

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



**Belfast  
City Council**

8th June, 2021

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

Dear Alderman/Councillor,

The Members of the Planning Committee will meet remotely, via Microsoft Teams, on Tuesday, 15th June, 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 - 14)
- (c) Declarations of Interest

### **2. Committee Site Visit (Pages 15 - 16)**

### **3. Planning Appeals Notified (Pages 17 - 18)**

### **4. Planning Decisions Issued (Pages 19 - 46)**

### **5. Vesting Orders**

### **6. Planning Applications**

- (a) (Reconsidered 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. (Pages 47 - 70)

- (b) (Reconsidered item ) 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 71 - 92)
- (c) (Reconsidered Item) LA04/2020/1803/F - Change of use to House of Multiple Occupancy at 60 Springfield Road (Pages 93 - 104)
- (d) LA04/2020/1211/F - Mixed use regeneration scheme involving demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to and subdivision of existing supermarket building to form 4. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses, road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained) at No 46 Montgomery Road (former Hughes Christensen site) and between nos 44 and 46 Montgomery Road and no 41 Montgomery Road (Lidl)
- (e) LA04/2020/2071/F - Demolition of existing buildings and structures; and construction of 57 no. apartments with associated landscaping and car parking at 41-49 Tate's Avenue Belfast
- (f) LA04/2020/1158/F - Demolition of existing building and erection of 65No Apartments including 20% social housing at 1-5 Redcar Street (Pages 105 - 124)
- (g) LA04/2020/1593/F - Refurbishment works to existing park, comprising: revised accesses from Jamaica Road and Old Park Road; extension of existing 3G pitch; refurbishment of existing flood lighting; a replacement 405m2 GFA changing pavilion incorporating community facilities and a shelter for up to 101 spectators; new MUGA; new multi-use community event space; new street furniture, outdoor gym equipment and park lighting; new inclusive/multi-age playground; new 2.4m boundary fencing; rationalisation of existing path network including resurfacing; new SUDS pond/wetland wildlife area; landscape interventions including planting, woodland management, entrance improvements and all associated works at Marrowbone Millennium Park, Oldpark Road (Pages 125 - 146)
- (h) LA04/2020/0847/F & LA04/2020/1208/DCA - Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden at 25-29 University Road (Pages 147 - 172)
- (i) LA04/2020/0991/F - 3m high retaining wall and associated works at Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite nos 27-29 Colinglen Road and accessed off Colinglen Road (Retrospective) (Pages 173 - 178)
- (j) LA04/2020/2637/F - Single storey, stand-alone multi-purpose building and associated site works at Cregagh Primary School, Mount Merrion Drive (Pages 179 - 188)

- (k) LA04/2021/0696/F - Development of 'Active Travel Hub', which includes the installation of a 9m x 2.5m shipping container, with modifications to accommodate an internal bike store, and a small office on hard standing adjacent to the car park and entrance to Whiterock Leisure Centre (Pages 189 - 194)
- (l) LA04/2021/0718/A - Mounted sign on face of a shipping container at Whiterock Leisure Centre (Pages 195 - 200)
- (m) LA04/2021/0735/F - Extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play on 8-83 Adelaide Street (Pages 201 - 208)
- (n) LA04/2021/0544/F - Installation of 6 projector units to create an interactive lighting installation along the hoarding of Brunswick Street on 5-11 Brunswick Street (Pages 209 - 218)
- (o) LA04/2021/0394/F - Floodlights (10m high) and ancillary equipment. Installation of scoreboard & water sprinkler system, replacement paths & fittings around bowling green at Balmoral Bowling Club (Pages 219 - 228)

7. **Miscellaneous**

- (a) Planning Performance Report 2020 - 21 and Improvement Plan

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## Planning Committee

Tuesday, 18th May, 2021

### MEETING OF THE MEMBERS OF THE 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 and O'Hara.
- In attendance: Mr. A. Reid, Strategic Director of Place and  
Economy;  
Mr. E. Baker, Planning Manager  
(Development Management);  
Ms. N. Largey, Divisional Solicitor;  
Ms. C. Donnelly, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

#### **Apologies**

An apology for inability to attend the meeting was reported from Councillor Nicholl.

#### **Minutes**

The minutes of the meeting of 20th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th May, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

#### **Declarations of Interest**

No declarations of interest were recorded.

#### **Planning Appeals Notified**

The Members 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 Members noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning decisions which had been issued by the Planning Department between 8th April and 8th May.

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**Miscellaneous Items**

**Advance Notice of Listings**

The Members were advised that correspondence had been received from the Historic Environment Division (HED) regarding the proposed listing of a boundary post and 2 electrical service pillars in Belfast. The Principal Planning Officer outlined that Article 80 (3) of the Planning Act (NI) 2011 required that the HED would consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

HED had requested the Council's comments in relation to the listing of:

- 2 electrical service pillars at:
  - South end of Linenhall Street; and
  - East end of Wellington Park; and
- 1 boundary post at Shandon Park Golf Club, Knock Road, Belfast

The Members of the Committee agreed to recommend to the Chief Executive that, in accordance with the Council decision of 4th May 2021, they supported the proposed listing of the boundary post and the two electrical service pillars, as detailed above.

**Planning Applications**

**THE MEMBERS OF THE PLANNING COMMITTEE CONSIDERED THE FOLLOWING  
ITEMS IN ORDER TO MAKE RECOMMENDATIONS TO THE CHIEF EXECUTIVE  
IN PURSUANCE OF THE POWERS DELEGATED TO HER BY THE COUNCIL  
ON 4TH MAY, 2021**

**Withdrawn Items**

The Members noted that the following applications had been withdrawn from the agenda:

- **LA04/2020/2280/F** - Mixed use development comprising 1no. ground floor retail unit and 13no. apartments at 93-95 Falls Road; and
- **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

**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**

Moved by Councillor Hussey,  
Seconded by Councillor McCullough,

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That, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, exercises her delegated authority to defer consideration of the application and that Members of the Planning Committee undertake a site visit in order to acquaint themselves with the location and the proposals at first hand.

On a vote, nine members voted for the proposal, three against and one no vote and it was declared carried.

**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**

The Members were provided with the key aspects of the Transport Infrastructure planning application. The Principal Planning officer outlined that the proposal related to the redevelopment of the existing rail station, where the railway infrastructure was already in place, and that the principle of development was considered acceptable.

The Members were advised that the site was not zoned for a use within BUAP or draft BMAP, but that the site formed part of the Carr's Glen Community Greenway and was located adjacent to an arterial route, as designated within dBMAP. The Principal Planning officer explained that the BUAP proposed a Cross Harbour Rail Link, linking Yorkgate Rail Station with the main city railway line, which had been completed.

She explained that the SPPS promoted sustainable patterns of development, aimed to improve connectivity and facilitate travel by public transport in preference to the private car. It also aimed to ensure accessibility for all and promoted the provision of adequate cycling facilities in new developments.

The Members were advised that the proposal included 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 included a community garden, which was welcomed and would result in wider community benefits.

The Principal Planning officer explained that additional information had been submitted in relation to contamination, noise, travel, ecology, landscaping, tree impact, flood risk and drainage. She confirmed that no objections had been received from the relevant consultees or any third parties.

The Members' attention was drawn to the Late Items pack, whereby evidence had been provided that NI Water had given permission for storm water to be discharged to the existing combined sewer, subject to conditions. The Principal Planning officer explained that, consequently, Condition No. 23 was no longer necessary.

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The Members were advised that Mr. M. Holmes, Translink, was in attendance. A Member asked if Translink had considered installing a Belfast Bikes docking station at the Rail Station. The Member stated that, given that only 4 bicycles were permitted on train services before 9.30a.m., a Belfast Bikes station at the site would allow passengers to undertake their onward travel from the station. Mr. Holmes advised the Members that consideration had been given to a Belfast Bikes docking station, and that space still remained on site to accommodate it, but that they had been advised that there was currently no funding available for it.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, would exercise her delegated authority to approve the application, subject to conditions. They also agreed that the Chief Executive, or her nominated officer, would use her delegated authority to finalise the wording of the conditions.

**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**

The Members of the Committee were presented with the details of the application.

The Principal Planning officer explained that the key issues which had been considered during assessment were the principle of a new 3G pitch and floodlighting at the location, the impact on residential amenity and the impact on the wider environment, including bats.

She explained that there was an existing pitch in situ, therefore the use of the land and principle of the development was already established and was considered acceptable. The revised position included re-locating the pitch marginally to the west, with floodlights, dug-outs, turnstiles and all other associated ground works.

The Members were advised that DFI Roads, Environmental Health, Rivers Agency, NI Water, UK Crown Bodies and NIEA had no objections to the proposal, subject to conditions. She explained that Environmental Health had advised that, since the time of the original application, there had been new houses built in the area close to Glen Road Heights and, as such, had sought more information. 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.

The Members were advised that no representations had been received in the first Neighbour Notification period. The Principal Planning officer outlined that the application was re-Neighbour Notified and that it would expire on Monday, 24th May. She highlighted that a decision would not be issued until after that date and that if any comments raising any material planning matters were received, the application would be brought back to the Planning Committee for re-consideration.

**Meeting of Planning Committee,  
Tuesday, 18th May, 2021**

A Member asked that, where possible, officers would not bring applications before the Committee before the expiry of the neighbourhood notification period.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, would exercise her delegated authority to approve the application, subject to conditions. They also agreed that the Chief Executive, or her nominated officer, would use her delegated authority to finalise the wording of the conditions.

**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**

The Principal planning officer outlined the key aspects of the applications. The Members were advised that they were before Members as it involved total demolition within a Conservation Area.

The Members were advised that the site was located within Sub Area D “Cadogan” within the Malone Conservation Area Guide.

She explained that the Council’s Conservation and Heritage Team had offered no objection to the proposal following amendments. The Members were advised that the Council’s Trees and Landscaping officer had advised they were generally content but that hand digging and the use of hand tools were to be conditioned. NI Water was content that the applications be approved with a condition, and Environmental Health and DfI Roads had no objections to the proposals.

The Members were advised that amended plans detailed a reduction in footprint of the dwellings to respect the spatial quality of the existing character of the conservation area and that additional landscaping information had also been received.

The demolition of the existing property was considered to be acceptable. She explained that the Conservation Officer had advised that the existing building was of little merit and did not make a positive contribution therefore its removal was acceptable.

The Council had received no third-party comments.

The Principal Planning officer stated that the proposed design, scale and massing was reflective of the wider context of the conservation area, reflecting traditional design and materials, and whilst the plot was sub divided there were similar sized plots in the area and of the same configuration.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, would exercise her delegated authority to approve the application, subject to conditions. They also agreed that the Chief Executive, or her nominated officer, would use her delegated authority to finalise the wording of the conditions.

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**LA04/2021/0636/F - Single and two storey extension to rear,  
alterations to side elevations at 25 Ravenhill Park**

The Members were advised that the application was before them as, under the Scheme of Delegation, all applications from Members of staff in the Place and Economy Department and Legal Services sections were required to go before the Committee.

The Principal Planning officer outlined that a single and two storey extension to the rear of the existing dwelling with alterations to the side elevations was sought.

The Members were advised that the proposed extension would not adversely impact the character and appearance of the surrounding area. It was considered to be sympathetic in its built form, scale, massing and appearance with the existing property and with surrounding neighbouring properties. It was considered that the proposal would not raise any issues in relation to residential amenity including overshadowing, loss of light, dominance and overlooking. There was sufficient space remaining within the curtilage of the property.

The application had been neighbour notified and advertised in the local press and no comments were received.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, would exercise her delegated authority to approve the application, subject to conditions.

**LA04/2020/1697/F - Change of use from existing warehouse  
to martial arts boxing club & gym with elevation changes  
at 2-6 Laburnum Street**

The Members were provided with the details of the application for full planning permission. They were advised that the Council was providing funding for the proposal.

The Planning officer outlined that a gym and boxing club would occupy two floors, with the ground floor providing the main gym, changing facilities, ancillary office and a store. The first floor would provide space for two large boxing rings and a matted gym area.

The Members were advised that the application had been neighbour notified and advertised in the local press. One letter of representation had received, not objecting to the proposal but raising an issue with existing parking.

The Planning officer outlined that the Environmental Health Service had been consulted and was content with the proposal subject to conditions and an informative being attached to the decision regarding the transmission of potential noise.

DfI Roads had also been consulted and offered no objection subject to conditions being attached regarding the provision of cycle parking and implementation of a Travel Plan.

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The proposal had been assessed against and was considered to comply with the BUAP, Draft BMAP, PPS3, PPS4, PPS6 Addendum and the SPPS.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, would exercise her delegated authority to approve the application, subject to conditions. They also agreed that the Chief Executive, or her nominated officer, would use her delegated authority to finalise the wording of the conditions.

Chairperson

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# Planning Committee

Thursday, 20th May, 2021

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

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

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

(Councillor McKeown, Deputy Chairperson, in the Chair)

### **Apologies**

Apologies for inability to attend were reported from the Chairperson, Councillor Hussey, and Councillor McCullough.

### **Declarations of Interest**

No declarations of interest were recorded.

### **Correspondence from DFI seeking views on changes to two condition - Departmental Planning Application LA04/2017/0474/F Lands at 88 - 104 Andersonstown Road and between 36 – 42 Mooreland Park and 202 - 206 Stockman's Lane (Casement Park)**

The Members considered the undernoted report and the accompanying appendices which were available on modern.gov:

#### **“1.0 Purpose of Report and Summary of Main Issues**

- 1.1 The Council has received correspondence from the Department for Infrastructure in relation to planning application LA04/2017/0474/F for the redevelopment of Casement Park to provide a new stadium. The proposal is of regional significance and the application is being dealt with by the Department rather than Belfast City Council.

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- 1.2** The Department is seeking the Council's views on changes to proposed conditions 14 and 36 which relate to arrangements for an Events Management Group and requirements for an Events Management Plan.

**2.0** **Recommendation**

- 2.1** It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to agree the proposed changes to the wording of conditions 14 and 36 as set out in the Department's letter of 17 May 2021 and to any further changes to the proposed conditions provided that those changes are of a minor or technical nature.

**3.0** **Main Report**

**Background**

- 3.1** The Council has received correspondence from the Department for Infrastructure in relation to planning application LA04/2017/0474/F for the redevelopment of Casement Park to provide a new stadium (see Appendix 1). The proposal is of regional significance and the application is being dealt with by the Department rather than Belfast City Council.
- 3.2** The Council provided its substantive consultation response to the planning application in August 2017. The Planning Committee offered no objection to the application but made the following specific comments:
- Further detailed cross sections through the entire site and surrounding properties were recommended
  - Further images to demonstrate impact on the skyline and key views were recommended
  - Greater certainty around travel, transport and traffic should be provided.
- 3.3** The application was considered by the Planning Committee again in September 2019 following re-consultation. The Committee agreed to provide no further comments but that the Director of Planning and Building Control would write to the Department and recommend that the residents' association known as MORA be given the opportunity to meet the Department and discuss their concerns.
- 3.4** A final consultation was undertaken in February 2020 in relation to technical information regarding traffic and access.

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As the additional information was limited, the matter was dealt with under delegated powers with no further comment provided.

- 3.5 The Department subsequently issued a Notice of Opinion in November 2020 advising of its intention to grant planning permission and listing the proposed conditions (see Appendix 2). The Planning Service responded to the Notice of Opinion advising that the Council is content for the Department to proceed with determination of the planning application.

**Proposed changes to conditions 14 and 36**

- 3.6 The Department is in the process of finalising the S76 planning agreement for the application so that the decision can be issued. During this process it has identified the need to amend proposed conditions 14 and 36 in the Notice of Opinion. The Department is seeking the Council's agreement to these changes by no later than 24 May 2021 so that the drafting of the S76 planning agreement can be finalised.
- 3.7 The proposed changes are set out in the Department's letter at Appendix 1.
- 3.8 The proposed change to condition 14 is to make it clear that the Events Management Group must be established 2 months prior to the initial scheduled event or fixture whereas the original wording of the condition could have been interpreted such that the Events Management Group could have been established within 2 months after the initial scheduled event or fixture which would have defeated its purpose. The amended wording is considered necessary, more precise and is welcomed.
- 3.9 The proposed change to condition 36 allows the Event Management Plan to be modified if the modification is the requirement of a statutory body/licensing body making a decision pursuant to its statutory functions and duties without requiring the Event Management Group to reconvene. This is considered to be a practical approach which would reduce the administrative burden on the Event Management Group, and is considered reasonable.
- 3.10 It is therefore recommended that the Council agrees to these changes. It is also recommended that delegated authority is given to officers to respond to any further changes to the proposed conditions provided that those changes are of a minor or technical nature.

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**4.0 Finance and Resource Implications**

**4.1 None identified.**

**5.0 Equality or Good Relations Implications/Rural Needs Assessment**

**5.1 None identified.”**

The Members of the Committee recommended that the Chief Executive, or her nominated officer, would exercise her delegated authority to agree the proposed changes to the wording of conditions 14 and 36, as set out in the Department's letter of 17 May 2021, and to any further changes to the proposed conditions provided that the changes were of a minor or technical nature.

**Planning Application**

**THE MEMBERS OF THE PLANNING COMMITTEE CONSIDERED THE FOLLOWING  
ITEM IN ORDER TO MAKE RECOMMENDATIONS TO THE CHIEF EXECUTIVE  
IN PURSUANCE OF THE POWERS DELEGATED TO HER BY THE COUNCIL  
ON 4TH MAY, 2021**

**Withdrawn Item**

The Members noted that the following application had been withdrawn from the agenda:

- **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. (amended plans & updated technical information) Chancery House, 88 Victoria Street.

**Restricted Item**

**The information contained in the report associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of the item as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (NI) 2014.

**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**

The Members were provided with the details of the application. They were advised that the proposal would not adversely impact the character and appearance of

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the surrounding area and that it was considered to be sympathetic in its built form, scale, massing and appearance with the existing property and with surrounding neighbouring properties. It was also considered that the proposal would not raise any issues in relation to residential amenity including overshadowing, loss of light, dominance or overlooking.

The Planning Manager outlined that no letters of objection had been received.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive, or her nominated officer, would exercise her delegated authority to approve the application, subject to conditions.

**Query in respect of Members Referring an application to  
the Planning Committee**

A Member requested information regarding the process for Members requesting that applications that would ordinarily be determined under Delegated Authority were brought before the Committee for consideration. The Planning Manager undertook to speak with the Member directly regarding the procedure.

**Thanks**

A number of Members paid tribute to the outgoing Chairperson and Deputy Chairperson, as well as the staff, who had dealt with a number of changes to Council procedures and processes since the Covid-19 pandemic began.

Chairperson

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## Planning Committee

Thursday, 3rd June, 2021

### PLANNING COMMITTEE SITE VISIT – NOTE OF MEETING

Due to the ongoing pandemic, the following site visit was carried out in accordance with Public Health Agency guidance.

**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**

Member Present: Councillor Hussey.

Officer in Attendance: Ms. K. Mills, Principal Planning officer.

The Member and the Principal Planning officer convened at the site at 12.15 p.m. for the purpose of undertaking a site visit in respect of the application to allow the Member to acquaint himself with the location and the proposals at first hand.

The Member viewed the site with the proposed plans.

The visit concluded at 12.25 p.m.

