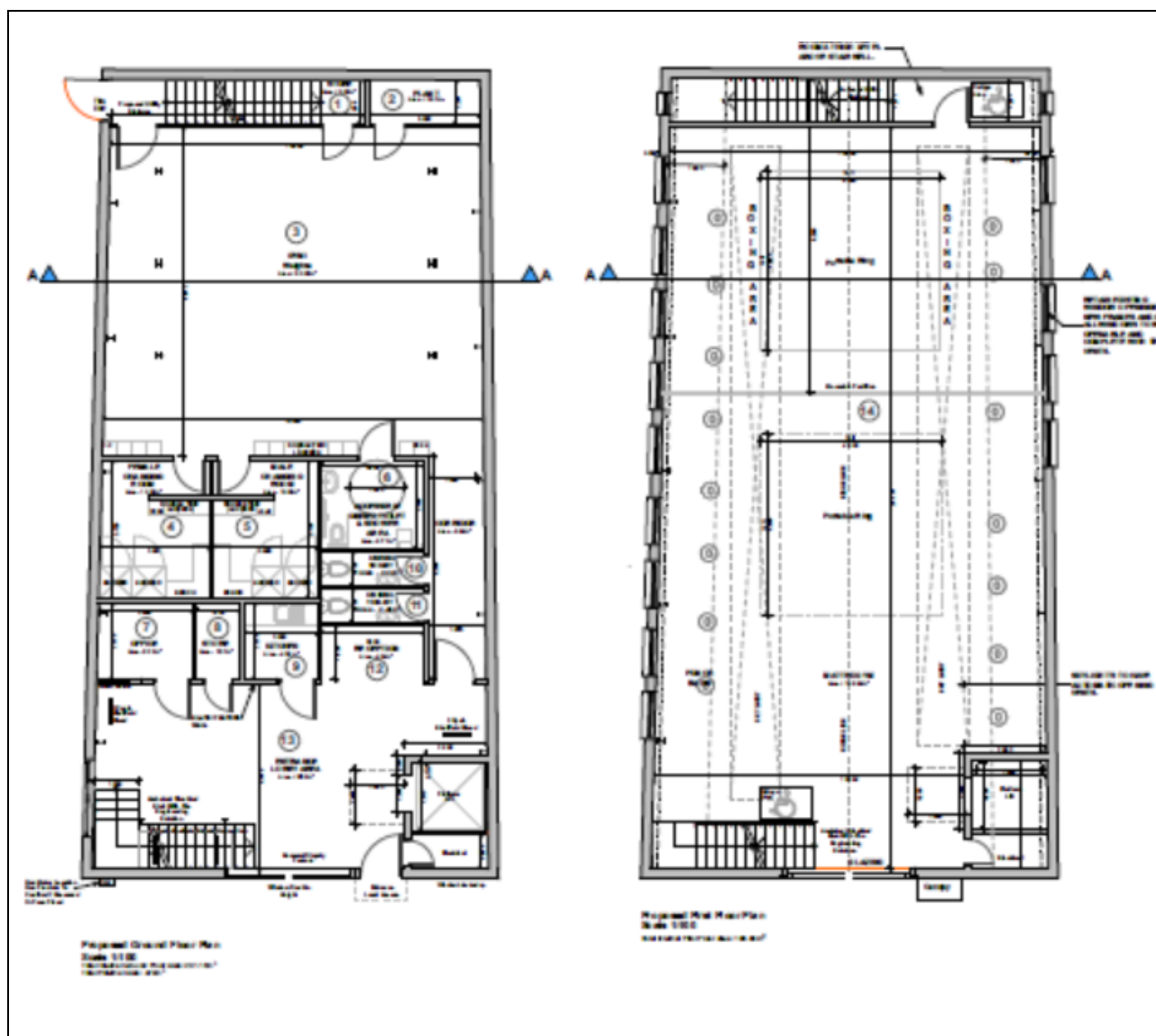
**Proposed Side Elevation**  
**Scale 1:100**