Chairperson

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## PLANNING COMMITTEE – 15 JUNE 2021

### APPEALS NOTIFIED

#### COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2021/A0011

PLANNING REF: LA04/2019/2675/F

APPLICANT: Mr Ian Hawthorne

LOCATION: West of 8 Millgate, Belfast

PROPOSAL: Two dwellings west of 8 Millgate with new layout and landscaping from previously approved Y/2007/0579/F and gabion wall structures (retrospective)

PROCEDURE:

ITEM NO 2 PAC REF: 2021/A0014

PLANNING REF: LA04/2020/1796/F

APPLICANT: Link Force Building Services Ltd

LOCATION: 85 Joanmount Gardens, Belfast

PROPOSAL: Change of use from a dwelling house to a house in multiple occupancy (HMO) and erection of 2-storey extension to rear (amended plans)

PROCEDURE:

ITEM NO 3 PAC REF: 2021/A0025

PLANNING REF: LA04/2020/0051/F

APPLICANT: MacNaughton Blair Ltd

LOCATION: 1, 3, 5, 7, 9 and 11 Flush Drive, Ballynafoy, Belfast

PROPOSAL: Demolition of derelict flats and garages at Nos 1, 3, 5, 7, 9 and 11 Flush Drive, the extension of the existing Peter Woods storage yard, the erection of a new boundary wall and hard and soft landscaping

PROCEDURE:

## **PLANNING COMMITTEE – 15 JUNE 2021**

### **APPEAL DECISIONS NOTIFIED**

ITEM NO	1	PAC REF:	2020/A0013
PLANNING REF:	LA04/2019/2009/A		
RESULT OF APPEAL:	Dismissed		
APPLICANT:	Value Car Parks Ltd		
LOCATION:	19-35 Grosvenor Road, Belfast, BT12 4GR		
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		
ITEM NO	2	PAC REF:	2020/A0007
PLANNING REF:	LA04/2019/1279/F		
RESULT OF APPEAL:	Dismissed		
APPLICANT:	Mr Adam Spooner		
LOCATION:	66 Wolfhill Manor, Belfast, BT14 8DE		
PROPOSAL:	Retention of existing storage area and raised decking structure with proposed new fencing panels		

## Decisions issued between 10 May and 7 June 2021- No.199

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1614/F	MAJDEV	Land including and adjacent to the existing all-weather sports pitch at Stranmillis University College Stranmillis Road Belfast BT9 5DY.	Redevelopment of existing all-weather playing field to provide new 3G flood-lit sports pitch, redevelopment of former tennis courts to provide new flood-lit multi use games area (MUGA pitch), pitch side fencing and ball-stop nets, car parking, landscaping and associated site works. (revised drawings and additional info)	PERMISSION GRANTED
LA04/2019/1988/F	LOCDEV	Grass area behind 22-30 Fairhill Walk Belfast BT15 4GR.	Change of Use from Open Space Grassed Area to a surface car park to accommodate 2No. disabled car parking spaces and 13No. other spaces. New fencing to be installed around the site, to a finished height of 2m. New lighting	PERMISSION GRANTED
LA04/2019/2512/F	LOCDEV	38 Belmont Road Belfast BT4 2AN.	Extension to existing takeaway/cafe on ground floor. Two bed apartment to 1st & 2nd floors with first floor extension. Revisions to shopfront.	PERMISSION GRANTED
LA04/2019/2612/LDE	LOCDEV	1 Boucher Crescent Belfast BT12 6HU.	Internally illuminated totem structure	APPLICATION REQUIRED
LA04/2019/2713/DC	LOCDEV	2 Dargan Crescent Duncrue Road Belfast BT3 9HJ	Discharge of Condition 2 - LA04/2017/0456/F	CONDITION NOT DISCHARGED

LA04/2019/2995/DCA	LOCDEV	11-15 Donegall Place and 1-7 Fountain Lane Belfast	Proposed partial demolition of internal/external walls, floors and stairs	PERMISSION GRANTED
LA04/2020/0252/F	LOCDEV	11-15 Donegall Place and 1-7 Fountain Lane Belfast.	Proposed change of use (part first floor and second, third, fourth and fifth floors) from hairdresser/office space to provide 26 no. serviced apartments with associated roof terraces. Proposed stairwell extension at fourth and fifth floors and elevational changes to existing building including panelling at ground floor level (Fountain Lane elevation). Proposed upgrade of existing odour abatement system serving the fast food restaurant at ground floor (Amended Description)	PERMISSION GRANTED
LA04/2020/0359/F	LOCDEV	30m south of 22 Squires View Ballysillan Lower Belfast BT14 8FS	4 semi-detached dwellings	PERMISSION REFUSED
LA04/2020/0384/DC	LOCDEV	Land at existing DRD surface car park at Frederick Street Belfast BT1 2 LW	Discharge of condition 19 - Z/2012/1034/F	CONDITION NOT DISCHARGED
LA04/2020/0455/LBC	LOCDEV	Lands at Hampton House 8 Glenmachan Park Ballymaghan Belfast BT4 2PJ.	Retention and alteration/refurbishment of the existing listed building (8 Glenmachan Park) to a dwelling, erection of detached garage with associated car parking, boundary details, landscaping and access	PERMISSION GRANTED

LA04/2020/0475/F	LOCDEV	Land at Hampton House 8 Glenmachan Park Ballymaghan Belfast BT4 2PJ	alteration/refurbishment and change of use of the existing listed building to a dwelling, erection of detached garage with associated car parking, boundary details, landscaping and access works.	PERMISSION GRANTED
LA04/2020/0501/A	LOCDEV	Land to a section of existing Tesco car park Ballygomartin Road Belfast BT13 3LD.	Installation of 4No. freestanding digital signs, 1No. Banner Sign, 1No. Play land sign, 21No. DOT signs and 1No. appendage to existing Tesco sign.	PERMISSION GRANTED
LA04/2020/0502/A	LOCDEV	Land to a section of existing Tesco car park Ballygomartin Road Belfast BT13 3LD.	Installation of 6No. fascia signs, 1No. 15" digital booth screen and 3No. booth lettering.	PERMISSION GRANTED
LA04/2020/0550/F	LOCDEV	Land to a section of existing Tesco car park Ballygomartin Road Belfast BT13 3LD	The erection of a freestanding McDonald's restaurant with car parking, drive-thru facility, landscaping and associated works to the site. Installation of 2no. customer order displays (COD) with canopies and play space.	PERMISSION GRANTED
LA04/2020/0620/LDE	LOCDEV	Flat 1 49 Malone Avenue Belfast BT9 6EP	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0673/F	MAJDEV	Lands at "The Bullring" located parallel to the Westlink motorway and adjacent Denmark Street/California Close between Peters Hill and Regent Street Belfast.	Environmental improvement works to include: new footpaths and cycleway, new multi use games area, new outdoor gym equipment, new play area, new street furniture and park lighting, relocation of the community garden providing new polytunnel, toilet block, shed and allotment beds, new car park provision, landscape interventions including planting, woodland management, resurfacing, regrading and all associated works.	PERMISSION GRANTED

LA04/2020/0778/LDE	LOCDEV	Flat 1 83 Eglantine Avenue Belfast BT9 6EW	House in multiple occupancy - HMO	PERMITTED DEVELOPMENT
LA04/2020/0874/F	LOCDEV	Site 2 Lands at Hampton House 8 Glenmachan Park Ballymaghan Belfast BT4 2PJ	Change of housetype application at site 2 (previously approved under Z/2014/0260/F). Ground floor layout amended in include a utility room with new access door in place of a kitchen window.	PERMISSION GRANTED
LA04/2020/1035/F	LOCDEV	2 Claremont Mews Belfast.	Erection of 6 apartments with ground floor parking.	PERMISSION GRANTED
LA04/2020/1143/F	LOCDEV	19-21 Donegall Street Belfast.	Change of use from vacant retail unit to public bar on ground floor, first floor and second floor and restaurant on third floor	PERMISSION GRANTED
LA04/2020/1378/F	LOCDEV	11 Glenmachan Park Belfast BT4 2PJ	Retrospective application for shed/garden room, fence, and patio area (amendments to site 4 approved under Z/2014/0260/F) (amended description)	PERMISSION GRANTED
LA04/2020/1542/F	LOCDEV	1 Westminster Avenue North Belfast BT4 1NS.	Installation of Bike Shed (5,5 m long x 3,5 m wide) and a new Bike Rack with annexed landscaping area to the rear of the Arches Centre.	PERMISSION GRANTED
LA04/2020/1573/F	LOCDEV	33 Springfield Road Belfast	Proposed change of use from offices to 2 No. Apartments at first and second floor level and elevation amendments to ground floor, first floor and second floor (including new shopfront and new dormer windows).	PERMISSION GRANTED
LA04/2020/1608/F	LOCDEV	Laurel Glen Bar 208 Stewartstown Road Belfast BT17 5EU	Extension to building to create separate restaurant unit including walled beer garden. Change of use of bar to facilitate extension to off sales. Extension to existing bar to create walled beer garden.	PERMISSION GRANTED

LA04/2020/1623/F	LOCDEV	Lands at nos 6-7 Donegall Quay 96-108 Ann street and 40 Princes Street bounded to the north by Donegall Quay Car Park Belfast BT1 3FG	Proposed change of use from rear service yard to beer garden associated with the Topsy Bird Public House, including outside bar area and all associated works (amended plans including new wall)	PERMISSION GRANTED
LA04/2020/1645/F	LOCDEV	Stormont House Stormont Estate Belfast	Construction of a circulation link to accommodate a staircase and platform lift	PERMISSION GRANTED
LA04/2020/1649/LBC	LOCDEV	Stormont House Stormont Estate Belfast.	Construction of a circulation link to accommodate a staircase and a platform lift.	PERMISSION GRANTED
LA04/2020/1697/F	LOCDEV	2-6 Laburnum Street Belfast BT5 5BD.	Change of use from existing warehouse to martial arts boxing club & gym with elevation changes	PERMISSION GRANTED
LA04/2020/1705/F	LOCDEV	35 Wellington Park Belfast BT9 6DN.	Demolition of existing rear return and extension. Erection of 2 storey rear extension and renovation of existing dwelling to create 8no. one bedroom apartments and associated site works.	PERMISSION GRANTED
LA04/2020/1706/DCA	LOCDEV	35 Wellington Park Belfast BT9 6DN.	Demolition of existing 2 storey rear return and extension.	PERMISSION GRANTED
LA04/2020/1720/F	LOCDEV	Land at 27 Medway Street Belfast BT4 1GP.	Demolition of existing buildings and erection of 2no apartment blocks consisting of 10no apartments (6no 2 bed & 4no 1 bed) and associated site works.	PERMISSION GRANTED

LA04/2020/1732/F	LOCDEV	Vacant Site Longhurst 50M North of 168 Upper Malone Road Belfast BT17 9JZ.	Proposed 2 storey dwelling (with roof space accommodation) detached garage and garden room -change of house type to Z/2009/1699/RM	PERMISSION GRANTED
LA04/2020/1902/F	LOCDEV	27 Richhill Park Belfast BT5 6HG	Demolition of existing rear return and construction of two storey rear and single storey rear extension and retaining wall to rear (AMENDED PLANS)	PERMISSION GRANTED
LA04/2020/1974/F	LOCDEV	Yorkgate Rail Station lands bounded by York Street Dock Street Whitla Street and M2 Motorway.	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.	PERMISSION GRANTED
LA04/2020/2021/DC	LOCDEV	Lands at the junction of North Street Carrick Hill and Peters Hill; 1-3 Carrick Hill; 20-152 Peters Hill; 61 Boundary Street; 6-18 Shankill Terrace; 4-160 Shankill Road; and from 32 Townsend Street to the junction with the Shankill Road Belfast.	Discharge of condition 9 of LA04/2019/0200/F.	CONDITION DISCHARGED
LA04/2020/2034/F	LOCDEV	228-234 Upper Newtownards Road Belfast BT4 3ET	Retractable awning and marquee awning to the front of the restaurant (Retrospective)	PERMISSION GRANTED
LA04/2020/2085/NMC	LOCDEV	St. Patrick's Primary School 9-25 Pim Street Belfast BT15 2BN	Non material change LA04/2016/2196/F	NON MATERIAL CHANGE GRANTED



LA04/2020/2087/F	LOCDEV	3 Belmont Park Belfast BT4 3DU	Single storey side and rear extension. Loft conversion and extension with dormer to the rear and Velux to the front. (Amended Plans)	PERMISSION GRANTED
LA04/2020/2090/A	LOCDEV	71 Ballysillan Rd Ballysillan Belfast BT14 7QQ	New non-illuminated brand sign over door. New downlit side gable panel, 4 x 1m approx.	PERMISSION GRANTED
LA04/2020/2119/F	LOCDEV	575 Donegall Road Belfast BT12 6DX	Conversion of existing two storey dwelling and addition of single storey rear extension to provide 2 no. 2 bedroom apartments and 1 no. 1 bedroom apartment each with private amenity space.	PERMISSION GRANTED
LA04/2020/2130/F	LOCDEV	Lands to the south west of 40-64 Brucevale Park Belfast.	Childcare facility and 8no. workshop units and associated siteworks, car parking etc	PERMISSION GRANTED
LA04/2020/2137/F	LOCDEV	35 Myrtlefield Park Belfast BT9 6NF.	Single storey extension to rear/side of dwelling with alterations to elevations. New detached garage to rear of site. (Amended Proposal)	PERMISSION GRANTED
LA04/2020/2138/DCA	LOCDEV	35 Myrtlefield Park Belfast BT9 6NF.	Part demolition of east & west ground floor elevations and demolition of existing timber shed.	PERMISSION GRANTED
LA04/2020/2140/A	LOCDEV	Carpark at junction of Lavinia Square and Ormeau Road Belfast BT7 2EB.	Paper advertising panel.	PERMISSION REFUSED
LA04/2020/2142/NMC	LOCDEV	7 Mornington Annadale Avenue Belfast BT7 3JQ.	Non material change to LA04/2018/0089/F	NON MATERIAL CHANGE GRANTED

LA04/2020/2203/DC	LOCDEV	Lands to the South East of Titanic Hotel North East of Bell's Theorem Crescent and South West of Hamilton Road Belfast.	Discharge of condition 3 LA04/2020/0010/F	CONDITION DISCHARGED
LA04/2020/2214/F	LOCDEV	Land adjacent to 6 and 7 Tyndale Crescent Belfast BT14 8GZ	2no detached dwellings.	PERMISSION GRANTED
LA04/2020/2257/DCA	LOCDEV	9 Cadogan Park Malone Lower Belfast BT9 6HG.	Demolition of dwelling and outbuildings.	PERMISSION GRANTED
LA04/2020/2258/F	LOCDEV	9 Cadogan Park Malone Lower Belfast BT9 6HG.	Demolition of dwelling and outbuildings and construction of 2 detached dwellings with parking and associated site access and landscaping works.	PERMISSION GRANTED
LA04/2020/2264/F	LOCDEV	40 Lisburn Avenue Belfast BT9 7FX	Partial demolition of existing rear return roof. Renovation of kitchen and addition of downstairs toilet. Creation of first floor terrace over existing rear return.	PERMISSION GRANTED
LA04/2020/2284/F	LOCDEV	384 Upper Newtownards Road Belfast BT4 3GE	Installation of a mechanical awning fixed to the shop front.	PERMISSION GRANTED
LA04/2020/2299/F	LOCDEV	69 Ladybrook Crescent Belfast BT11 9EU	Two storey rear and side extension with front dormer window	PERMISSION GRANTED
LA04/2020/2323/LDE	LOCDEV	70 Edinburgh Street Belfast BT9 7DT	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/2335/F	LOCDEV	512 - 514 Falls Road Belfast BT12 6EP.	Erection of 6 no. 1 bed apartments (Amended Description)	PERMISSION REFUSED

LA04/2020/2337/DC	LOCDEV	Block A/School House Methodist College 1 Malone Road Belfast	Discharge of condition no. 17 of LA04/2017/0499/F & LA04/2017/0927/LBC (internal doors)	CONDITION DISCHARGED
LA04/2020/2376/LDE	LOCDEV	257 Donegall Road Belfast	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2020/2416/F	LOCDEV	35 Piney Lane Belfast BT9 5QS	Erection of new dwelling to rear of 35 Piney Lane, with parking and landscaping (retrospective)	PERMISSION GRANTED
LA04/2020/2419/F	LOCDEV	Land between dwelling at 238 and 240 Cambrai Street Belfast BT13 3BB	Renewal of retrospective approval for the temporary retention of existing biomass boiler, supplying the heating system for adjacent sheltered accommodation at Cambrai Court	PERMISSION GRANTED
LA04/2020/2441/F	LOCDEV	123 Alexandra Park Avenue Belfast BT15 3GB	Change in Use of Existing Dwelling to House in Multiple Occupancy	PERMISSION GRANTED
LA04/2020/2449/F	LOCDEV	11 Brandon Parade Belfast BT4 1JH.	2No 2 storey 3 bedroom semi-detached dwellings.(Renewal of LA04/2015/0367/F)	PERMISSION GRANTED
LA04/2020/2450/F	LOCDEV	Land located adjacent to and opposite the King's Hall Upper Lisburn Road Belfast BT9 6GW	2no. Relocated bus shelters	PERMISSION GRANTED
LA04/2020/2452/A	LOCDEV	Land located adjacent to and opposite the King's Hall Upper Lisburn Road Belfast BT9 6GW	2no. bus shelter advertisement displays	PERMISSION GRANTED
LA04/2020/2463/F	LOCDEV	10 Olympia Street Belfast BT12 6NG.	Change of use from dwelling to House in Multiple Occupation (HMO)	PERMISSION GRANTED

LA04/2020/2501/F	LOCDEV	81 Circular Road Belfast BT4 2GB	First floor rear extension	PERMISSION GRANTED
LA04/2020/2509/LDE	LOCDEV	44 Adelaide Avenue Belfast BT9 7FY.	House in multiple occupation (HMO).	PERMITTED DEVELOPMENT
LA04/2020/2515/F	LOCDEV	33 Kensington Road Belfast BT5 6NJ	Single storey garden room extension to side and rear of dwelling	PERMISSION GRANTED
LA04/2020/2534/F	LOCDEV	65 Upper Lisburn Road Belfast BT10 0GY	Single storey bay window extension to front, and two storey part single storey rear extension	PERMISSION GRANTED
LA04/2020/2536/F	LOCDEV	Everton Complex 585-587 Crumlin Road Belfast BT14 7GB	Refurbishment, demolition and small extension of existing healthcare facility, with new facade entrance.	PERMISSION GRANTED
LA04/2020/2588/F	LOCDEV	36 Knockbreda Park Belfast BT6 0HB	Single storey side and rear extension. Patio to rear. (Amended Description & Amended Plans)	PERMISSION GRANTED
LA04/2020/2621/DC	LOCDEV	Lands to the South Of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4	Discharge of Clause 2.2 of Planning Agreement Z/201/0260/F	CONDITION DISCHARGED
LA04/2020/2622/DC	LOCDEV	Lands to the South of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4	Discharge of Clause 1.4 of Planning Agreement Z/2014/0260/F	CONDITION DISCHARGED
LA04/2020/2623/DC	LOCDEV	Lands to the South of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4	Discharge of Clause 1.2 of Planning Agreement Z/201/0260/F	CONDITION DISCHARGED

LA04/2020/2624/DC	LOCDEV	Lands located to the South of 1-7 Glenmachan Park and adjoining Glenmachan Road BT4	Discharge of Clause 1.3 of Planning Agreement Z/2014/0260/F	CONDITION DISCHARGED
LA04/2020/2625/DC	LOCDEV	Lands located to the South of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4	Discharge of Clause 1.5 of Planning Agreement Z/2014/0260/F	CONDITION DISCHARGED
LA04/2020/2627/DC	LOCDEV	Lands located to the South of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4	Discharge of clause 1.1 of Planning Agreement Z/2014/0260/f	CONDITION DISCHARGED
LA04/2020/2640/F	LOCDEV	14 Kirkliston Gardens Belfast BT5 6EE	Proposed roofspace conversion with dormer window to rear of dwelling.	PERMISSION GRANTED
LA04/2021/0031/F	LOCDEV	22 Sunningdale Park Belfast BT14 6SB	Two storey side extension	PERMISSION GRANTED
LA04/2021/0037/F	LOCDEV	8 Bellevue Drive Drumnadrough Newtownabbey BT36 7QE	Roof space conversion to bungalow to provide an additional bedroom and living space	PERMISSION REFUSED
LA04/2021/0054/F	LOCDEV	On footpath c.71m NW of KFC No. 9 Brougham Street and to the rear and south of no's. 1113 and 15 Bentinck Street Belfast BT15 1WA.	Proposed 17.5m telecommunications column, with 6No. antennae (3No. enclosed within a shroud, 3No. not enclosed) and 3No. radio units. Proposal includes the provision of 4No. new equipment cabinets and associated ground works.	PERMISSION GRANTED

LA04/2021/0091/NMC	LOCDEV	Plot Nos. 1934;73;81;88;93;101;112;117;120;127;130;131;134;135;138;142;143;148;149;152;159;160;169;197-210;216 and 233-244 at lands at the former Visteon Factory Blacks Road Belfast BT10.	Non material change Z/2013/1434/F.	NON MATERIAL CHANGE GRANTED
LA04/2021/0121/F	LOCDEV	The MAC 10 Exchange St West Belfast BT1 2NJ	Replacement of existing entrance doors to St Anne's Square and Exchange Street West and installation of 5no pod enclosures to St Anne's Square	PERMISSION GRANTED
LA04/2021/0126/NMC	LOCDEV	8 Malone Ridge Belfast BT9 5NJ	NMC to LA04/2019/2572/F	NON MATERIAL CHANGE REFUSED
LA04/2021/0133/LDE	LOCDEV	13A Cameron Street Belfast BT7 1GU	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0139/A	LOCDEV	35-47 Donegall Place Belfast BT1 5AW	Proposed entrance signage. Lettering laser cut to proposed PPC aluminium panel with LED backlit opal translucent polycarbonate cover behind.	PERMISSION GRANTED
LA04/2021/0160/F	LOCDEV	102 Sandown Road Belfast BT5 6GW	Single and two storey rear and side extension with front bay window.	PERMISSION GRANTED
LA04/2021/0181/F	LOCDEV	Kelvin Laboratory Building Royal Hospital Site Grosvenor Road Belfast BT12 6BA	Change of use of existing store into laboratory. Works include the provision of 3nr new window openings along the side elevation and a louvred plant room.	PERMISSION GRANTED
LA04/2021/0193/A	LOCDEV	Samsung Support Centre 29/31 Ann Street Belfast BT1 4EB	Shop Sign	PERMISSION GRANTED

LA04/2021/0195/F	LOCDEV	2 Balmoral Drive Belfast BT9 6PD	Proposed two storey extension to rear of dwelling with associated single storey sunroom. Proposed single storey garage to side of dwelling. Juliet balconies to rear. (Amended Description)	PERMISSION GRANTED
LA04/2021/0203/F	LOCDEV	18 Myrtlefield Park Belfast Co. Antrim Belfast BT9 6NE	Replacement single storey extension to rear kitchen/dining area including external alterations with raised terrace to side & rear and replacement detached garage (amended description)	PERMISSION GRANTED
LA04/2021/0204/DCA	LOCDEV	18 Myrtlefield Park Belfast Co. Antrim Belfast BT9 6NE	Demolition of single storey rear extension and detached garage	PERMISSION GRANTED
LA04/2021/0211/F	LOCDEV	33 Cranmore Avenue Belfast BT9 6JH	Demolition of two and single storey returns, entrance porch and detached garage. Refurbishment of existing dwelling and construction of two and single storey rear and side extensions and single storey entrance porch, rear dormer, a timber garden shed, landscaping and entrance gate with pillars	PERMISSION GRANTED
LA04/2021/0212/DCA	LOCDEV	33 Cranmore Avenue Belfast BT9 6JH	Demolition of two and single storey returns, entrance porch and detached garage. Refurbishment of existing dwelling and construction two and single storey rear extension and two storey entrance porch, two timber garden sheds and landscaping	PERMISSION GRANTED
LA04/2021/0224/LDE	LOCDEV	Office Building 119 University Street Belfast BT7 2HP.	Building has been used as an office	PERMITTED DEVELOPMENT

LA04/2021/0228/F	LOCDEV	62 Knocklofty Park Belfast BT4 3ND	Retrospective application for replacement timber boundary fence; replacement garden shed; front vehicular entrance gates; and side pedestrian entrance gate.	PERMISSION GRANTED
LA04/2021/0256/F	LOCDEV	Lands to the east and adjacent to No. 8 Upper Braniel Road Belfast BT5 7TS	Erection of dwelling, garage and car port (amended proposals from previous approval LA04/2019/2776/F) and all other associated site works	PERMISSION GRANTED
LA04/2021/0269/LDE	LOCDEV	17 Penrose Street Belfast BT7 1QX	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0293/F	LOCDEV	43-45 Malone Road Belfast BT9 6RX	Proposal external dining/seating space in connection with restaurant at 43 Malone Road, Belfast	PERMISSION GRANTED
LA04/2021/0296/F	LOCDEV	Lands to the rear of and South East of No. 753 Antrim Road Belfast BT15 4EN	Erection of 1 no. dwelling (alterations to Site 2 previously approved under LA04/2019/2255/F to include the introduction of a sunroom), and all other associated site works.	PERMISSION GRANTED
LA04/2021/0311/LDE	LOCDEV	133 University Avenue Belfast BT7 1GX	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0326/LDE	LOCDEV	FLAT 4 at 76 Fitzroy Avenue BELFAST BT7 1HX	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0327/LDE	LOCDEV	FLAT 3 (SECOND FLOOR) AT 76 FITZROY AVENUE BELFAST BT7 1HX	House in multiple occupancy HMO	PERMITTED DEVELOPMENT



LA04/2021/0328/LDE	LOCDEV	FLAT 2 (FIRST FLOOR) AT 76 FITZROY AVENUE BELFAST BT7 1HX	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0329/LDE	LOCDEV	FLAT 1 (GROUND FLOOR) AT 76 FITZROY AVENUE BELFAST BT7 1HX	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0351/DCA	LOCDEV	2 Balmoral Drive Belfast BT9 6PD.	Proposed demolition of walls to rear of dwelling at ground and first floor facilitating alterations and extension to building. Removal of existing internal staircase.	PERMISSION GRANTED
LA04/2021/0362/LDE	LOCDEV	20 Palestine Street Belfast BT7 1QJ.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0385/F	LOCDEV	753 Antrim Road and lands to the east of nos 751-755 Antrim Road Belfast BT15 4EN	Variation of conditions 6 (TAS Approval) ,7 (Schedule 6 Consent), 8 (final drainage assessment) and 9 (sewage disposal) of planning approval LA04/2019/2255/f to be agreed prior to construction/occupation of dwellings as opposed to prior to commencement of any development.	PERMISSION GRANTED
LA04/2021/0389/F	LOCDEV	Regional Virus Laboratory Kelvin Building Royal Hospital Site Grosvenor Road Belfast BT12 6BA.	Provision of new blood bank fridge extension to existing laboratory.	PERMISSION GRANTED
LA04/2021/0392/NMC	LOCDEV	Aldersgate House 13 - 19 University Road Belfast BT7 1NA.	Non material change LA04/2016/0525/F	NON MATERIAL CHANGE REFUSED

LA04/2021/0393/LDE	LOCDEV	140 Fitzroy Avenue Belfast BT7 1HY.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0418/F	LOCDEV	25 Cyprus Avenue Belfast BT5 5NT	Single storey rear and side extension with internal and external alterations	PERMISSION GRANTED
LA04/2021/0419/DCA	LOCDEV	25 Cyprus Avenue Belfast BT5 5NT	Partial demolition of existing rear walls of dwelling	PERMISSION GRANTED
LA04/2021/0428/F	LOCDEV	150 Orby Drive Belfast BT5 6BB	Two storey rear and side extension. Single storey side extension to provide replacement garage and elevation changes. Walls of existing dwelling house to be changed to render. (amended description and plans)	PERMISSION GRANTED
LA04/2021/0431/F	LOCDEV	23 Gilnahirk Rise Belfast BT5 7DT	Two storey side and rear extension (amendments to LA04/2020/1921/F) with associated works, elevational changes and rear patio.	PERMISSION GRANTED
LA04/2021/0432/F	LOCDEV	32 Kensington Road Belfast BT5 6NF	First floor rear extension	PERMISSION GRANTED
LA04/2021/0436/F	LOCDEV	180 Lagmore Meadows Dunmurry Belfast BT17 0TH	First floor extension to the side/rear on top of existing single storey.	PERMISSION GRANTED
LA04/2021/0444/F	LOCDEV	16 Thorburn Road Belfast BT36 7JS.	Proposed alterations to dwelling including a new extended roof structure (including an increase in height of the existing roof and removal of chimneys) to create additional living space at first floor level (amended description)	PERMISSION GRANTED

LA04/2021/0459/LBC	LOCDEV	2-6 Bradbury Place Shaftsbury Square Belfast BT7 1RX.	Change to Condition 6 of previous LBC Approval LA04/2020/1065/LBC (Replacement of concrete second floor. Upgrade works to existing offices internally. Replacement of 2 No. uPVC windows on rear elevation with timber casement windows with slim double glazing.) with respect to timing of the required Tap Test and agreement of sample panel Change to Condition 6 of previous LBC Approval LA04/2020/1065/LBC (Replacement of concrete second floor. Upgrade works to existing offices internally. Replacement of 2 No. uPVC windows on rear elevation with timber casement windows with slim double glazing.) with respect to timing of the required Tap Test and agreement of sample panel	PERMISSION GRANTED
LA04/2021/0467/DC	LOCDEV	Western bank of River Lagan Belfast Boat Club 12 Lockview Road Stranmillis Belfast.	Discharge of condition no. 7 of LA04/2020/2012/F (buffer)	CONDITION NOT DISCHARGED
LA04/2021/0473/F	LOCDEV	Dohertys Pharmacy 115-117 Andersonstown Road Belfast BT11 9BT.	New shop front	PERMISSION GRANTED
LA04/2021/0475/F	LOCDEV	141 Mount Merrion Park Belfast BT6 0GA	Proposed roofspace conversion with rear dormer and alteration of hipped roof to a gabled roof to side elevation. Rooflights to front elevation.	PERMISSION GRANTED

LA04/2021/0477/F	LOCDEV	52 Manna Grove Belfast BT5 6AJ	Single storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2021/0479/LDE	LOCDEV	35 Salisbury Court Belfast BT7 1DD	Self catering short stay holiday accommodation.	PERMITTED DEVELOPMENT
LA04/2021/0480/F	LOCDEV	21 Circular Road Belfast BT4 2FE	First floor rear extension	PERMISSION GRANTED
LA04/2021/0489/F	LOCDEV	71 Onslow Parade Belfast BT6 0AS	Single storey side and rear extension, new window at side elevation and decking area to rear (AMENDED PLANS)	PERMISSION GRANTED
LA04/2021/0498/F	LOCDEV	Craigantlet Buildings Stoney Road Stormont Estate Belfast BT4 3SX	Replacement of the Existing Glazed Curtain Walling and Roof Enclosing a Stairwell with New Double Glazed Curtain Walling and an Aluminium Panelled Roof	PERMISSION GRANTED
LA04/2021/0504/F	LOCDEV	6 Manor Mews Dunmurry Belfast BT10 0BF	Extension and alterations to existing detached outbuilding. Demolition of existing shed.	PERMISSION GRANTED
LA04/2021/0514/F	LOCDEV	23 Hillhead Park BELFAST BT11 9GB	Single storey extension with raised steps and patio to rear	PERMISSION GRANTED
LA04/2021/0528/LDE	LOCDEV	61 Palestine Street Belfast BT7 1QL.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0529/F	LOCDEV	25 Serpentine Road Belfast BT36 7HA.	Single storey rear extension to dwelling	PERMISSION GRANTED

LA04/2021/0532/A	LOCDEV	Botanic link land created over the Belfast/Dublin railway line between University Road and Botanic Avenue Belfast.	2 No. Hoarding sign to be mounted on hoarding at, University Road and Botanic Avenue, Belfast.	PERMISSION GRANTED
LA04/2021/0542/F	LOCDEV	1 Stockmans Drive Belfast BT11 9AU	Single storey side extension to dwelling	PERMISSION GRANTED
LA04/2021/0546/F	LOCDEV	8 Springfield Park Belfast BT13 3PY	Single storey rear extension for shower room	PERMISSION GRANTED
LA04/2021/0548/CONTPO	LOCDEV	94 Malone Road Belfast BT9 5HP	Felling of 3 x trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0551/F	LOCDEV	4 Benmore Drive Finaghy Belfast BT10 0DQ	Retrospective single storey rear extension	PERMISSION GRANTED
LA04/2021/0553/F	LOCDEV	2 Findon Place Belfast BT9 6QY	Single storey extension to rear of property and some internal alterations	PERMISSION GRANTED
LA04/2021/0558/F	LOCDEV	34 Kensington Drive Belfast BT5	Loft conversion with side dormer	PERMISSION GRANTED
LA04/2021/0559/F	LOCDEV	25 Cleaver Avenue Belfast BT9 5JA	Removal of rear porch with conversion of inner door to window. Roof and elevational alterations to existing central extension on rear elevation. New first floor window to en-suite on west elevation	PERMISSION GRANTED

LA04/2021/0563/DC	LOCDEV	Lands at former Rosepark House Upper Newtownards Road Belfast BT4 3NR	Discharge of condition no15 of planning approval LA04/2017/0235/F relating to noise verification measures	CONDITION DISCHARGED
LA04/2021/0568/F	LOCDEV	59 St Johns Park Belfast BT7 3JG	Construction of Single Storey Rear Extension	PERMISSION GRANTED
LA04/2021/0572/F	LOCDEV	12 Lyndhurst Way Belfast BT13 3PD	Change of roof type with dormer to rear of dwelling	PERMISSION GRANTED
LA04/2021/0575/F	LOCDEV	7 Richmond Park Finaghy Belfast BT10 0HB	Proposed Single Storey Rear Extension	PERMISSION GRANTED
LA04/2021/0592/NMC	LOCDEV	Lands at the former Visteon Factory Blacks Road Belfast BT10.	Non material change Z/2013/1434/F.	NON MATERIAL CHANGE GRANTED
LA04/2021/0594/DC	LOCDEV	(Close to the boundary with Gilnahirk Park) Shandon Park Golf Club BT5 6NY.	Discharge of conditions no's 2,3,4,5 and 6 of LA04/2020/2430/F (landscaping scheme)	CONDITION DISCHARGED
LA04/2021/0600/LDE	LOCDEV	27 Stranmillis Gardens Belfast BT9 5AS.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0601/F	LOCDEV	32 Somerton Park Belfast BT15 4DP	Proposed two storey extension to side of existing dwelling	PERMISSION GRANTED
LA04/2021/0605/LDE	LOCDEV	1B St Ives Gardens Stranmillis Road Belfast BT9 5DN	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

LA04/2021/0606/CONTPO	LOCDEV	99 Upper Newtownards Road Belfast BT4 3HW	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0609/F	LOCDEV	57 Kingsdale Park Belfast BT5 7BZ.	Demolish existing rear return, conservatory & garage & replace with single storey rear extension & formation of frosted window to gable.	PERMISSION GRANTED
LA04/2021/0610/F	LOCDEV	26 The Green Dunmurry Belfast BT17 0QA.	Single Storey Side and Rear Extension. Associated Works.	PERMISSION GRANTED
LA04/2021/0611/F	LOCDEV	68 Sicily Park Belfast BT10 0AN.	Single Storey Rear Extension.	PERMISSION GRANTED
LA04/2021/0619/LDE	LOCDEV	13 Stranmillis Park Belfast BT9 5AU	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0631/F	LOCDEV	3 Grey Castle Manor Belfast BT6 9QT	First floor extension over existing garage, new rooflight on front elevation and boiler flue extension.	PERMISSION GRANTED
LA04/2021/0632/F	LOCDEV	15 Isadore Avenue Belfast BT13 3QQ	Single storey rear extension	PERMISSION GRANTED
LA04/2021/0636/F	LOCDEV	25 Ravenhill Park Belfast BT6 0DE	Single and two storey extension to rear, alterations to side elevations.	PERMISSION GRANTED
LA04/2021/0639/F	LOCDEV	23 Meadowbank Street Lisburn Road Belfast BT9 7FG	Single storey rear extension to dwelling and 2no proposed dormer windows to rear	PERMISSION GRANTED

LA04/2021/0645/LDE	LOCDEV	Flat 3 74 Eglantine Avenue Belfast BT9 6EU	House in Multiple Occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0660/F	LOCDEV	11 Myrtlefield Park Belfast BT9 6NE	Single storey rear extension with internal alterations and raised patio and steps to access to rear and associated site works	PERMISSION GRANTED
LA04/2021/0661/DCA	LOCDEV	11 Myrtlefield Park Belfast BT9 6NE	Part demolition of existing single storey out-buildings and rear wall of dwelling	PERMISSION GRANTED
LA04/2021/0663/F	LOCDEV	114 Ballymurphy Road Belfast BT12 7JP	Single storey extension to the side and rear of dwelling	PERMISSION GRANTED
LA04/2021/0665/F	LOCDEV	355 Castlereagh Road Belfast BT5 6AB	Single storey rear extension	PERMISSION GRANTED
LA04/2021/0666/F	LOCDEV	1 Downview Avenue Belfast BT15 4EZ.	Proposed 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 (amended description)	PERMISSION GRANTED
LA04/2021/0667/F	LOCDEV	7 Dundela Avenue Belfast BT4 3BQ.	Proposed single-storey extension to rear of existing semi-detached dwelling.	PERMISSION GRANTED
LA04/2021/0671/CONTPO	LOCDEV	62 Balmoral Avenue Belfast BT9 6NY.	Works to 10 trees.	WORKS TO TREES IN CA - AGREED



LA04/2021/0672/DC	LOCDEV	Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast.	Discharge of condition 7 LA04/2020/0804/F.	CONDITION DISCHARGED
LA04/2021/0677/DC	LOCDEV	Lands west of Monagh By-Pass Belfast	Discharge of condition no 31 of planning approval LA04/2020/0804/f	CONDITION DISCHARGED
LA04/2021/0680/LDE	LOCDEV	Flat 1 161 Stranmillis Road Belfast BT9 5AJ	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0699/LDE	LOCDEV	Flat 2 150 University Street Belfast BT7 1HH.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0701/F	LOCDEV	4 Hillhead Avenue Belfast BT11 9GD.	Loft conversion with dormer to side and 1 velux window to front and rear.	PERMISSION GRANTED
LA04/2021/0703/F	LOCDEV	100 Circular Road Belfast BT4 2GE	Demolition of existing rear extension, attached garage and carport. Construction of new single storey side and two storey rear extension and attached garage, and elevational changes to existing dwelling	PERMISSION GRANTED
LA04/2021/0708/F	LOCDEV	38 Bawnmore Road Belfast BT9 6LB	Single storey side extension and two storey rear extension to dwelling with external alterations. Demolition of front glasshouse and other associated demolition.	PERMISSION GRANTED

LA04/2021/0711/F	LOCDEV	21 Old Holywood Road Belfast BT4 2HJ	Single storey rear extension to garage and conversion of garage to habitable accommodation	PERMISSION GRANTED
LA04/2021/0714/F	LOCDEV	4 Glenmurray Court Belfast BT11 8QH.	Proposed Single Storey Rear and Side Extension. Alterations to Front Elevation and Additional Site Works.	PERMISSION GRANTED
LA04/2021/0737/F	LOCDEV	147 Norglen Parade Belfast BT11 8DS	One and a half domestic garage with domestic store over to rear.	PERMISSION GRANTED
LA04/2021/0762/LDE	LOCDEV	FLAT 2 - 21 Ashley Avenue Belfast BT9 7BT.	Change of use to property from residential property to HMO.	PERMITTED DEVELOPMENT
LA04/2021/0763/F	LOCDEV	35 - 47 Donegall Place Belfast BT1 5AW	Relocation of proposed plant (Air Handling and Air Conditioning Units) from fifth floor to roof. Change to approval LA04/2020/0421/F.	PERMISSION GRANTED
LA04/2021/0764/NMC	LOCDEV	25 Adelaide Avenue Belfast BT9 7FY.	Non material Change to LA04/2019/2050/F	NON MATERIAL CHANGE GRANTED
LA04/2021/0770/F	LOCDEV	777 Lisburn Road Belfast BT9 7GW	Single storey extension to rear of dwelling and internal alterations	PERMISSION GRANTED
LA04/2021/0772/LDE	LOCDEV	Flat1 (Ground Floor) 112 Fitzroy Avenue Belfast BT7 1HX.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0783/DC	LOCDEV	Hampton House 1-7 Glenmachan Park Belfast	Discharge of Clause 3.3 of planning agreement Z/2014/0260/f	CONDITION DISCHARGED
LA04/2021/0784/DC	LOCDEV	Hampton House 1-7 Glenmachan Park Belfast	Discharge of Clause 3.4 of Planning Agreement Z/2014/0260/f	CONDITION DISCHARGED

LA04/2021/0785/DC	LOCDEV	Hampton House 1-7 Glenmachan Belfast	Discharge of 3.5 planning agreement Z/2014/0260/f	CONDITION DISCHARGED
LA04/2021/0786/F	LOCDEV	45 Deramore Park Belfast BT9 5JX	New ground floor bay window to garage and widening of garage door	PERMISSION GRANTED
LA04/2021/0788/DC	LOCDEV	Lands opposite Ruby Cottages and St Ellens Terrace Edenderry Road Edenderry Village BT8 8JN	Discharge of condition no 14 of LA04/2017/1439/F (Piling Risk Assessment)	CONDITION DISCHARGED
LA04/2021/0795/CONTPO	LOCDEV	35 Kings Road Belfast BT5 6JG.	Works to 26 trees and felling of 3 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0809/CONTPO	LOCDEV	11 Cyprus Avenue Belfast BT5 5NT	Works to 2 lime trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/0823/F	LOCDEV	40 Dee Street Belfast BT4 1FT	2 storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2021/0826/LDE	LOCDEV	14 Penrose Street Belfast BT7 1QX.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/0839/F	LOCDEV	8 Glenhill Park Belfast BT11 8GB	Roofspace conversion with side dormer	PERMISSION GRANTED
LA04/2021/0844/NMC	LOCDEV	43 Knockvale Park Belfast BT5 6HJ	NMC to LA04/2020/2403/F	NON MATERIAL CHANGE GRANTED
LA04/2021/0845/DC	LOCDEV	7 Holland Park Belfast BT5 6HB	Discharge of condition no 3 of LA04/2019/1000/F (Landscape Plan)	CONDITION DISCHARGED