**Proposed Side Elevation**  
**Scale 1:100**



**Proposed Rear Elevation**  
**Scale 1:100**



Characteristics of the Site and Area	
1.0	<b>Description of Proposed Development</b>
1.1	The proposal is a change of use from a warehouse to a martial arts boxing club & gym with elevation changes which falls under a Sui Generis as per the Planning (Use Classes) Order (Northern Ireland) 2015. The gym is located on two floors and consists of a main gym area and separate boxing area on the first floor.
1.2	The unit is accessed via the existing door to the unit which has a floor space of approx. 440sqm over the two floors. The buildings are accessible via a main vehicular entrance from Bloomfield Avenue. The front elevation to the unit has a large roller shutter and a pedestrian entrance door, the roller shutter will be replaced with double new access doors.
2.0	<b>Description of Site and Area</b>
2.1	The site is an existing two storey warehouse unit finished in red brick with a large roller shutter door on the front elevation. The site is located within a turning head to the rear of a number of properties with a number of on street car parking spaces. The surrounding area is primarily residential, however there is also a car washing and valeting service located to the rear of the site, as well as several hot food takeaways located in close proximity to the site.

<b>Planning Assessment of Policy and Other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	Z/2007/1984/F 2-6 Laburnum Street, Bloomfield Avenue, Belfast, BT5 5PP Erection of 4 apartments in two storey building PERMISSION GRANTED
<b>4.0</b>	<b>Policy Framework</b>
4.1	<p>Belfast Urban Area Plan (BUAP) 2001</p> <p>Draft Belfast Metropolitan Area Plan (dBMAP) 2015</p> <p>(Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. 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.)</p> <p>Strategic Planning Policy Statement</p> <p>Planning Policy Statement 3 (Parking, Access and Movement)</p> <p>Planning Policy Statement 4 (Planning and Economic Development)</p> <p>Addendum to Planning Policy Statement 6 (Areas of Townscape Character)</p>
<b>5.0</b>	<b>Statutory Consultees</b>
5.1	DFI Roads – Offered no objection to the proposal subject to conditions being attached to the decision relating to the provision of cycle parking and implementation of a Travel Plan.
<b>6.0</b>	<b>Non Statutory Consultees</b>
6.1	Environmental Health – No objection subject to conditions being placed on the decision relating to the transmission of potential noise.
<b>7.0</b>	<b>Representations</b>
7.1	The application was neighbour notified on the 15th September 2020 and advertised in the local press on the 18 <sup>th</sup> September 2020. One letter of representation was received. The letter stated it was not an objection to the proposed change of use but raised concerns about existing cars in the area parking in close proximity to their property. DFI Roads have been consulted on the proposal and are content with parking provision in the surrounding area.
<b>8.0</b>	<b>Assessment</b>
8.1	<p><u>Area Plans</u></p> <p>The site is within a housing action area within the development limits of the BUAP. The site is located within the development limits of the draft Belfast Metropolitan Area Plan, however is not zoned for any particular use. The site is located within the Ravenscroft Area of Townscape Character. The proposal relates to a change of use of an existing warehouse unit therefore the principle of development is considered acceptable subject to the planning considerations detailed below.</p>
8.2	<p><u>SPPS</u></p> <p>The SPPS requires development to cause no demonstrable harm to interests of acknowledged importance. Interests of acknowledged importance in this case are the</p>