LA04/2021/0853/DC	LOCDEV	95 Crumlin Road and site of (formerly) 1-7 Cliftonpark Avenue Belfast BT14 6AD	Discharge of condition no 6 of LA04/2016/2532/F (Remediation strategy)	CONDITION NOT DISCHARGED
LA04/2021/0858/DC	LOCDEV	30 44 Bradbury Place Belfast BT7 1RT	Discharge of condition no 12 of planning approval LA04/2017/2753/F	CONDITION NOT DISCHARGED
LA04/2021/0892/F	LOCDEV	11 Beechlawn Park Dunmurry Belfast BT17 9NR.	Single storey rear extension with rear patio.	PERMISSION GRANTED
LA04/2021/0913/CONTPO	LOCDEV	42 CYPRUS AVENUE BELFAST BT5 5NT.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/0926/F	LOCDEV	12 Beattie Park Terrace Dunmurry.	Single storey side extension and patio area.	PERMISSION GRANTED
LA04/2021/0945/LDE	LOCDEV	8 St Ives Gardens Belfast BT9 5DN	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/0967/LBC	LOCDEV	Custom House Custom House Square Belfast BT1 3ET	Proposed internal works involving the removal/stripping out of non-historical features including stud walls; glazed partition walls; toilet blocks; floor finishes; suspended grid ceiling on lower ground floor and second floor levels; south courtyard lobby entrance; secondary glazing on lower ground floor, ground floor and first floor levels; and all existing mep services to accommodate building survey works of original features.	PERMISSION GRANTED

LA04/2021/0981/DC	LOCDEV	141-149 Upper Newtownards Road Belfast BT4 3HX	Discharge of condition no.8 of LA04/2019/2334/F (Noise impact assessment)	CONDITION NOT DISCHARGED
LA04/2021/1024/DCA	LOCDEV	25 Cleaver Avenue Belfast BT9 5JA	Demolition of rear porch, part of rear ground floor roof and doorway.	PERMISSION GRANTED
LA04/2021/1041/LDE	LOCDEV	2 Meadowbank Street Lower Windsor Avenue Belfast BT9 7FG.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/1071/DCA	LOCDEV	19-21 Donegall Street Belfast BT1 2HA.	-Demolition of existing ground floor doorway on Donegall Street. - Removal of ground floor window on warehouse lane. - Existing side elevation window (next to Warehouse Lane), and wall below opening to be removed to form internal openings into new stair well. - Internal partitions removed in line with drawings.	PERMISSION GRANTED
LA04/2021/1077/LDE	LOCDEV	10-14 Tomb Street Belfast BT1 3AS.	Creation and Use of Existing Beer Garden at Ground Level.	PERMITTED DEVELOPMENT
LA04/2021/1142/CONTPO	LOCDEV	25 Harberton Park Belfast BT9 6TW.	Works to 8 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/1143/LDE	LOCDEV	The Errigle Inn 312-320 Ormeau Road Belfast BT7 2GE	External seating area for use by customers of the existing bar/restaurant	PERMITTED DEVELOPMENT

LA04/2021/1144/CONTPO	LOCDEV	16 Lennoxvale Malone Road Belfast BT9 5BY.	Works to 140 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/1154/CONTPO	LOCDEV	63 Myrtkefield Park Belfast BT96NG.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2021/1199/CONTPO	LOCDEV	11 Adelaide Park Belfast BT9 6FX.	Complete prune with crown reductions of 30%, 2x Aesculus hippocastanum on rear boundary, to minimise the potential risk of failure.	WORKS TO TREES IN CA - AGREED
LA04/2021/1200/CONTPO	LOCDEV	5 Bladon Drive Belfast BT9 5JL	Complete prune with crown reduction of 2m, 1x Quercus robur in rear garden, as recommended.	WORKS TO TREES IN CA - AGREED
LA04/2021/1307/CONTPO	LOCDEV	3 Somerton Drive Belfast BT15 3LP.	Works to 2 50ft lime trees	WORKS TO TREES IN CA - AGREED

## Development Management Report Addendum Report

Summary	
<b>Committee Meeting Date:</b> Tuesday 15 June 2021	
<b>Application ID:</b> LA04/2020/2200/F and LA04/2020/2201/DCA	
<b>Proposal:</b> Demolition of Nos. 27 to 37 Linenhall Street and Nos. 8-10 Clarence Street and erection of seven storey office building.	<b>Location:</b> 8-10 Clarence Street, 27-37 Linenhall Street and existing car park at the corner of Linenhall Street and Clarence Street Belfast.
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b>	<b>Refusal</b>
<b>Applicant Name and Address:</b> Domus UK Ltd 4 Paris Parklands Railton Road Surrey GU2 9JU	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<b>Referral Route:</b> Major application	
<p>Executive Summary</p> <p>The application was scheduled for presentation to April Planning Committee. However, following the publication of the Agenda for the 17th April 2021 meeting, there was an email from Turley Planning (Agent) requesting that consideration of the application be deferred to allow for the submission of a viability assessment and an updated redline to enable further discussion in relation to public realm improvements.</p> <p>At the April meeting it was for Members to consider the request for a deferral but officers highlighted that a viability assessment would not address the fundamental design issues with this proposal. At the meeting the Committee resolved to defer consideration, without the application being presented, to “allow developer to submit additional information”.</p> <p>Further information was submitted on 7<sup>th</sup> May 2021, including:</p> <ul style="list-style-type: none"> <li>- Further justification of design and 3D visuals showing potential design amendments and a case presented to suggest these changes would be detrimental to the resultant character of the building and the area.</li> <li>- Confirmation sought as to the outcome of consultations in relation to public realm contributions, as per the <i>Developer Contribution Framework</i>, and a reluctance to extend a red line in the absence of any demonstrated need for such improvements. Confirmation is provided that the developer is willing to enter into a Section 76 Agreement to facilitate a contribution towards wider public realm improvement schemes within the area.</li> <li>- A letter from Savills addressing the overall viability of the scheme. It is argued that the buildings make no material contribution to the conservation area as their removal and appropriate replacement would not have an adverse effect on the area. It is claimed that efforts were made to market the site and the only interest was based on the demolition of the existing buildings and redevelopment. It was also claimed that the spaces within the</li> </ul>	

existing buildings were deemed unsuitable, and what was felt as restricted access to two of the buildings making them unsuitable for modern office providers.

#### Consideration of Issues:

- Officers would remain of the opinion that any suggested design changes would be to the benefit of the overall character of the building, the appearance of the conservation area and would reduce the impact on the adjacent Ulster Hall (listed).
- A consultation response from DFC remains outstanding, however Officers would remain of the opinion that the red line should be extended to facilitate public realm improvements in the area immediately surrounding the proposed building. This would be a standard requirement for such schemes within the city centre to mitigate the development and enhance the character and appearance of the area. The proposed hard and soft landscaping works would be secured via condition.
- It is considered that insufficient information has been submitted in terms of the overall viability of the scheme, and the merits for removing the existing buildings which Officer's consider make a positive contribution to the character of the Linen Conservation Area. Policy BH14 of PPS6 is clear that when a building makes a positive contribution, the presumption is in favour of retention, and the council should have regard to the same broad criteria for the demolition of listed buildings (para 6.5 and policy BH 10). PPS6 Para 6.5 reinforces the ethos that if the building makes a contribution, then the presumption to retain and protect should only be relaxed under exceptional circumstances, including condition of the building, cost of repairing and maintaining, efforts made to retain the building and alternative proposals for the site. On balance, in the absence of what is considered to be sufficient information to justify the removal of the buildings and without an acceptable redevelopment proposal, it is the view of officers that the proposal is contrary to PPS6. There is insufficient evidence provided in relation to the marketing of the site, either in terms of selling or renting the existing buildings.

For reasons stated above, the recommendation remains that the application be refused for the reasons set out in the original report (repeated below).

It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to refuse planning permission for the following reasons:

1. The proposed office building, by reason of its scale, height, massing, façade alignment, form and design, would have an over-dominant impact on the Grade A Listed Ulster Hall to the detriment of its setting. The proposal is therefore contrary to Policy BH11 of Planning Policy Statement 6, Policy PED9 of Planning Policy Statement 4 and paragraph 6.12 of the Strategic Planning Policy Statement for Northern Ireland.
2. The proposal would result in the demolition of Nos. 27-37 Linenhall Street, which make a positive contribution to the character and appearance of the Linen Conservation Area. The proposal is therefore contrary to Policy BH14 of Planning Policy Statement 6. Moreover, the proposed office building, by reason of its scale, height, massing, façade alignment, form and design, would have an over-dominant impact on the street scene and interrupt framed views northwards of City Hall, harming the character and appearance of the Conservation Area. The proposal is therefore contrary to Policy BH12 of Planning Policy Statement 6 and paragraphs 6.18 and 6.19 of the Strategic Planning Policy Statement for Northern Ireland.
3. The proposal does not incorporate public realm improvements to the footways on Linenhall Street and Clarence Street, and does not take the opportunity of enhancing the



setting of the proposed office building and Conservation Area. The proposal is therefore contrary to paragraphs 4.15 and 6.18 of the Strategic Planning Policy Statement for Northern Ireland, Policy BH12 of Planning Policy Statement 6 and Chapter 8 of the Developer Contribution Framework (adopted January 2020).

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 20 <sup>th</sup> April 2021	
<b>Application ID:</b> LA04/2020/2200/F and LA04/2020/2201/DCA	
<b>Proposal:</b> Demolition of Nos. 27 to 37 Linenhall Street and Nos. 8-10 Clarence Street and erection of seven storey office building.	<b>Location:</b> 8-10 Clarence Street, 27-37 Linenhall Street and existing car park at the corner of Linenhall Street and Clarence Street Belfast.
<b>Referral Route:</b> Major application	
<b>Recommendation:</b> Refusal	
<b>Applicant Name and Address:</b> Domus UK Ltd 4 Paris Parklands Railton Road Surrey GU2 9JU	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<b>Executive Summary:</b>  Applications seeking demolition of Nos. 27 to 37 Linenhall Street and Nos. 8-10 Clarence Street and erection of seven storey office building (circa 6000 sqm floor space).  The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>Principle of a building on the site</li> <li>Demolition within the Linen Conservation Area</li> <li>Impact on Built Heritage</li> <li>Impact on character and appearance of the Linen Conservation Area</li> <li>Design</li> <li>Acceptability of Office Use at this location</li> <li>Traffic and Parking</li> <li>Impact on Amenity</li> <li>Impact on Historic Monuments</li> <li>Drainage and Flooding</li> <li>Pre-application Community Consultation</li> <li>Air Quality</li> <li>Waste Water Treatment</li> <li>Developer Contributions</li> </ul> The principle of the proposed office use is acceptable in this city centre location.	

However, the scale, height, massing, alignment and form of the building will have a detrimental impact upon the setting of a number of listed buildings, including the Ulster Hall. HED objects to the proposal on grounds of harm to the setting of listed buildings, contrary to Policy BH11 of Planning Policy Statement 6.

The proposal includes the demolition of two buildings, one on Clarence Street and one on Linenhall Street. The principle of demolition of the building on Linenhall Street, which makes a positive contribution to the character of the Linen Conservation Area, is not acceptable and the proposed redevelopment scheme does not enhance the character and appearance of the area as it is of a scale and massing which is unsympathetic to the adjoining buildings and the characteristic built form of the area. Both the Conservation Officer and Urban Design Officer object to the proposal.

The Council has a duty to adopt a precautionary principle and when considering demolition of a building which makes a positive contribution (to the character of a conservation area): there should be clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and that these efforts have failed. The onus therefore is on the applicant to provide detailed evidence in support of such claims.

In the absence of such evidence (as is the case here), the determining factor in assessing demolition of these buildings will therefore be the merits of the alternative proposals. For the reasons stated above, and amplified in the main body of the report, the proposed redevelopment scheme is deemed to be unacceptable. It would have a detrimental impact on the setting of Listed Buildings and harmful to the character and appearance of the Conservation Area.

DAERA and NI Water have advised that at present the waste water treatment infrastructure does not have sufficient capacity to serve the proposed development and no acceptable, alternative solution has been proposed. However, for the reasons set out in the main report, it is considered that this issue could be addressed by a suitably worded planning condition and a refusal reason on this issue is not considered appropriate.

#### Statutory Consultees

DFI Roads – No objection subject to conditions

NI Water – Objection

HED Historic Buildings Unit – Objection

HED Historic Monuments Unit – No objection

DAERA Water Management Unit – Objection

DAERA Regulation Unit – No Objection

Rivers Agency – No objection

Belfast City Airport – No objection

#### Non-Statutory Consultees

Belfast City Council Environmental Health Department – No objection subject to conditions

Belfast City Council Urban Design Officer – Objection

Belfast City Council Conservation Officer – Objection

No objections have been received from the community or third parties.

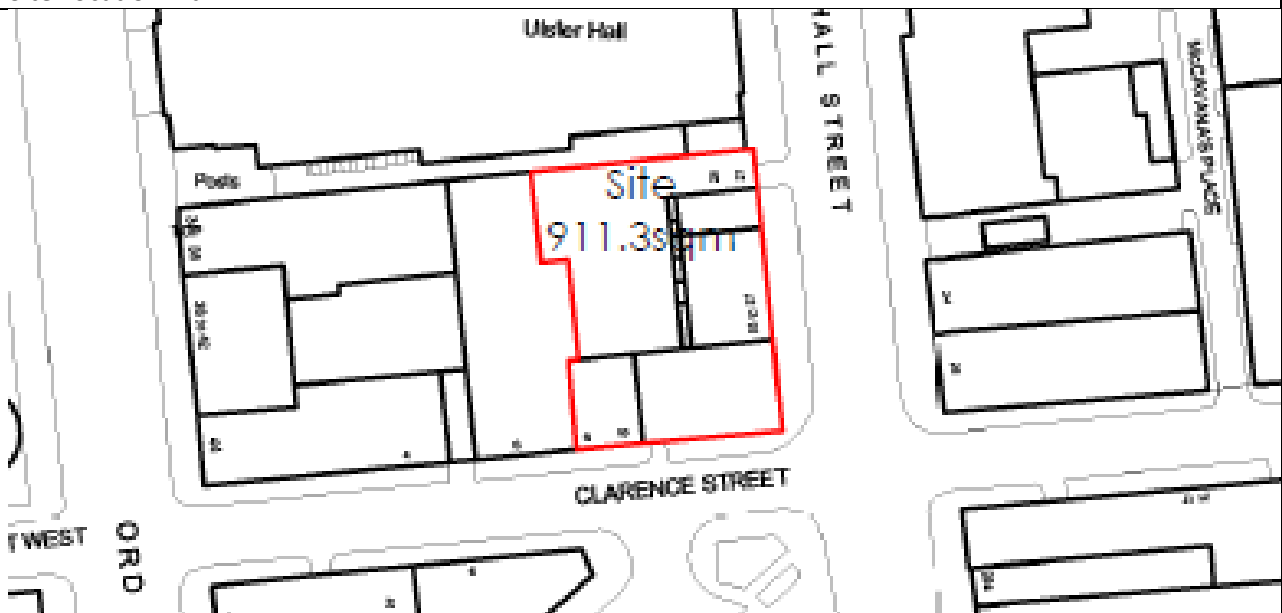
#### Recommendation

Having had regard to the statutory development plan, the draft development plan, relevant planning policies, planning approvals in the area, and the consideration of the issues set out in

this report, the proposed demolition and redevelopment is considered unacceptable and subsequently a refusal of planning permission is recommended.

## Case Officer Report

## Site Location Plan



## Contextual Elevations



- |     |   |
|-----|---|
| 1.0 | Description of Proposed Development   |
| 1.1 | The proposal is a 7 storey building, 25.2m high (21.5m to its shoulder), providing approximately 5,932 sqm of office space. The building fronts onto both Linenhall Street and Clarence Street and partly steps down in height on the latter where it meets the street.                               |
| 1.2 | The proposed building is red bricked with bronze metal features applied to projecting window frames between first and fourth floors with deep angled framing to the ground floor openings. A contemporary take on the traditional chamfered corner comprises an attractive solid-to-void arrangement. |

1.3	No car parking is proposed. 46 internal cycle parking spaces would be provided. The building will be serviced from Linenhall Street.
2.0	Description of Site
2.1	The site is located on the junction of Linenhall Street and Clarence Street and consists of vacant surface level car park (circa 8 car parking spaces) located centrally with buildings at either side fronting onto both streets.
2.2	Two adjoining buildings front onto Linenhall Street, these are two and three storey in scale and are of typical design and proportions with a painted render finish and slate roofs. The buildings are occupied with retail and café units at ground floor level and offices on the two floors above.
2.3	A two storey gable fronted building fronts onto Clarence Street. This is of modern design with an elongated vertical glazed panel located centrally between two windows at either side.
2.4	The corner is poorly defined with just a 1m high railing enclosing the surface level car park with access onto Clarence Street.
2.5	The site is within the Linen Conservation Area. The Ulster Hall, immediately next to the site to north, is a Listed Building (Grade A).
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	LA04/2020/0164/F - Demolition of nos. 27-37 Linenhall Street and 8-10 Clarence Street and erection of eight storey office building. Withdrawn
3.2	LA04/2020/0125/DCA - Demolition of No's 27 to 37 Linenhall Street and No's 8-10 Clarence Street and erection of eight storey building. Withdrawn
3.3	LA04/2019/2348/F - Demolition of nos 27 to 37 Linenhall Street and nos 8-10 Clarence Street and erection of seven storey office building. Withdrawn
3.4	LA04/2019/2347/DCA - Demolition of nos 27 to 37 Linenhall Street and nos 8-10 Clarence Street and erection of seven storey office building. Withdrawn
4.0	Policy Framework
4.1	Belfast Urban Area Plan Draft Belfast Metropolitan Area Plan 2015 (2004) Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area' Draft Belfast Metropolitan Area Plan 2015 (2015) Developer Contribution Framework (2020)
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 – Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage Planning Policy Statement 13 – Transportation and Land use

	Planning Policy Statement 15 – Planning and Flood Risk
5.0	<p>Statutory Consultees</p> <p>DFI Roads – No objection subject to conditions</p> <p>NI Water – Objection</p> <p>HED Historic Buildings Unit – Objection</p> <p>HED Historic Monuments Unit – No objection</p> <p>DAERA Water Management Unit – Objection</p> <p>DAERA Regulation Unit – No objection</p> <p>Rivers Agency – No objection</p> <p>Belfast City Airport – No objection</p>
6.0	<p>Non-Statutory Consultees</p> <p>Environmental Health BCC – No objection</p> <p>Urban Design Officer – Objection</p> <p>Conservation Officer – Objection</p>
7.0	<p>Representations</p> <p>None received</p>
8.0	<p>Other Material Considerations</p> <p>Linen Conservation Area guidance document</p> <p>The Belfast Agenda</p> <p>The City Centre Regeneration and Investment Strategy (CCRIS) (2015)</p>
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>• Development Plan Context</li> <li>• Demolition within the Linen Conservation Area</li> <li>• Impact on Built Heritage</li> <li>• Impact on character and appearance of the Linen Conservation Area</li> <li>• Design</li> <li>• Acceptability of Office Use at this location</li> <li>• Traffic and Parking</li> <li>• Impact on Amenity</li> <li>• Impact on Historic Monuments</li> <li>• Drainage and Flooding</li> <li>• Pre-application Community Consultation</li> <li>• Air Quality</li> <li>• Waste Water Treatment</li> <li>• Developer Contributions</li> </ul>
9.2	<p><b>Development Plan Context</b></p> <p>Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan has reverted to the Belfast Urban Area Plan. 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. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p>
9.3	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
9.4	<p>In the Belfast Urban Area Plan the site is located on unzoned whiteland. In the earlier version of Draft Belfast Metropolitan Area Plan (2004) and the latest version of draft</p>

	BMAP (2014) (the version published post Public Enquiry and purported to be adopted) the site is unzoned whiteland.
9.5	The site is also within the City Centre boundary and within the Linen Conservation Area as in the BUAP and draft BMAP (both pre-enquiry and adopted versions) and within the Main Office Area CC009 in dBMAP (2004).
9.6	<p><u>BUAP</u> Policy CC12 – High Buildings</p> <p>The Policy seeks to ensure that new high buildings:</p> <ul style="list-style-type: none"> <li>do not mar or dominate the surrounding hills or the scale of attractive Belfast Views</li> <li>relate sympathetically in design to the urban structure of the City</li> <li>relates sympathetically to their immediate surroundings</li> <li>relate sympathetically to buildings or groups of buildings of architectural and historic interest</li> </ul>
9.7	These criteria are addressed in further detail below when discussing the potential impact on listed buildings, the Linen Conservation Area and how the proposal sits within its immediate context.
9.8	<p><u>Draft BMAP (2004 and 2014 versions)</u></p> <p>The site is located within the Commercial District Character Area as designated in draft Belfast Metropolitan Area Plan (2004) and also within the latest version of BMAP (2015) (CC007). This sets out a number of urban design criteria for the area and criteria specific to the area:</p> <ul style="list-style-type: none"> <li>The density of development in the area shall be maintained and increased, where appropriate, through high site coverage and high plot ratios;</li> <li>Development proposals shall take account of the height of adjoining buildings;</li> </ul>
9.9	Given the inner urban grain the density as proposed, albeit high on what is a restricted footprint, would not be unacceptable. In terms of the height of the adjoining buildings this will be discussed in more detail below under prevailing planning policy, namely PPS6.
9.10	<p>There are no site specific criteria which affect the proposal however there are three further criteria which apply throughout the Character Area:</p> <ul style="list-style-type: none"> <li>New development shall respect the established building line. Exceptions may only be permitted where development creates significant public open space;</li> <li>Building heights shall be a minimum of 6 storeys and a maximum of 9 storeys; and</li> <li>Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units, e.g. the sub division of block into 4 buildings.</li> </ul>
9.11	The proposed building has a height of approximately 25m and is 7 storeys high. This meets the general height requirement in the urban design criteria for the character area in detailed above. There will be a more detailed discussion below about the principle of a tall building on this site (Under PPS6) which will take in wider factors such as immediate building heights, heights within the conservation area and impact upon built heritage.
9.12	<p><u>Objections to Designations and Development Opportunity Sites in Draft BMAP</u></p> <p>Objections to Designation CC009 – Main Office Area</p> <p>In their report on the Public Local Enquiry into Objections to the BMAP 2015, the Planning Appeals Commission (PAC) concluded that there was no need for a main office</p>

	area in Belfast and offices should be allowed throughout the defined City Centre in the Plan.
9.13	There were a number of general objections to all Character Areas and in particular to specific design criteria. The PAC concluded that in general the design criteria were merited and basic expectations of responsive urban design within a City Centre context.
	<b>Demolition within the Linen Conservation Area</b>
9.14	The Conservation Area Officer has assessed the contributions made by the buildings on site that are the subject of the demolition consent application.
9.15	<i>8-10 Clarence Street: 'Modern building with no features of historic or architectural merit that reflect typical characteristics seen in other heritage assets within the area. Scale, massing, floor to ceiling heights and proportions do not sit well with adjacent historic units or the wider streetscape, and thus it does not contribute positively to legibility or the uniform reading of the streetscene. <b>Full demolition would be acceptable in principle, subject to a suitable replacement scheme.</b>'</i>
9.16	<i>27-37 Linenhall Street: 'The Linen Conservation Area Guide' identifies the terrace façade for maintenance and enhancement rather than a development opportunity. In 'The Linen Quarter Vision &amp; Guidance' it is not identified as making either a positive or negative contribution (page 38) but is identified as having 'potential to improve (its) contribution'.</i>
9.17	<i>'Commercial retail units at ground floor have significantly diluted the historic fabric, nonetheless it retains a number of historical features which in my opinion reflect the architectural, social and economic circumstances of the linen industry and would have typified the area's original urban grain; hipped roof, corbelled chimney, curved fanlight, ground floor plinths, vertical emphasis and proportionality to window openings, plot widths / rhythms etc. Whilst the façades have been rendered, original brickwork can be seen through this which highlights that there may be potential to restore and retain additional elements of value. Some of the above features are reflected in nearby buildings such as the recent Ulster Hall extension, which is also set back to enable the terrace to remain prominent and contribute to legibility via a subtle, incremental step-up from the lower level units to the south to the taller Ulster Hall extension to the north.'</i>
9.18	The Conservation Officer is of the opinion that this is a historic asset with sufficient interest by way of age, features and legibility to make a positive contribution to the character and appearance of the conservation area. <b>The presumption in favour of retention should therefore apply under Policy BH14 and it would be preferable that opportunities should be explored to retain, re-use and regenerate these buildings within any redevelopment scheme to enable their continued contribution.</b>
9.19	The proposal has been assessed against Policy BH14 of PPS6. BH14 is clear that when a building makes a positive contribution, the presumption is in favour of retention, and the Council should have regard to the same broad criteria for the demolition of listed buildings (para 6.5 and policy BH 10). PPS6 6.5 sets out general criteria which are relevant to all proposals (including demolition), and reinforces the ethos that if the building makes a contribution, then the presumption to retain and protect should only be relaxed under exceptional circumstances.
9.20	The applicant has indicated that they do not wish to pursue retention / re-use, and in such instances Policy BH14 directs the Council to have regard to the same broad criteria outlined for the demolition of listed buildings (PPS6 para 6.5 and Policy BH 10);



	<p>a) the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use. PPS6 provides suitable clarity on what level of information should be provided in support of this.</p> <p>b) the adequacy of efforts made to retain the building in use. It is for the applicant to demonstrate that genuine efforts have been made to continue the present use or to find compatible alternative uses for the building – again PPS6 sets this out in detail; and</p> <p>c) the merits of alternative proposals for the site.</p>
9.21	<p>Section 5.5 page 26-27 of the applicant's Building Appraisal &amp; Heritage Impact Statement states that for criterion (a): <i>'the condition of the buildings is poor... Improvements if made, are understood to not be viable at this location... Savills property consultants has advised that the size of the floorplates and layout configuration of the buildings no longer meet the standards required by potential tenants. As such, there was no demand to refurbish the existing buildings and a refurbishment to improve condition would not have been financially viable... If the buildings were retained, it would not be economically viable to develop the car park site only due to its limited width... this aspect must be balanced by the overall planning decision taking into consideration costs and viability.'</i></p>
9.22	<p>2.8 Section 5.5 page 27 states that for criterion (b): <i>'Following a comprehensive marketing campaign that lasted 8-12 weeks it was determined that whilst there was interest from a number of parties, those that were interested in acquiring the property had no interest in the retention of the existing buildings and only had an interest in acquiring the site with the intention of redevelopment... In this context, Savills have advised that, "As the retail space on the ground floor and office accommodation does not satisfy the requirements of the modern occupiers we would be of the opinion that the properties will remain unoccupied and in a dilapidated state until such time that planning permission has been obtained for redevelopment."</i></p>
9.23	<p>The Conservation Officer has highlighted that no evidence has been provided to demonstrate that this is the case. The council has a duty under PPS6 to adopt a precautionary principle and when considering demolition of a building which makes a positive contribution; there should be clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and that these efforts have failed. The onus therefore is on the applicant to provide detailed evidence in support of such claims. Moreover, it is considered that marketing the premises for 8-12 weeks is far too short a period to be meaningful.</p>
9.24	<p>In the absence of such evidence, the Conservation Officer cannot give any reasonable weight in support of criteria (a) or (b). The determining factor in assessing demolition of these buildings in this instance will therefore be criterion (c), the merits of the alternative proposals.</p>
9.25	<p>Based on the information currently provided, the principle of demolition conflicts with BH10 of PPS6 and therefore the policy presumption in favour of retention under BH14 applies. Insufficient information has been provided to justify the proposed demolition. It is acknowledged that the redevelopment of this site, with an acceptable scheme, has the potential to enhance the character of the area, however there is insufficient information to satisfy the requirements of Policy BH 14 and BH10 and paragraph 6.19 of the SPPS. The merits of the proposed redevelopment and the weight to be afforded to criterion (c) will be discussed further below.</p>

9.26	The consent to demolish has been sought separately under application LA04/2020/2201/DCA.
9.27	<p><b>Impact on Built Heritage</b></p> <p>Historic Environment Division (HED) has noted that the proposal is in close proximity to, and within the setting of, the following listed buildings, which are of special architectural and historic interest and are protected by Section 80 of the Planning Act (NI) 2011:</p> <ul style="list-style-type: none"> <li>• The Ulster Hall 1-7 Bedford Street (Grade A)</li> <li>• Belfast City Hall (Grade A)</li> <li>• St Malachy's Church (Grade A)</li> <li>• BBC Broadcasting House Ormeau Avenue (Grade B1)</li> <li>• Bryson House 28 Bedford Street (Grade B1)</li> </ul>
9.28	Historic Environment Division (HED) considers that the proposal fails to satisfy the policy requirements of the SPPS Para 6.12 (Setting) and BH11 PPS6 (Development affecting the Setting of a listed Buildings) in that the scale, height, massing, alignment and form of the building is out of keeping with the Ulster Hall and the adjoining buildings along Clarence Street and would if permitted, also compromise the integrity of the block, the distinctive character of the conservation area and the setting of the listed buildings as listed above.
9.29	HED considers that the proposals as presented still fail to satisfy paragraph 6.12/ Development proposals impacting on Setting of Listed Buildings of SPPS and with respect to Policy BH11 'Development affecting the Setting of a Listed Building' of PPS6.
9.30	The listed building that will arguably be most affected by the proposal is the Ulster Hall, immediately abutting the site to the north. The proposal is approximately 7m higher than the main roofline of this 5 storey listed structure, with a difference of approximately 3.5m between the two predominant shoulder heights.
9.31	It is acknowledged that the overall 'setting' of the listed structures listed above has changed dramatically over recent years. As opposed to what would have been a traditional much lower streetscape, particularly in the more southern parts of the Linen Quarter, the introduction of high-rise contemporary buildings has transformed the built context on what is a main arterial route to the city centre, terminated by the City Hall. The southern side of the Linen Conservation Area is defined as much by the large contemporary buildings fronting onto Linenhall Street and Adelaide Street as the lower more domestically scaled buildings on Bedford Street, Alfred Street and Joy Street.
9.32	However, it is felt that although the building is not dissimilar in height to some of the more contemporary buildings in the area, it is of a scale that will dominate the immediate streetscape, particularly the western side, and in doing so impact negatively upon the setting of the listed Ulster Hall. The juxtaposition of high and low buildings is not uncommon and indeed is prevalent on some of the junctions within the conservation area, however the issue in this case is the relationship with the Ulster Hall and the impact upon its setting. In other conservation areas, particularly the city centre, where it could be argued that taller buildings help define the character, and the lower buildings are more isolated, within the Linen Conservation Area there is more of a mix, with the high rise buildings being more the notable exceptions (Windsor House, Bedford House).
9.33	The proposed design, finishes and materials are by no means a replica of the adjacent Ulster Hall building, which has a traditional red bricked finish and window to wall ratio, and hierarchy of form. However, the tones of the materials and vertical emphasis do pick up on the design traits displayed in the Ulster Hall. HED has noted the change in finish

	<p>from brown to red brick, which is more complementary. The applicant was given guidance on how to improve the relationship of the proposed building with the listed Ulster Hall, by reducing its height on the nearside and creating a set-back. However, no further such changes were made and the Council must consider the application before it. It is concluded that the proposal would have an unacceptable impact on the setting of the listed Ulster Hall, contrary to Policy BH11 of PPS 6. For this reason the proposal is unacceptable.</p>
9.34	<p><b>Impact on character and appearance of Linen Conservation Area</b></p> <p>The site is located centrally within the Linen Conservation Area, which is located immediately south of the City Hall between Donegall Square South and Ormeau Avenue. The proposal has been assessed against Policy BH12 of PPS6 and paragraph 6.19 of the SPPS. The site is located within the Linen Conservation Area as designated in the BUAP and BMAP. Some of the issues around the impact on the conservation area have been covered already, which is inevitable when the listed buildings tend to make a significant contribution in terms of a conservation area's character.</p>
9.35	<p><b>(a) the development preserves or enhances the character and appearance of the area;</b></p> <p>As the site consists of a surface level car park and two buildings, one of which offers little in terms of architectural merit, it is considered that the opportunity exists to enhance the character of the Linen Conservation Area as per paragraph 6.18 of the SPPS. The development draws upon the red brick/ rustic tones displayed in some of the more traditional buildings in the conservation area, including the rear of the adjacent Ulster Hall and No. 21 Linenhall Street, and combines this with a strong vertical emphasis. This building will replace a surface level car park, and two existing buildings. Given the design and materials, plus the fact the site includes a vacant car park, it is considered that a building on the site of an appropriate scale, respecting the built heritage, could outweigh the loss of the existing buildings. However, for the reasons stated above in relation to the scale of the building within the current context, discussed further below, and in the absence of a suitable redevelopment proposal, it is considered that the opportunity has not been taken to enhance the character of the Linen Conservation Area. The proposal is therefore contrary to Policy BH12 of PPS 6 and Section 104(11) of the Planning Act (Northern Ireland) 2011.</p>
9.36	<p><b>(b) the development is in sympathy with the characteristic built form of the area;</b></p> <p>The character of the immediate area is defined by an almost equal mix of established 3-6 storey red bricked and rendered buildings with taller more contemporary buildings such as the Cecil Ward Building, Bedford House and Windsor House (now Grand Central) becoming a feature of the wider area beyond the existing block. There are also the established two and three storey terraces, such as those adjacent to the site along Clarence Street, with this greater diversity in terms of height and old/ new mix more evident in the wider area, such as Bedford Street with Bedford House, Windsor House and the Invest NI Buildings dominating the skyline. So to suggest there is a uniformity within the conservation area is clearly not the case.</p>
9.37	<p>However, along Linenhall Street the streetscape is much more static, particularly on its western side, with no marked punctuations within the built form, certainly not to the extent of the anomalies on Bedford Street. This relative uniformity in building heights becomes particularly apparent when looking north along Linenhall Street from the site, a vista which is eloquently terminated by the City Hall, with its dome positioned perfectly in the centre, retaining its primacy as the most important building within the view. It is from this view that the existing site becomes very apparent in its vacancy. This prominent corner site is poorly defined with the blank southern façade of the Ulster Hall rising behind it and</p>

	the two and three storey buildings on the site becoming almost insignificant within this more dominant backdrop and context. Yes, the proposed building will be much more dominant than the existing buildings on the site but this is by no means a contradiction.
9.38	In a similar manner to the southern approach to the City Hall, the site lies within the streetscape which frames the western approach to another key listed building in the area, that of St. Malachys Church, located a short distance east of the site and a building terminates the vista along Clarence Street. The Clarence Street approach is very much low-scale with the terraced three storey streetscape at either side defining the approach from Bedford Street to Linenhall Street. The proposed building will obviously introduce a higher built form at the eastern end of Clarence Street, however, the 7 storey height is more akin to the massing of the six storey buildings to the eastern end of Clarence Street, which ultimately frame the immediate approach to St. Malachys. Having said this, it is the immediate context which is important in terms of how the legibility of the established block (framed by Clarence Street, Bedford Street, Linenhall Street and Franklin Street). The stark increase in height from the more domestic scale evident in the streetscape fronting onto Bedford Street and Clarence Street immediately west of the site will be striking and introduce a very dominant mass at odds with its immediate surroundings.
9.39	The Conservation Officer notes that ' <i>visual prominence should remain with listed buildings in the vicinity, and their role as landmark buildings should be respected in terms of legibility</i> '. For reasons stated above this will not be the case. The proposal therefore also fails this criterion of Policy BH12.
9.40	<b>(c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area;</b> The adjoining buildings in this case are the two buildings which abut the site, the Ulster Hall on Linenhall Street and the building to the rear along Clarence Street.
9.41	The Urban Design Officer has commented that ' <i>The proposed scale, height and massing of any building on this site should pick up on the existing heights of neighbouring developments to ensure it sits comfortably and responds positively to surrounding context. The neighbouring terrace to the west along Clarence Street is three storeys in height with a hipped roof form while to the north the site abuts the modern red brick extension to the Ulster Hall along Linenhall Street. Neighbouring buildings at the junctions of Clarence Street/Linenhall Street West and Linenhall Street/Clarence Street generally incorporate a three storey shoulder height. It is acknowledged that taller buildings of up to eight storeys, as well as roof extensions to existing buildings, have also been approved within this area (notably diagonally opposite this site), however in those cases context is different</i> '.
9.42	This largely seven storey building will be higher than both adjoining buildings, and although an attempt has been made to step the massing down towards the three storey block on Clarence Street, in the round the building does not go far enough in addressing the scale of the adjoining streetscape.
9.43	The Urban Design Officer expands on this by noting ' <i>While it is understood that the issue of height cannot be viewed in isolation and should be considered alongside other issues..... I am of the opinion that its application across most of the site results in a scheme which tips the balance towards overdevelopment of the site and a scheme that does not fully relate to surrounding context, particularly its listed neighbour (Ulster Hall) along Linenhall Street</i> '.

9.44	The introduction of horizontal and vertical shifts along the Clarence Street elevation are noted and to some extent help in the transition from the existing three storey terrace to the upper seven storey height of the proposed building. The Urban Design Officer welcomes this approach but highlights concerns with regard to the four storey height differential between the terrace and the proposed rear/side return of the building. Whilst responding architecturally to the eaves height along Clarence Street, the resultant seven storey height at the eastern end of Clarence Street will dominate the eastern views along Clarence Street to Linenhall Street.
9.45	Although careful consideration has been given to the transition in scale between the Linenhall Street frontage and Clarence Street the relationship between the building and the adjoining Linenhall Street frontage raises concerns. The five storey bulk of the Ulster Hall drops to a bay of approximately 2/3 storeys, stepped slightly back off the street, in the area immediately abutting the site. This results in a stark jump between the 7 storey expanse of the proposed building to this lower bay, before rising again the main 5 storey block of the Ulster Hall. This relationship is noted by the Urban Design Officer who points to the resultant <i>'abrupt and overbearing blank gable that visually competes with the listed asset'</i> .
9.46	Of particular concern is the impact the two upper floors will have on the streetscape. The shoulder height of the Ulster Hall provides an obvious horizontal cue, with the resultant massing being at odds with this established marker. The Urban Design Officer has noted this cue and has suggested that <i>'the introduction of a deep setback at this level would help to establish a lower five storey shoulder height (aligning with that of the Ulster Hall)'</i> . This relationship with the Ulster Hall is again highlighted by the Conservation Officer who states that <i>'this (Linenhall Street) elevation should be revised to include a similar setback and transitional element as per Clarence Street, which will be vital in ensuring a more appropriate built form for the wider streetscape, and crucially minimise any detriment or impact on the visual primacy and setting of the Ulster Hall extension'</i> .
9.47	Similarly the extent of the upper floors of the building will dominate the Clarence Street character. The Urban Design Officer states that <i>'consideration should be given to the removal of the upper seventh floor entirely or else potentially pulling the extent of the mansard back off the northern edge'</i> .
9.48	It is therefore concluded that the proposal fails this criterion of Policy BH12.
9.49	<b>(d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;</b> The bin storage and cycle store have been located in the rear of the building and are accessed off Linenhall Street, this should limit any potential disturbance and ensure that the street frontages are as 'active' as possible which is welcomed. Environmental Health have not raised any significant concerns in terms of potential noise or odours.
9.50	<b>(e) important views within, into and out of the area are protected;</b> Given the central location of the site within the Linen Conservation Area, the views affected by the proposal would be those within the area itself. As stated above the increase in height from the more domestic scale evident in the streetscape fronting onto Bedford Street and Clarence Street immediately west of the site will be striking and introduce a very dominant built form within the established block. This will impact upon the legibility of this planned block when viewed from the west from Bedford Street and to a lesser extent from the east along Clarence Street from St. Malachys Church where the built form (existing and approved) is notably higher.