	surrounding character of the area; impact on neighbouring amenity, and impact on access and parking
8.3	It is considered the proposal is in compliance with the relevant Core Planning Principals of supporting good design and positive place making and improving health and well-being. The proposed development will provide a safe and secure environment for residents in the local community, while providing a quality space for indoor recreation, therefore is compliant with paragraphs 4.3-4.10 of SPPS.
8.4	It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
8.5	<u>Planning History</u> A previous application under reference Z/2007/1984/F was previously approved on the site for a two-storey building of 4no apartments. This planning approval was never implemented
8.6	<u>Proposal</u> The proposal is a change of use from a warehouse to a martial arts boxing club & gym with elevation changes which falls under a Sui Generis as per the Planning (Use Classes) Order (Northern Ireland) 2015. The gym is located on two floors and consists of a main gym area and separate boxing area on the first floor. The gym is accessed via the new front entrance doors to the unit which has a floor space of approx. 440sqm over the two floors. The buildings are accessible via a main vehicular entrance from Bloomfield Avenue.
8.7	<u>Design and Impact on the character and appearance of the area</u> The external alterations proposed as part of the change of use are minor and will not impact the overall design of the building therefore the proposal is not considered to impact on the appearance of the area. It is considered the scale of the proposal and the proposed use of a martial arts boxing club is acceptable.
8.8	<u>Amenity</u> Environmental Health were consulted and considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations and offered no objection to the proposal subject to conditions being attached to the decision notice relating to noise.
8.9	The proposal complies with the criteria within the SPPS and Policy PED 9 within PPS 4 which details general economic development criteria of use when assessing proposals of a sui generis nature. The proposal is not considered to cause significant noise or disturbance and is considered compatible with the surrounding land uses in the area.
8.10	<u>Impact upon the Area of Townscape Character</u> The proposal is within the Ravenscroft Avenue Area of Townscape Character. It is considered that the proposed changes to the external elevations will not impact on the ATC. The proposal will maintain the character and appearance of the ATC and policy ATC 2 of the Addendum has been met.
8.11	<u>Traffic, Roads and Parking</u> The unit is well served by public transport and in an easily accessible location given its position next to the main Newtownards Road. DFI Roads were consulted and had

<p>8.12</p> <p>8.13</p>	<p>no objections once further information was submitted regarding the provision for car parking in the wider area, provision of cycle parking within the ground floor of the gym unit and a proposed travel plan to be operated by the management to encourage modes of transport other than the private car. The proposal is compliant with PPS 3.</p> <p>Taking the above into consideration the proposal is considered to be an acceptable form of development at this location and all relevant consultees are content.</p> <p><u>Conclusion</u> Having regard to the policy context and other material considerations above, the proposal is considered to comply with the Area Plan, SPPS, PPS3 and PPS4. Planning permission is recommended subject to conditions.</p>
<p><b>9.0</b></p> <p>9.1</p>	<p><b>Summary of Recommendation – Approval</b> It is recommended that planning permission is granted subject to conditions with delegated power given to the Strategic Director of Place and Economy to finalise conditions.</p>
<p><b>10.0</b></p>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.  Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</li> <li>2. The hereby permitted gym shall only be operational during the following hours: Monday to Sunday between 07:00hrs-23:00hrs  Reason: Protection of residential amenity</li> <li>3. The Facade Composite Sound Reduction as detailed in section 3.3 of KRM consultancy, Noise Assessment, Location: 2-6 Laburnum Street Belfast BT5 5DB Entitles: Change of use from existing warehouse to martial arts boxing club &amp; gym with elevation changes, Ref: LA04/2020/1697/F Dated 15 February 2019 must be incorporated and retained thereafter.  Reason: Protection of residential amenity.</li> <li>4. Windows of buildings shall be kept shut at all times when the hereby approved gym is in operation.  Reason: Protection of residential amenity.</li> <li>5. Doubled tiled rubber matting with a depth of 30mm or material of a similar nature must be installed within the weightlifting area/benches and retained thereafter.  Reason: Protection of residential amenity</li> <li>6. Cycle parking shall be provided in accordance with drawing 02B, published on the Planning Portal 23<sup>rd</sup> April 2021.  Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</li> </ol>