9.51	In terms of the character of the northern part of the Conservation Area there is something of a mix. But as previously stated the established block is of a 3-5 storey scale with the Ulster Hall and adjacent 21 Linenhall building creating a strong western frame to views north. The landmark building in the area is the City Hall, providing a strong termination of this northern vista along the streets, which lead from the southern part of the conservation area to the city centre. This is located some distance north of the site but will be inter-visible with the proposed building from a key viewpoint to the south, on the approach to the site from Ormeau Avenue. This is arguably the most important northern linkage to the City Hall as it leads to the central dome of the building.
9.52	The introduction of a seven storey building on what is a vacant corner within the conservation area will have obvious visual implications, however its notable scale in relation to its neighbouring structures will impact significantly upon the views north to the City Hall, introducing a considerable mass on the western side of Linenhall Street, which as stated is out of keeping with the scale of the surrounding buildings, and particularly those within the block. The proposal therefore fails this criterion of Policy BH12.
9.53	<b>(f) trees and other landscape features contributing to the character or appearance of the area are protected; and</b> There are no landscape features on the site.
9.54	<b>(g) the development conforms with the guidance set out in conservation area documents.</b> The site lies within the Linen Conservation area, and indeed a part of the city centre, which is arguably defined by a mix of the more established 3-6 storey buildings reflecting the areas industrial heritage and the dispersed high-rise modern interventions such as Windsor House, Bedford House and 9 Adelaide.
9.55	The Linen Conservation Guidance Document talks about enhancing the essential character of the Linen Conservation Area and to encourage growth and development which is in sympathy with the character and appearance of the area. For reasons stated above the proposal is unsympathetic to the character of the area in terms of its scale and massing and subsequently the opportunity has not been taken to enhance the character of the conservation area.
9.56	New development within a conservation area should seek to reinforce character, the special architectural or historic qualities of the area that provide its legible character. As explained above the legible character is that of a mix of built form, both in terms of massing and proportions and also in terms of finishes, but ultimately it is the overall massing of the proposal and how it relates to its immediate context, and notably that of the Ulster Hall, which is found to be excessive and at odds with the scale of the buildings within the block in which it is located. This is particularly apparent along Clarence Street, with its three storey streetscape.
9.57	The underlying objective is of ensuring that new development does not undermine the urban design objective of legibility / promotion of legible environments – i.e. the proposal should not undermine the reading of the area as an area of special architectural and historic interest. The surface level car park on the site offers very little to the character of the conservation area as a whole, however, as stated above the existing buildings are of merit, particularly in the absence of an acceptable replacement scheme. A building with a high quality of architecture and finish of a sympathetic scale would be viewed as a positive. However, the proposal will introduce a building, which is higher than the adjacent listed Ulster Hall and notably higher than the immediate context within the block

	along Clarence Street and onto Bedford Street. This will undermine the reading of the block and be at odds with the character of the conservation area.
9.58	To conclude, the Conservation Officer has summarised the PPS6 consideration in terms of the impact on the Linen Conservation Area, and whilst acknowledging that a visual marker to denote the corner location may be acceptable, the building as proposed represents overdevelopment that would be visually dominant and contextually inappropriate, and would have an adverse impact on the conservation area. It would also detract from and dilute the contribution and setting of listed buildings, historic terraces and roofscapes in the vicinity. For these reasons it does not represent an overall level of quality to successfully preserve or enhance the conservation area, and as such it is in conflict with Policy BH12 criteria (a), (b), (c), (e) and (g) and unacceptable.
	<b>Design</b>
9.59	The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The design is contemporary with a modern take on the typical vertical proportions of buildings of a similar scale in the City Centre. The red-bricked finishes reflect the tones that are common within the more established buildings in the area and also the newly constructed office buildings and BBC building to the south. The design, and in particular the scale, shall be considered in more detail below. The vertical emphasis created by the strong vertical columns is reflective of the historic architecture with the design picking up on some of the horizontal banding and cornice lines displayed on adjacent buildings.
9.60	Bronze metal features have been applied to projecting window frames between 1F and 4F with deep angled framing to GF openings. The chamfered corner, is described by the Urban Design Officer as <i>'reminiscent of the more traditional treatment on surrounding buildings albeit in a fresh and contemporary manner'</i> .
9.61	The introduction of a mansard roof on the upper floor helps reduce the visual impact, particularly from street level closer to the site.
9.62	The Urban Design Officer comments <i>'The overall design approach results in a legible arrangement across the façade including a strong base that picks up contextually on neighbouring properties with a general rhythm of windows from 1F to 5F, which nods to the hierarchy of window arrangements seen on surrounding buildings. Attention has also been given to the detailing of brickwork with emphasis placed on key horizontal/cornice and elements that pick up on contextual cues within neighbouring buildings (as stated above). Consideration has also been given to brick detailing on the vertical plane which helps to accentuate bays, define building edges and provide additional visual interest'</i> .
	<b>Acceptability of Office Use at this location</b>
9.63	In terms of the proposed office use, the site is within a prime city centre location and proposes approximately 6,000 sqm of office space. In their report on the Public Local Enquiry into Objections to the BMAP 2015 The Planning Appeals Commission (PAC) concluded that there was no need for a main office area in Belfast and offices should be allowed throughout the defined City Centre in the Plan.
9.64	The proposal has been assessed against Policy OF1 of Volume 1 of draft BMAP 2015. The policy states that planning permission will be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order within Belfast City Centre. The proposal therefore complies with this policy.
9.65	The proposal has been assessed under Policy PED1 and PED9 of Planning Policy Statement 4: Planning and Economic Development (PPS4). Policy PED1 states that a

	development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan). Accordingly, the proposal satisfies the requirements of this policy.																																								
9.66	Criterion (c) of Policy PED9 requires that proposals do not adversely affect features of the natural or built heritage which has been considered in detail above in terms of the impact of the proposal on the built heritage. The proposal has been found to be unacceptable with respect to its impact on the listed buildings in the area and thus is thus contrary to Policy PED 9 of PPS4.																																								
9.67	<p><b>Traffic and Parking</b></p> <p>The application site falls within the Belfast Core Parking Restraint Area as set out in the BUAP and draft BMAP. The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. DfI Roads has noted that no parking is proposed for this development and also notes that practical options for on-street parking are very limited in the immediate vicinity of this location. Policy TRAN 1 within the draft BMAP (2014) is set out below:</p> <table><tr><th colspan="4">Policy TRAN 1</th></tr><tr><th colspan="4">Parking Standards within Areas of Parking Restraint</th></tr><tr><td colspan="4">Within designated Areas of Parking Restraint the following parking standards will be applied:-</td></tr><tr><th rowspan="2">AREA</th><th colspan="3">Car Parking Standards</th></tr><tr><th>RESIDENTIAL</th><th>NON RESIDENTIAL</th><th>NON RESIDENTIAL</th></tr><tr><td></td><td>No. of spaces per dwelling</td><td>No. of non-operational spaces per m² of floorspace</td><td>No. of operational spaces per m² of floorspace</td></tr><tr><td>Belfast City Centre Core</td><td>1.0</td><td>1 / 300</td><td rowspan="4">1 / 930</td></tr><tr><td>Belfast City Centre Fringe</td><td>1.0</td><td>1 / 100</td></tr><tr><td>Lisburn City Centre, Bangor and Carrickfergus Town Centres</td><td>1.0</td><td>1 / 50</td></tr><tr><td>Commercial Nodes on Arterial Routes [outside Belfast City Centre Areas of Parking Restraint (Core and Fringe)]</td><td>1.0</td><td>1 / 100</td></tr><tr><td colspan="4">Reductions in the above standards will be considered in appropriate circumstances where evidence of alternative transport arrangements can be clearly demonstrated, or other material considerations exist that justify an exception to the policy. Proposals involving car parking in excess of the standards will only be permitted in exceptional circumstances.</td></tr></table>	Policy TRAN 1				Parking Standards within Areas of Parking Restraint				Within designated Areas of Parking Restraint the following parking standards will be applied:-				AREA	Car Parking Standards			RESIDENTIAL	NON RESIDENTIAL	NON RESIDENTIAL		No. of spaces per dwelling	No. of non-operational spaces per m² of floorspace	No. of operational spaces per m² of floorspace	Belfast City Centre Core	1.0	1 / 300	1 / 930	Belfast City Centre Fringe	1.0	1 / 100	Lisburn City Centre, Bangor and Carrickfergus Town Centres	1.0	1 / 50	Commercial Nodes on Arterial Routes [outside Belfast City Centre Areas of Parking Restraint (Core and Fringe)]	1.0	1 / 100	Reductions in the above standards will be considered in appropriate circumstances where evidence of alternative transport arrangements can be clearly demonstrated, or other material considerations exist that justify an exception to the policy. Proposals involving car parking in excess of the standards will only be permitted in exceptional circumstances.			
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9.68	The Transport Assessment Form submitted with the application estimates an additional 154 occupants on the site attracting an additional 68 cars with an additional 60 arrivals during the 8-9am peak morning hour and an additional 42 departures during the peak 5-6pm evening hour. The Travel Plan points to the site's proximity to the city's main public transport services such as, Great Victoria Street bus and rail station, Lanyon Place Station and the Metro bus and Glider terminus at City Hall. It also refers to the proximity of Ulsterbus, Metro and Glider stops. A Travel Co-Ordinator is to be appointed. They would regularly monitor the travel patterns of the staff and visitors to the facility to ensure that the right balance is maintained between the needs of staff and visitors to develop a sustainable transport strategy for the site.																																								
9.69	DfI Roads has offered no objections to the proposal subject to a number of condition relating to the operation of the development in accordance with the Travel Plan, Service Management Plan, provision of cycle parking and the closure of redundant accesses on site. Having regard to the advice from DfI Roads and consideration of the relevant policies, the proposal is considered acceptable with respect to traffic and parking.																																								



9.71	<p><b>Contamination</b></p> <p>A Preliminary Risk Assessment submitted with the application included a review of historic maps for the area and a site walk over. The report concluded that there are no significant onsite sources of contamination and the offsite sources are considered not to be significant. Furthermore, they conclude that as the site is entirely covered by hardstanding this will prevent contact pathways, breaking this potential pollutant linkage. Subsequently Environmental Health Department of BCC and Regulation Unit of DAERA has offered no objections in relation to contamination.</p>
9.72	<p><b>Impact on amenity</b></p> <p>The proposal has also been assessed against paragraphs 4.12 and 4.13 of the SPPS, in terms of potential impact on amenity of adjacent properties. The proposed building is set within an inner urban context where any building on the site would inevitably have an impact on the amenity of properties in the vicinity of the site.</p>
9.73	<p>The Environmental Health Department of BCC has reviewed the Environmental Noise Impact Assessment entitled “ Proposed office development at Linenhall Street, Clarence Street, Belfast. The report has assessed noise impact and predicted internal noise levels for future office occupants. The report concludes that the proposed glazing systems to the development should provide at least 15dB Rw to ensure a suitable internal noise environment within the open plan office space, the report recognises that typical double glazed units provide an Rw sound reduction index of at least 33dB. It was concluded that ventilation could be provided by an openable window which provides 15dB sound reduction.</p>
9.74	<p>The noise impact assessment has considered the impact of plant noise on the proposed offices. The consultant recommended that the wall/ceiling to these rooms should provide a sound reduction of 35dB DW. Furthermore it was recommend that the door leading from the plant room should provide a sound reduction of 35dB .</p>
9.75	<p>It is noted from the drawings submitted that limited plant is proposed at roof level (lift over run, smoke vent shaft) surrounded by a plant screen. The NIA has therefore not considered noise from the roof top plant area within the assessment. Should additional plant be proposed to the roof as part of this proposal or should roof top plant be installed in the future care will be required in the selection design and location of the plant so as to ensure the approved nearby residential at 21 Linen Hall Street (approved under LA04/2019/0811/F) are not adversely impacted by plant noise. It should be noted that no objection was offered from Environmental Health in relation to potential noise impact on adjacent properties.</p>
9.76	<p><b>Impact on Historic Monuments</b></p> <p>The application site is located within the Belfast Area of Archaeological Potential, defined within Belfast Metropolitan Area Plan 2015 to protect the above-ground and Below-ground archaeological remains associated with the early development of the city.</p>
9.77	<p>There are also a number of sites on the Industrial Heritage Register located within the immediate area of the application, including two linen warehouses (IHR 10639 and 10640). The 2nd Edition Ordnance Survey map also shows a “Spinning Factory” extending from Franklin Street to Linen Hall Street West.</p>
9.78	<p>Historic Environment Division (Historic Monuments) has reviewed the information submitted and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer funded programme of archaeological works.</p>

	<b>Drainage and Flooding</b>
9.79	<p>The proposal has been assessed against Policy FLD1 and FLD3 of PPS15. The Flood Hazard Map (NI) indicates that the development <b>does not</b> lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.</p>
9.80	<p>DfI Rivers has reviewed the Drainage Assessment by McCloy Consulting, dated October 2020, and while not being responsible for the preparation of the Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.</p>
	<b>Air Quality</b>
9.81	<p>The Environmental health Department has assessed the heating requirements associated with the proposal, and has noted that detail concerning any proposed combustion processes has not been provided. Depending on the pollutant emission rate of any proposed combustion plant, an Air Quality Impact Assessment may be a requirement as a risk of negative impacts at relevant receptors may result. The applicant is advised to refer to IAQM/EPUK document '<i>Land-Use Planning and Development Control: Planning for Air Quality</i>', dated January 2017.</p>
9.82	<p>Subsequently Environmental Health requested that details are provided of any proposed combustion system(s) including the technical data sheets and emission rates and location and height of associated flues. This information was not requested formally from the applicant given the direction of the application at the time of the response. In any case this is information which could be sought via condition in the event of planning permission be granted.</p>
	<b>Waste Water Treatment</b>
9.83	<p>DAERA Waste Management Unit has expressed concern that the sewage loading associated with the proposal has the potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Works (WWTW) and recommended that the Case Officer consult with Northern Ireland Water Limited (NIW) to determine if the WWTW will be able to cope with the additional load or whether the existing WWTW would need to be upgraded.</p>
9.84	<p>NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development and advised that if the applicant wishes to proceed they should contact NIW to discuss alternative interim options such as a temporary wastewater facility at the developer's own expense; this would not be adopted by NIW in the future. 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>
9.85	<p>In light of the NI Water response the agent has advised that they would be agreeable to the use of a negative planning condition to require full details of the how foul/waste water is to be disposed of prior to commencement of the development, such as:</p> <p><i>"No development shall commence on site until details of waste water 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."</i></p>

	<p><i>Reason: To ensure appropriate foul drainage of the site”.</i></p> <p>As this matter can be addressed by a suitably worded planning condition this issue is not considered to be a refusal reason.</p>
9.86	<p><b>Pre-application Community Consultation</b></p> <p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>
9.87	<p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A PAN was submitted to the Council on 2<sup>nd</sup> July 2020.</p>
9.88	<p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p>
9.89	<p>In light of Public Health advice, in order to limit the spread of Covid-19, the Department for Infrastructure recognised that it is not currently possible to hold a Pre-Application Community Consultation (PACC) public event without posing a significant risk to health. As a result, new legislation was put in place to temporarily suspend the requirement for a PACC public event in respect of applications for major development. Under The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020, alternative means of engagement were authorised and the requirement for a public exhibition has been suspended for an initial 5 month period, now extended until September 2021.</p>
9.90	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <p>Digital drop-in webinar sessions were held via Zoom on:</p> <ul style="list-style-type: none"> <li>• Wednesday 12 August between 10am – 11am</li> <li>• Wednesday 12 August between 6pm – 7pm</li> </ul>
9.91	<p>The event was advertised in The Belfast Telegraph on 5<sup>th</sup> August 2020.</p>
9.92	<p>Display boards, which included all the information that would have been on display at a Public Information Event, were made available online via the consultation website and hard copy packs were provided to parties unable to access digital materials. Two hard copy packs were distributed via post on request.</p>
9.93	<p>A consultation website with live chat function was launched on 5 August 2020. By 26 August 2020 the consultation site had 687 unique visitors running a total of 776 sessions and 1,485 page views.</p>
9.94	<p>Leaflets were distributed to approximately 200 properties in the surrounding area, with a copy of the PAN distributed to a number of Councillors and MLAs on 26<sup>th</sup> June 2020.</p>

9.95	During consultation on the plans for the development, a total of 9 responses were received. All were received via completion of online feedback form or freepost return. 56% of respondents were supportive of the scheme. Specific concerns were raised with regard to the height, design and appearance of the building and the removal of car parking spaces (on the existing surface level car park). Two people were supportive of the design. The need for wider regeneration in the area was acknowledged in the feedback
9.96	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
9.97	<p><b><u>Developer Contributions</u></b></p> <p>In this case it would be considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council to provide contributions to local environmental improvements and should primarily take the form of public realm improvements to the streetscape within the locality. Given the direction of the application to date no discussions have taken place in relation to potential Developer Contributions.</p>
10.0 10.1	<p><b>Recommendation:</b></p> <p>Having regard to the detailed assessment set out in this report, it is recommended that planning permission is refused. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.</p>
11.0	<p>Draft Refusal Reasons</p> <ol style="list-style-type: none"> <li>4. The proposed office building, by reason of its scale, height, massing, façade alignment, form and design, would have an over-dominant impact on the Grade A Listed Ulster Hall to the detriment of its setting. The proposal is therefore contrary to Policy BH11 of Planning Policy Statement 6, Policy PED9 of Planning Policy Statement 4 and paragraph 6.12 of the Strategic Planning Policy Statement for Northern Ireland.</li> <li>5. The proposal would result in the demolition of Nos. 27-37 Linenhall Street, which make a positive contribution to the character and appearance of the Linen Conservation Area. The proposal is therefore contrary to Policy BH14 of Planning Policy Statement 6. Moreover, the proposed office building, by reason of its scale, height, massing, façade alignment, form and design, would have an over-dominant impact on the street scene and interrupt framed views northwards of City Hall, harming the character and appearance of the Conservation Area. The proposal is therefore contrary to Policy BH12 of Planning Policy Statement 6 and paragraphs 6.18 and 6.19 of the Strategic Planning Policy Statement for Northern Ireland.</li> <li>6. The proposal does not incorporate public realm improvements to the footways on Linenhall Street and Clarence Street, and does not take the opportunity of enhancing the setting of the proposed office building and Conservation Area. The proposal is therefore contrary to paragraphs 4.15 and 6.18 of the Strategic Planning Policy Statement for Northern Ireland, Policy BH12 of Planning Policy Statement 6 and Chapter 8 of the Developer Contribution Framework (adopted January 2020).</li> </ol>

12.0	Notification to Department (if relevant) N/A
13.0	Representations from elected members: None
Neighbour Notification Checked Yes	
Signature(s)	
Date:	

<b>ANNEX</b>	
<b>Date Valid</b>	3rd November 2020
<b>Date First Advertised</b>	13th November 2020
<b>Date Last Advertised</b>	13th November 2020
<b>Details of Neighbour Notification</b> (all addresses) 1 Clarence Street,Belfast,Antrim,BT2 8DX 12-22 Linenhall Street,Belfast,Antrim,BT2 8BS 13 Clarence Street,Belfast,Antrim,BT2 8DY 24 Linenhall Street,Belfast,Antrim,BT2 8BG 26 Linenhall Street,Belfast,Antrim,BT2 8BG 26a ,Linenhall Street,Belfast,Antrim,BT2 8BG 31 Linenhall Street, Belfast,Antrim,BT2 8AB 34-36 Bedford Street,Belfast,Antrim,BT2 7FF 42-44 Bedford Street,Belfast,Antrim,BT2 7FF 46 Bedford Street,Belfast,Antrim,BT2 7FF 6 Clarence Street,Belfast,Antrim,BT2 8DX 9 Clarence Street,Belfast,Antrim,BT2 8DY Flynn And McGettrick Solicitors, 3 Linenhall Street West,Belfast,Antrim,BT2 8DA Like Architects, 3 Linenhall Street West,Belfast,Antrim,BT2 8DA Orr House, 29 Linenhall Street,Belfast,Antrim,BT2 8AB Rea House,26 Linenhall Street,Belfast,Antrim,BT2 8BG Ulster Hall, 34 Bedford Street,Belfast,Antrim,BT2 7FF	
<b>Date of Last Neighbour Notification</b>	24 <sup>th</sup> February 2021
<b>Date of EIA Determination</b>	NA
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> Nos. 1-8 – Site Location, Floor Plans, Elevations and Sections.	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	