	<p>7. The Travel Plan, published on the Planning Portal 23<sup>rd</sup> April 2021, shall be implemented on completion of the development.</p> <p>Reason – To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> <p>8. The development hereby permitted shall not be occupied until the redundant vehicular access (the existing radius kerbs/footway at the front of the building) from the site to the public road has been permanently closed and the footway reinstated to the satisfaction of DfI Roads.</p> <p>Reason: In order to minimise the number of access points onto the public road in the interests of road safety and the convenience of road users.</p> <p>Informatives</p> <ol style="list-style-type: none"> <li>1. The applicant is advised to ensure that all new plant and equipment used in connection with the proposed development is so situated, operated and maintained as to prevent the transmission of noise to nearby properties/premises.</li> <li>2. Any installed speakers for background music should not be placed close to or towards any windows.</li> </ol>
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ANNEX	
<b>Valid</b>	26.08.2020
<b>Date First Advertised</b>	18.09.2020
<b>Date Last Advertised</b>	N/A
<b>Details of Neighbour Notification (all addresses)</b>  15/09/2020  Details of Neighbour Notification (all addresses) 22a ,Laburnum Lane,Belfast,Down,BT5 5AZ  10 - 12 Laburnum Court,Belfast,Down,BT5 5PP  2 Ravenscroft Street,Belfast,Down,BT5 5BE  2-6 ,Laburnum Street,Belfast,Down,BT5 5BD  22 Bloomfield Avenue,Belfast,Down,BT5 5AD  22a ,Bloomfield Avenue,Belfast,Down,BT5 5AD  22b ,Laburnum Lane,Belfast,Down,BT5 5AZ  24 Bloomfield Avenue,Belfast,Down,BT5 5AD  24 Laburnum Lane,Belfast,Down,BT5 5AZ  26 Bloomfield Avenue,Belfast,Down,BT5 5AD  28 Bloomfield Avenue,Belfast,Down,BT5 5AD  30 Bloomfield Avenue,Belfast,Down,BT5 5AD  32 Bloomfield Avenue,Belfast,Down,BT5 5AD  395 Newtownards Road,Belfast,Down,BT4 1AQ  4 Ravenscroft Street,Belfast,Down,BT5 5BE  419-421 ,Newtownards Road,Belfast,Down,BT4 1AQ  423-425 ,Newtownards Road,Belfast,Down,BT4 1AT  427-429 ,Newtownards Road,Belfast,Down,BT4 1HJ  6 Ravenscroft Street,Belfast,Down,BT5 5BE  7 Laburnum Lane,Belfast,Down,BT5 5AZ  9 Laburnum Court,Belfast,Down,BT5 5PP	

<b>Date of Last Neighbour Notification</b>	15/09/2020
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 – Site Location Plan 02B – Site Plan, Existing and Proposed Plans and Elevations	
<b>Notification to Department (if relevant) – N/A</b> Date of Notification to Department: Response of Department:	
<b>Elected Representatives:</b> N/A	

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<b>Subject:</b>	Listing of various structures
<b>Date:</b>	Tuesday, 18 <sup>th</sup> May 2021
<b>Reporting Officer:</b>	Keith Sutherland, Ext 3578
<b>Contact Officer:</b>	Dermot O'Kane, Ext 2293

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	Correspondence has been received from the Historic Environment Division (HED) regarding the proposed listing of 1 no. boundary post and 2 no. electrical service pillars in Belfast.
1.2	Article 80 (3) of the Planning Act (NI) 2011 requires the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.
1.3	<p>The Department based on the completion of detailed surveys, is currently considering the listing the following structures and has requested the Council's comments in relation to:</p> <p>1 no. boundary post at:</p> <ul style="list-style-type: none"> <li>Shandon Park Golf Club, Knock Road, Belfast</li> </ul> <p>2 no. electrical service pillars at;</p> <ul style="list-style-type: none"> <li>South end of Linenhall Street, Belfast</li> <li>East end of Wellington Park, Belfast</li> </ul>
<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Committee is requested to:</p> <ul style="list-style-type: none"> <li>Note the contents of Appendix 1; and</li> <li>Support the proposed listing of 1 no. boundary post and 2 no. electrical service pillars, as detailed in paragraphs 3.5 of this report.</li> </ul>

3.0	<b>Main report</b>
3.1	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974.
3.2	<p>In considering whether to include a building as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider:</p> <ul style="list-style-type: none"> <li>• any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and</li> <li>• the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.</li> </ul>
3.3	<p>The structures being considered are considered by HED to fall within the definition of the word 'building';</p> <p><i>"Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (Northern Ireland) 2011: "(7) In this Act "listed building" means a building which is for the time being included in a list compiled under this section.</i></p> <p><i>"Building" is defined in section 250(1) (interpretation) of the Planning Act (Northern Ireland) 2011. The term "building" <b>includes any structure or erection</b>, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;</i></p> <p><i>Under section 80 Lists of buildings of special architectural or historic interest</i>  <i>80 — (1) The Department—</i>  <i>(a) shall compile lists of <b>buildings (which means structure/erection)</b> of special architectural or historic interest; and</i>  <i>(b) may amend any list so compiled.</i></p>
3.4	Should the Department for Communities decide to list a structure, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.
3.5	The summaries set out in Appendix 1 for the proposed listings are taken from the evaluation in the consultation report and details the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed Buildings in Northern Ireland under the ongoing work as part of the Second Survey.
3.6	<p><u>Financial &amp; Resource Implications</u> None</p>
3.7	<p><u>Equality or Good Relations Implications</u> None</p>
4.0	<b>Appendices – Documents Attached</b>
	<b>APPENDIX 1: Structure Evaluations</b>

## APPENDIX 1: Structure Evaluations

### Background

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

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

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

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

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

*(b) may amend any list so compiled.*

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

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

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

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

## Boundary Post at Shandon Park Golf Club, Knock Road, Belfast

HB26/11/018

### Evaluation

A cast-iron marker post dated 1918, unaltered and in its original setting. Displaying an ornamental capping and inscribed plaque and also a shield on its obverse face as well as on its front. Marking the outer extent of the administrative jurisdiction of the former Belfast Corporation and of Pottinger District Electoral Division. It is of historical significance as a remnant of the first election in Britain and Ireland when nearly everyone (bar women under 30) had the right to vote. It also marks a short-lived period in the province's political development up to the formation of Northern Ireland and the Stormont administration in 1922. It is relatively rare as many of these posts have succumbed to road widening and random removal. It has group value with three nearby boundary posts also along the line of the Knock River (HB26/11/009, /010 and /011).

Proposed NIEA listing – **B2**

Extent of proposed listing – **Boundary Post**

Image:





## Electrical service pillar at the South end of Linenhall Street, Belfast

HB26/30/116

### Evaluation

Freestanding, cast-iron electrical 'service' or 'section pillar' sited at the edge of a pavement, which is likely to have housed electrical components relating to Belfast's former tram (and later, trolleybus) network. Broadly Classical in styling and probably dating to 1905, it is thought to be one of only one of two such pillars to have survived and quite possibly one of the very few remaining structures associated with Belfast's tramways. It is largely intact externally and, aside from its rarity, remains attractive piece of early 20th century street furniture in its own right.

Proposed NIEA listing – **B2**

Extent of proposed listing – **Pillar**

### Image:



## Electrical service pillar at the East end of Wellington Park, Belfast

HB26/28/170

### Evaluation

Small, freestanding cast-iron electrical 'service' or 'section pillar' sited at the edge of a pavement, which is likely to have housed electrical components relating to Belfast's former tram (and later, trolleybus) network. Broadly Classical in styling and dating to 1905 or slightly later, it is thought to be one of only one of two such pillars to have survived and quite possibly one of the very few remaining structures associated with Belfast's tramways. It is largely intact externally and aside from its rarity, remains attractive piece of early 20th century street furniture in its own right.

Proposed NIEA listing – **B2**

Extent of proposed listing – **Pillar**

Image:



**Note:**

Listed buildings in Northern Ireland are divided into four categories:

**Grade A**

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

**Grade B+**

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

**Grade B1 and B2**

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

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