ADDENDUM REPORT	
Development Management Officer	
<b>Committee Meeting Date:</b> Tuesday 15 <sup>th</sup> June 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: Refusal</b>	
<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
1.0	<b>Background</b>
1.1	This application was due to be considered by the Planning Committee on 18 <sup>th</sup> May 2021. The application was removed from the agenda and deferred so that members could gain an understanding of the site's context. Members agreed that a Planning Committee site visit should take place. The Planning Committee site visit took place on 3 <sup>rd</sup> June 2021.
1.2	This Addendum Report should be read in conjunction with the previous case officer report and Late Items reports to the 18 <sup>th</sup> May 2021 Planning Committee, a copy of which are appended.
1.3	This Addendum Report considers the latest submission from the applicant which includes alterations to the ground floor layout, including the reduction in retail space; the provision of additional amenity space on the ground floor and in the form of private balconies to the rear of the 2 bed apartments and kitchens have been opened up in central apartments. An area for a temporary local art installation has been depicted on the western elevation.
1.4	An additional petition of support with 128 signatures has also been received. This petition of support brings the combined total to 682 signatures. These representations are available to

	view on the NI Planning Portal and are summarised in this report. Any further representations will be reported to Members via the Late Items pack.
<b>2.0</b>	<b>Updated Consultation Responses</b>
2.1	It was considered that the additional information did not require further consultation with any of the consultees. As such the position of consultees remains unchanged from the original May 2021 committee report.
<b>3.0</b>	<b>Additional Representations</b>
3.1	An additional petition of support with 128 signatures for the proposal was submitted with an accompanying map which illustrated that the signatures where from the immediate area. This petition of support brings the combined total to 682 signatures. The petition sets out that the proposal will bring economic and community benefits to the area. These points have been previously raised and considered in the May 2021 Planning Committee report.
3.2	Officers welcome new development and in particular, to long vacant sites such as this one. Re-development can bring with it many benefits including regeneration and a visual upgrade to the area in addition to new homes. However, new development should be sensitive to the location and should bring the best of local tradition to the site. In this case the proposal fails to achieve this.
<b>4.0</b>	<b>Assessment of Addendum and additional comments</b>
4.1	<p><b>Layout &amp; Amenity Space</b></p> <p>The latest submission includes alterations to the ground floor layout to provide additional amenity space with the relocation of the bin and cycle store. The applicant has reduced the area of floorspace for all three retail units on the ground floor. The bin store and cycle parking area have been repositioned so that they are incorporated within the building and are accessed via the entrance foyer. This results in an increase in the provision of amenity space for residents. None of the retail units open out into this amenity space. The ground floor amenity space provision measures approximately 80sqm. The layout also shows the provision of additional amenity space in the form of private balconies to the rear of the 2 bed apartments. the total amenity space provision within the development is 210 sqm which is an average of 10sqm per unit. This is an acceptable level of amenity space. There are no kitchen windows in the central apartments so they have now been opened up to create an</p>



	<p>open plan layout between the living space to increase natural light. As such it is considered that the second refusal reason cited in the May 2021 planning committee report and referring to the lack of quality amenity space can be removed.</p>
4.2	<p><b>Impact on the character and appearance of the area</b></p> <p>An area for a temporary local art installation has been depicted on the western elevation. This was incorporated within the design to overcome the Council's concerns relating to the exposed blank façade of the six storey western elevation which 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. It is considered that art features can improve the aesthetic appearance of a building. However, in this instance it does not overcome the concerns previously set out as does not address the scale of the gable and still 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>
4.3	<p><b>Recommendation</b></p> <p>Officers are of the opinion that the recommendation remains unchanged.</p> <p><b>Reasons for Refusal</b></p> <p>1: 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> <p>2: 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>
4.4	<p>It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of refusal reasons.</p>

**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>	Refusal
<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>	

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.

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 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

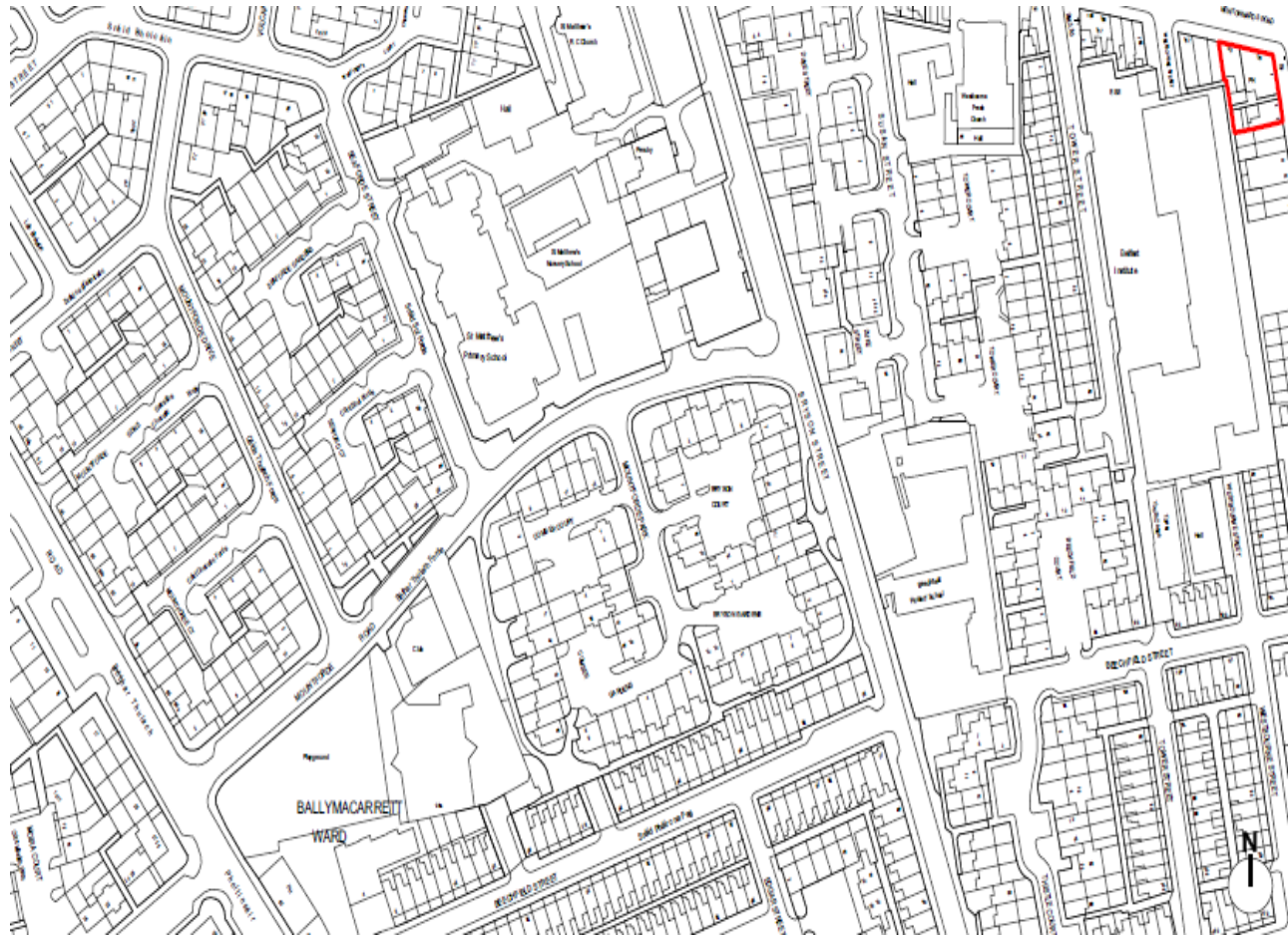
- community, employment and commercial benefits
- housing provision,
- the design will offer style which will add interest to the architectural character of the area

In respect of the impact on parking and traffic, DfL 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 requested that delegated authority is given to the Strategic Director of Place and Economy to finalise the refusal reasons.

### Site Location map





Visual

Characteristics of the Site and Area	
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>

	<p>The site is located at the junction of Newtownards and Templemore Avenue, encompassing what was no.173 Newtownards Road &amp; 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.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	<p><b>Site History</b>  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</p>

	<p>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>Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.</p>
4.2	<p>Strategic Planning Policy Statement (SPPS)</p> <p>PPS 3: Access, Movement and Parking</p> <p>PPS 6: Planning, Archaeology, and the Built Heritage</p> <p>PPS 7: Quality Residential Developments</p> <p>PPS 12: Housing in Settlements</p> <p>PPS 15: Planning and Flood Risk</p> <p>Creating Places</p> <p>Development Control Advice Note 8 – Housing in Existing Urban Areas</p>
5.0	<b>Consultations:</b>
5.1	<p><b>Statutory Consultee Responses</b></p> <p>DFI Roads – No objection subject to conditions</p> <p>NI Water - No objections</p> <p>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.</p>
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	<p><b>Non-Statutory Consultee Responses</b></p> <p>Environmental Health – No objections</p>
6.0	<p><b>Representations</b></p> <p>The application has been neighbour notified and advertised in the local press. No objections have been received.</p>
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	<p>The key issues in the assessment of the proposal are as follows:</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>
7.2	<p><b>The principle of the proposal at this location</b></p> <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>

7.4	<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>
7.5	<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>
7.6	<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>
7.7	<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>
7.8	<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	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.
7.11	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.
7.12	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 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.
7.13	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.
7.14	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

	<p>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>
7.15	<p><b>Layout &amp; Amenity Space</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 and is accessible via the lift and stairwell for all residents. There is no private amenity for residents.</p>
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>
7.17	<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>
7.18	<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>

7.19	<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>
7.20	<p><b>Density</b></p> <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> <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>
7.24	<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</p>

	<p>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+  HB26 08 012 Megain Memorial Church of the Nazarene Grade B</p>
7.25	<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>
7.26	<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>
7.27	<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 Plan 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>

7.28	<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 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>
7.29	<p><b>Impact on Human Health</b></p> <p>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>
8.0	<p><b>Conclusion</b></p> <p>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 requested that delegated authority is given to the Strategic Director of Place and Economy to finalise the refusal reasons.</p>
9.0	<p><b>Reasons for Refusal:</b></p>
9.1	<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>
9.2	<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>
9.3	<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:	



**Late Items – 18 May 2021**

Agenda Item	Application	Issues Raised	Action
<p align="center"><b>4a</b></p> <p align="center">Page 91</p>	<p><b>LA04/2020/1363/F-173</b>  <b>Newtownards Road, Belfast, BT14 1AB and nos 1-5 Templemore Avenue, Belfast-21 apartments and 3 retail units</b></p>	<ul style="list-style-type: none"> <li>Additional representations in support of the proposal received from the following.</li> </ul> <p>MLA Andy Allen  Councillor Adam Newton  Councillor Sonia Copeland  Councillor John Kyle  David Gavaghan  Carole Howard  Robert Johnston  Amy Hofmann  Simon Hamilton, Belfast Chamber</p> <p>Comments were in support of the proposal citing positive regeneration benefits, provision of mixed tenure housing, revitalising a derelict site, provision of social housing, wider community social and economic benefits, increased density and the proposal supports the goals of the Belfast Agenda.</p> <p>Email received from agent on 17<sup>th</sup> May requesting that members defer the application to allow for the submission of additional information/amended plans relating to an internal layout of kitchens and further provision of amenity space.</p> <p>HED provided a response today 18<sup>th</sup> May 2021 reiterating their position. HED commented that the proposal has an adverse impact on the listed buildings when assessed under paragraph 6.12 (setting) of Strategic Policy Planning Statement for Northern Ireland and policy BH 11 (Development affecting the Setting of a</p>	<p>Members to note. Comments of support echo previous support letters and are already assessed within the Case officer report, with the exception of social housing. There has been no indication within the proposal to suggest that the proposal is for social housing.</p> <p>Members to note. If these two matters are resolved, the fundamental concerns associated with the proposal in respect of scale, height and mass remain.</p> <p>Members to note that HED's position remains unchanged.</p>

		Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.	
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## Development Management Officer Report Committee Application

Addendum Report	
Committee Meeting Date: Tuesday 15 <sup>th</sup> June 2020	
Application ID: LA04/2020/1803/F	
<b>Proposal:</b> Change of use from dwelling to HMO	<b>Location:</b> 60 Springfield Road Belfast BT12 7AB
<b>Referral Route:</b> Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation by Cllr Canavan for reasons relating to the local residents' concerns on anti-social behaviour and parking.	
<b>Recommendation: Approval</b>	
<b>Applicant Name and Address:</b> T Donnelly 263 Falls Road Belfast	<b>Agent Name and Address:</b> Ivory Architects 15 Old Coach Avenue Belfast BT9 5PY
<b>Addendum Report</b>  <p>This full application was presented to Planning Committee on Tuesday 15<sup>th</sup> December and was deferred for further consideration of Roads issues. On Tuesday 16<sup>th</sup> March, the item was agreed by members to be deferred for a second time to request that DfI Roads carry out a site visit.</p> <p>DfI Roads visited the site on two occasions, 13<sup>th</sup> May at 5pm and again on 26<sup>th</sup> May at 8:30pm. DfI Roads considered the busiest time on the road network during the evening peak period to be between 4:30pm-6pm, so the initial site visit was carried out at 5pm. They also carried out the second at 8:30pm which allowed for the evening peak to pass and residential parking to have been established.</p> <p>DfI Roads further commented on the proposal and stated the following with regards to the assessment of the application:</p> <p><i>'The results of the site visit confirmed that the Springfield Road, at this location, is a busy arterial route within a mix of commercial and residential premises. Traffic queues formed approaching the nearby pelican crossing near Violet street on a red signal, but fully evacuated upon a green signal, indicating, the timings of the traffic signals appear to be functioning optimally.</i></p> <p><i>There are no waiting restrictions in place on either side of the road within a reasonable distance of No.60 Springfield Road, except normal corner restrictions and at the nearby pelican crossing. Existing on-street parking does not reduce the available width of the road, interfere with progression nor cause a road safety issue.</i></p> <p><i>At each site, parking spaces were identified along both sides of the road at this location; photos below:</i></p>	

Image 1: 26-05-2021  
8:30pm



Image 2: 13-05-2021  
5pm



Image 3: 13-05-2021  
5pm



In light of the above, DfI Roads position is unchanged, and they raise no objection to the proposal. It is the Department's position that the proposal would not 'prejudice road safety or significantly inconvenience the flow of traffic'.

### **Summary**

DfI Roads has responded to the Committee Request as set out above.

No further issues have been identified following the publication of the case officer report for the December 2020 Planning Committee.

In conclusion, the recommendation remains as set out in the case officer's report and this update.

### **Recommendation**

The case officer recommendation is unchanged, the proposal is recommended for approval subject to conditions. It is considered that the proposed development complies with the tests of the HMO Subject Plan and retained planning policy.

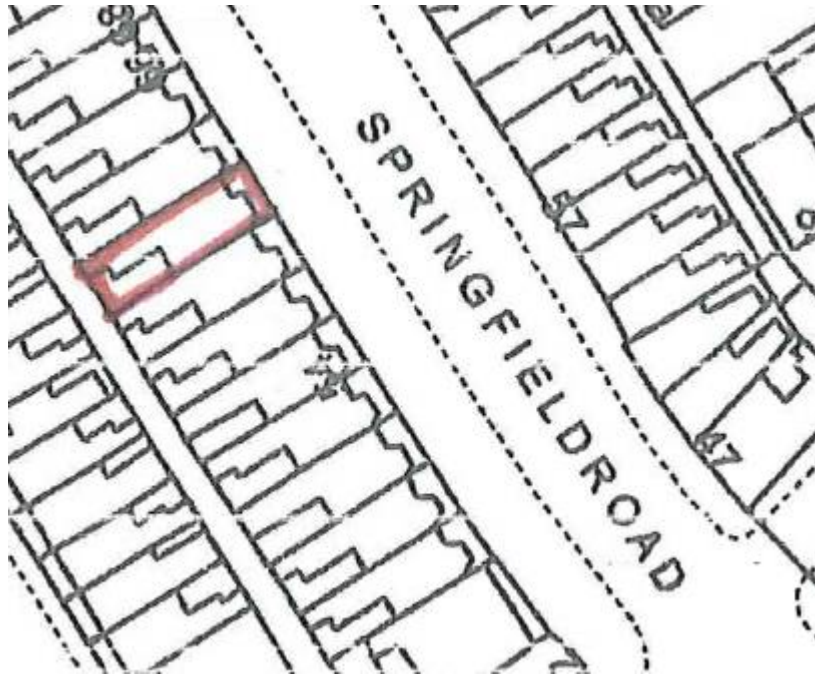
It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of any conditions.

Development Management Report	
<b>Application ID:</b> LA04/2020/1803/F	<b>Date of Committee:</b> Tuesday 15 <sup>th</sup> December 2020
<b>Proposal:</b> Change of use from dwelling to HMO	<b>Location:</b> 60 Springfield Road Belfast BT12 7AB
<b>Referral Route:</b> Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation by Cllr Canavan for reasons relating to the local residents' concerns on anti-social behaviour and parking.	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> T Donnelly 263 Falls Road Belfast	<b>Agent Name and Address:</b> Ivory Architects 15 Old Coach Avenue Belfast BT9 5PY
<p><b>Executive Summary:</b> The application seeks full planning permission for a change of use from a single dwelling to a House in Multiple Occupation (HMO). The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of an HMO at this location,</li> <li>• Impact on surrounding residential amenity; and</li> <li>• Impact on draft Area of Townscape Character</li> </ul> <p>Five representations and a signed petition have been received in relation to the application, raising issues including: antisocial behaviour, lack of parking, dirt &amp; smell, not informed as direct neighbours and lack of family housing provision.</p> <p>Consultees: DFI Roads, Environmental Health and the Councils internal development plan team.</p> <p>In respect of the principle of the proposal at this location, the application site falls within an HMO Development Node HM 4/07 Falls Road/Springfield Road as designated within the HMO Subject Plan for Belfast (2015). Policy HMO 3 states that planning permission will only be granted along the frontages of designated HMO Development Nodes, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The site is not within a designated commercial node or shopping area therefore the ground floor is not required to be commercial or shopping. The proposal is situated within the frontage of a designated HMO Development Node and is also in line with Policy HMO 6 as the criteria within this policy are either met or are not relevant.</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.</p>	



## Case Officer Report

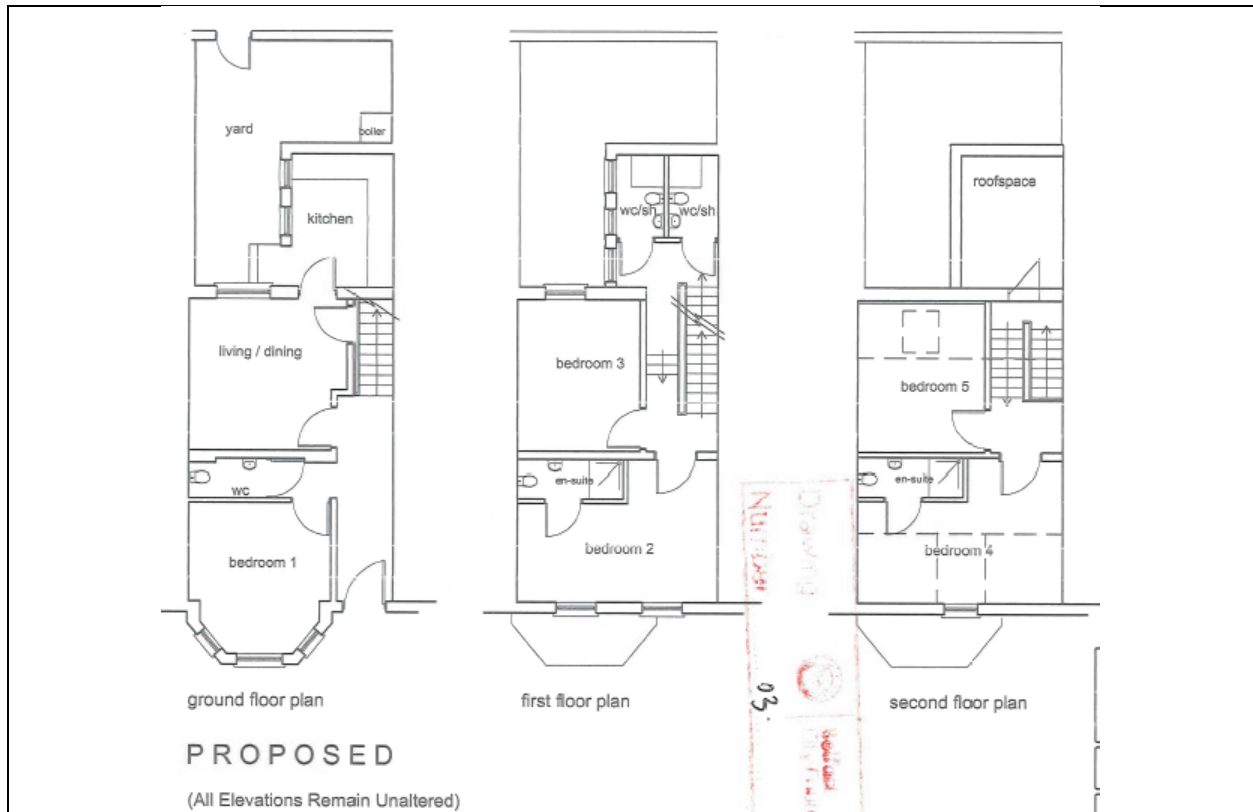
### Site Location Plan:



### Existing floor plans:



### Proposed floor plans:



## Committee Application

Characteristics of the Site and Area	
1.0	<b>Description of Proposed Development</b> Planning Permission is sought for a change of use from dwelling house to a five bed House in Multiple Occupation (HMO).
2.0	<b>Description of Site</b> The site is located at 60 Springfield Road. The dwelling is a 2.5 storey, terrace property with a pitched roof finished in white render and red brick. The property has a small amenity area to the front, a small amenity area and shared alleyway to the rear.  The site falls within the draft Falls Road Area of Townscape Character
Planning Assessment of Policy and other Material Considerations	
3.0	<b>Site History</b> None
4.0	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan

4.2	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.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	The Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015
4.4.1	Policy HMO 3
4.4.2	Policy HMO 6
4.5	Addendum to Planning Policy Statement 6: Areas of Townscape Character
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads- No Objections
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b> Environmental Health- No Objections
<b>7.0</b>	<b>Representations</b> The application was neighbour notified on the 22 <sup>nd</sup> September 2020 and advertised in the local press on the 25 <sup>th</sup> September 2020. Five representations and a signed petition of 17 signatures have been received in relation to the application, raising issues including: antisocial behaviour, lack of parking, dirt & smell, not informed in direct neighbours and lack of family housing provision. The signed petition has been taken into account in relation to all of the areas addressed below.  <ul style="list-style-type: none"> <li>- Anti-social behaviour and house parties: <i>Case Officer's response</i>- This falls outside the remit of planning and Environmental Health were consulted regarding the potential for noise and disturbance and offered no objections to the proposal. The onus is on the HMO landlords to ensure they are good neighbours, take the behaviour of their tenants seriously and work to resolve any anti-social behaviour that occurs linked to their properties.</li> <li>- Issues surrounding lack of parking and traffic concern: <i>Case Officer's response</i>- DFI roads were consulted with regards to parking and traffic concerns and offered no objections to the proposal.</li> <li>- Dirt and smell: <i>Case Officer's Response</i>- Environmental Health were consulted and offer no objections to the proposal with regards to smell. Under the NI Houses in Multiple Occupation Act, landlords or agents must have good management policies and procedures in place to make sure physical standards are maintained, occupiers' rights are respected, and any problems which arise during the period of the license are effectively addressed. They must also be able to manage issues which may concern neighbours effectively (such as building maintenance, cleaning, noise or disturbance and suitability of the applicant or agent).</li> </ul>

	<ul style="list-style-type: none"> <li>- Neighbour notification: <i>Case Officer's response</i>- Nine neighbouring properties were notified. As set out in Article 8 of The Planning (General Development Procedure) Order (Northern Ireland) 2015, In respect of Neighbour Notification planning applications are advertised in the local press and notice is served on occupiers of neighbouring land. This is defined as meaning land which directly adjoins the application site or which would adjoin it but for an entry or road less than 20 metres in width.</li> <li>- Lack of family housing provision: <i>Case Officer's response</i>: The application is for a house of multiple occupation at this site and therefore must be processed and assessed as this.</li> </ul>
<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>
9.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of an HMO in this Location</li> <li>• Residential Amenity</li> <li>• Impact on the draft Area of Townscape Character</li> </ul> <p>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.</p> <p><b>Principle of an HMO in this location</b></p> <p>The site is located within the HMO Development Node HM 4/07 Falls Road/Springfield Road as designated within the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015, as such policy HMO 3 applies. Policy HMO 3 states that planning permission will only be granted along the frontages of designated HMO Development Nodes, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The proposal is considered to be situated within the frontage of the designated HMO Development Node.</p> <p>Policy HMO 3 is designed to accommodate the need and demand for HMO accommodation and direct it to areas where it can contribute to regeneration. Policy HMO 3 has only one criteria which is that planning permission for HMOs will be granted, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The proposal is not within a designated commercial node or shopping area and therefore the ground floor does not have to be in commercial use and therefore planning permission for the HMO should be granted.</p> <p>The proposal complies with Policy HMO 6 in that the criteria are either met or are not relevant: the first bullet point is not relevant as the property is not within a Policy Area; the second bullet point is met in that the HMO is not wholly in the rear of the property and without access to the public street; and the third and fourth bullet points are not relevant as the proposal is not being converted into HMO flats.</p> <p><b>Impact on Amenity</b></p>

	<p>The SPPS is relevant given the perceived impact of HMO development on amenity and parking within the locality. This is concerned with impact on amenity such as noise, nuisance and disturbance and impact on road safety and traffic circulation.</p> <p>DFI Roads had no objections to the proposal</p> <p>In terms of noise and disturbance Environmental Health were consulted with the proposal and advised that they had no objection.</p> <p>No operational development is proposed and therefore existing amenity space provision is unaffected.</p> <p>There is no impact on the visual amenity and character of the area given that no external changes are proposed.</p> <p><b>Impact on the draft Area of Townscape Character</b>          Whilst the Addendum to PPS 6 ATCs does not apply to draft ATCs it provides a useful guide and in this case, the proposal would be in compliance with the Addendum to PPS 6 in that the proposed HMO will maintain the character of the surrounding area. There are no proposed alterations to the front elevation of the property.</p>
9.3	<p>Having regard for the policy context and the considerations above, the proposal is deemed acceptable.</p> <p>Summary of Recommendation: Approval</p>
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
<b>11.0</b>	<p><b><u>Conditions</u></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><b><u>Informative</u></b></p> <p><b>HOUSE OF MULTIPLE OCCUPATION ACT ( NORTHERN IRELAND) 2016</b>          For detailed requirements relating to HMO Standards and relevant documentation you should visit NIHMO. Please see also the HMO (NI) Act 2016 which contains the definition of a House in Multiple Occupation for Northern Ireland. This also contains the minimum space standard for rooms in a HMO that are occupied as sleeping accommodation</p>

**Notification to Department (if relevant)**

**Representations from Elected members:**

Request for application to be brought before Planning Committee made by Cllr Claire Canavan.

ANNEX	
<b>Valid</b>	20.08.2020
<b>Date First Advertised</b>	25.09.2020
<b>Date Last Advertised</b>	N/A
<b>Details of Neighbour Notification</b> (all addresses)  22.09.2020  56 Springfield Road, BT12 7AH 58 Springfield Road, BT12 7AH 62 Springfield Road, BT12 7AH 63 Springfield Road, BT12 7AD 64 Springfield Road, BT12 7AH 57 Hawthorn Street, BT12 7AQ 59 Hawthorn Street, BT12 7AQ 63 Hawthorn Street, BT12 7AQ 65 Hawthorn Street, BT12 7AQ	
<b>Date of Last Neighbour Notification</b>	22.09.2020
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 Location Plan 02 Existing and Proposed Floor Plans 03 Proposed Site Plan	
<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> Councillor Claire Canavan- Sinn Fein	

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## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> Tuesday 15 <sup>th</sup> June 2021	
<b>Application ID:</b> LA04/2020/1158/F	
<b>Proposal:</b> Demolition of existing building and erection of 65No Apartments including 20% social housing.	<b>Location:</b> 1-5 Redcar Street Belfast BT6 9BP.
<b>Referral Route:</b>	Major Application
<b>Recommendation:</b>	Approval subject to Section 76 planning agreement
<b>Applicant Name and Address:</b> Bairds Trust Laureldale Hall Laurel Bank Comber BT23 5EJ	<b>Agent Name and Address:</b> O'Toole 7 Starkey Ltd Arthur House 41 Arthur Street Belfast BT1 4GB
<p><b>Executive Summary:</b></p> <p>The proposal seeks outline permission for 65 no apartments on the current site of a factory.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> <li>• The principle of housing at this location</li> <li>• The design and layout of the proposal</li> <li>• The impact on traffic and road safety</li> <li>• The impact on amenity of nearby residents and businesses</li> <li>• Waste management</li> <li>• Human health</li> <li>• Parking provision and access</li> <li>• Drainage and flooding</li> <li>• The consideration of developer contributions</li> </ul> <p>The site is located the development limits of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP) and is unzoned, white land under dBMAP.</p> <p>As the site is within the settlement development limit and taking into account the site context and last use of the site as a factory, the principle of housing at this site is acceptable subject to prevailing policy considerations.</p> <p>Consultees including DfI Roads, NIEA, Northern Ireland Housing Executive and NI Water have no objection to the proposal subject to conditions. Their consultations are detailed in the main body of the report.</p> <p>Having regard to all of the submitted information and reports, consultee responses and representations, officers consider that the proposed scheme will create a quality residential environment, contribute positively to the local environment by creating a more sympathetic use</p>	

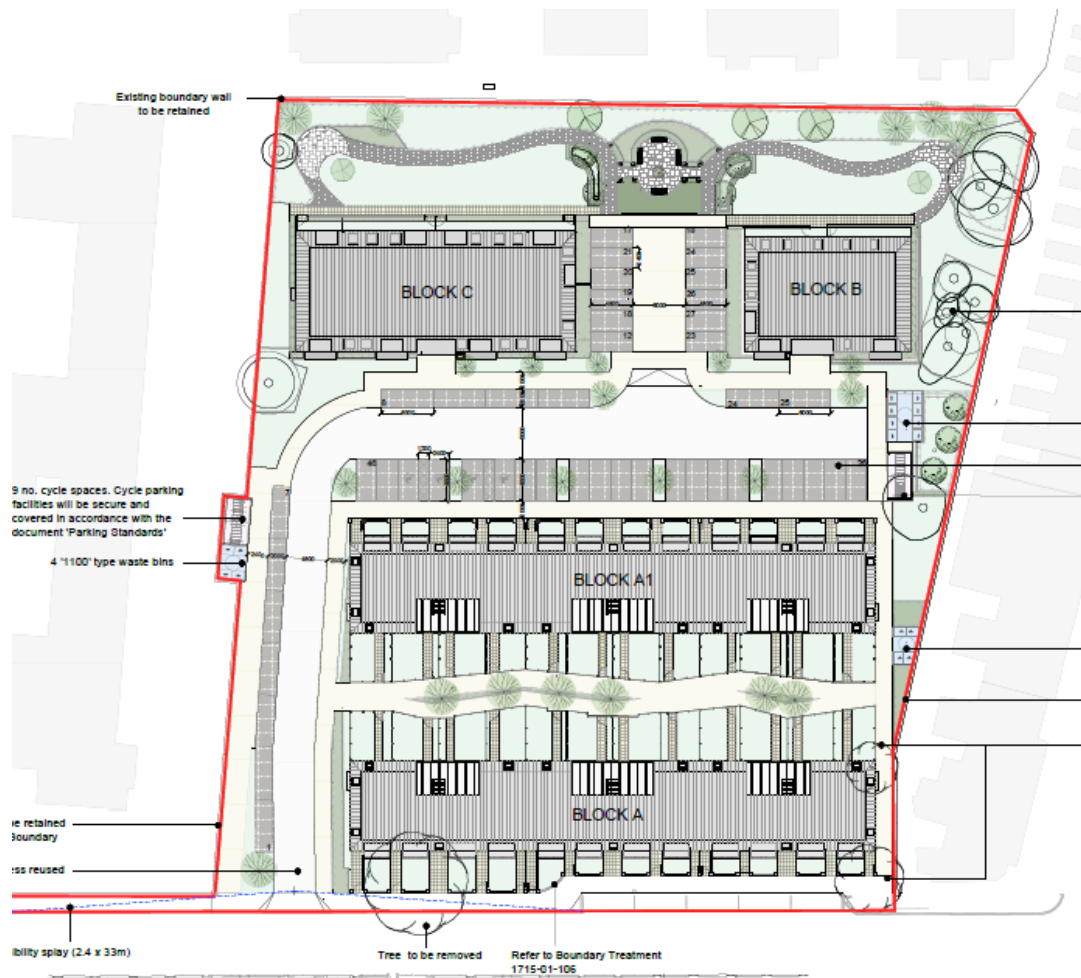
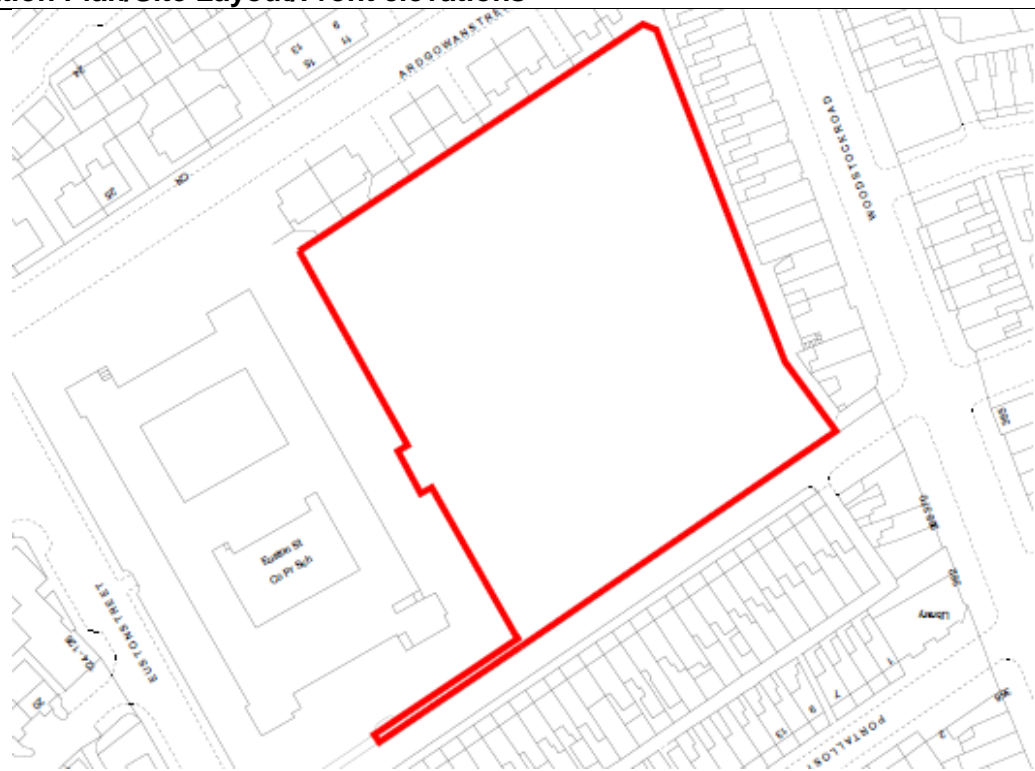
adjacent to the school and other residential streets and will meet the requirements of PPS 3, PPS 4, PPS 7, PPS 8, PPS 12 and PPS 15.

11 no objections were received, one of which was received in response to the most recent amended scheme. All objections are considered under Para 7.0 of the report.

Having regard to the Development Plan, and other material considerations, the proposed development is on balance considered acceptable. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to approve subject to conditions and to finalise the wording of conditions and enter into the Section 76 planning agreement subject to no new substantive planning issues being raised..

## Case Officer Report

## Site Location Plan/Site Layout/Front elevations





## Characteristics of the Site and Area

### 1.0 Description of Proposed Development

1.1 The proposal seeks full permission for 65 no apartments over 4 blocks. The first are two terrace blocks (Block A) and then two smaller mansion blocks to the rear (Blocks B and C). All four buildings are 3-storey including the roof.

1.2 Between the two terraces of Block A there are private gardens for the larger ground floor units, and a central private alleyway which can be used for residents bringing bins to the main bin store. To the rear of Blocks B and C is a large area of communal open space.

There is also a bin store provided for all 65 units. Proposed boundary treatments include 1.1m walls with railings and gates to the front of the Block A terraces and to the rear, the 1.8m boundary wall is to be retained and made good. The Block A private back gardens will be bounded and divided by 1.8m timber fencing.

### 2.0 Description of Site and Area

2.1 The application site comprises a large rectilinear 2-storey commercial/factory building that covers a large proportion of the site, with the remainder used for parking and ancillary purposes.

2.2 The opposite side of the site on Redcar Street is comprised of 2-storey residential dwellings, mostly render with some red-brick.

2.3	Adjacent to the site is Euston Street Primary School. Most of the surrounding streets contain terraced residential housing with some apartments. The nearby Woodstock Road is an arterial route and comprises mixed uses such as retail, hot food etc with some “above the shop” residential uses. The site is approximately 1 mile from Lanyon Place Train Station.
2.4	At present the site is enclosed by a 1.8m wall at the rear bounding Ardgowan Street as well as adjacent to the school. There is currently 2 metre security fencing onto Redcar Street.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Planning History</b>
3.1	Ref ID: Z/1989/0464 Proposal: Warehouse and ancillary offices (Approval of Reserved Matters) Address: 1-5 REDCAR STREET BELFAST BT6 Decision: Permission Granted Decision Date: 07.08.1989
3.2	Ref ID: LA04/2019/0759/PAN Proposal: Demolition of existing building and erection of residential development. Address: 1-5 Redcar Street, Belfast, BT6 9BP., Decision: PAN Acceptable Decision Date: 18.04.2019
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 – Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 7 – Quality Residential Environments PPS7 addendum – Safeguarding the Character of Established Residential Areas Planning Policy Statement 8 – Open Space Planning Policy Statement 12 – Housing in Settlements Planning Policy Statement 15 – Planning and Flood Risk
<b>5.0</b>	<b><u>Statutory Consultees</u></b> <b>DfI Roads</b> – no objections in principal, subject to conditions, informatives and Private Streets Determination (PSD) <b>Rivers Agency</b> – no objection subject to condition <b>NIEA Natural Heritage</b> – no objections <b>NIEA Land, Soil, and Air</b> – no objections subject to conditions <b>NIW</b> – No current capacity – see Para 8.10.2
<b>6.0</b>	<b><u>Non-Statutory Consultees</u></b> <b>Environmental Health BCC</b> – no objections subject to conditions and informatives <b>Northern Ireland Housing Executive</b> – have indicated there is social housing need in the vicinity and they welcome 20% social housing

	<p>Economic Unit BCC – no identified need for Section 76 clauses relating to employability &amp; skills</p> <p>Urban Design Officer BCC – content in principle subject to condition</p> <p>Tree Officer BCC – no objections subject to conditions</p>
<b>7.0</b>	<b><u>Representations</u></b>
7.1	11 no representations were received
7.2	<p>The issues raised can be summarised as follows:</p> <ul style="list-style-type: none"> <li>a) Traffic, parking provision, road safety and congestion including impacts from school traffic being exacerbated</li> <li>b) Cumulative impact of further 12 apartments at 52 Redcar Street</li> <li>c) Loss of trees</li> <li>d) Increase in density</li> <li>e) Balconies causing detriment to privacy by virtue of insufficient separation distance</li> <li>f) Current wall at Ardgowan Street boundary being unsafe</li> <li>g) Negative impact on property values</li> <li>h) Negative impact of construction on amenity</li> <li>i) Increased density causing increased spread of Covid-19</li> <li>j) Full consultation was not undertaken</li> <li>k) Increased numbers of rodents</li> <li>l) Blocking of light into properties at Ardgowan Street</li> <li>m) Impact on sewage and water pressure</li> <li>n) Creation of a gated community</li> </ul>
7.3	<p>The issues above have been considered as follows:</p> <ul style="list-style-type: none"> <li>a) There has been extensive consultation and negotiation with DfI Roads on all aspects of parking provision within the site. Additional surveys were submitted. Additional parking was designed into the layout and a layby was created on Redcar Street to aid with progression. Green Travel measures are proposed which will be included in the Section 76 agreement. DfI Roads have expressed that they are content in principle subject to conditions and informatives and the Private Streets Determination.</li> <li>b) The 12 apartments at the end of Redcar Street have been considered in terms of traffic and parking</li> <li>c) 9 no trees are proposed for retention along the side and rear boundaries. There are 35 no heavy standard and semi-mature trees proposed to complement these retained trees. The trees to the front which are being removed are on lands adopted by DfI Roads and are removed to accommodate the footpath and layby as required by DfI Roads.</li> <li>d) The density has not increased, see Para 8.4.12 .</li> <li>e) The balconies of Block A facing onto Redcar Street are at one level only – that of the first floor. The second floor contain “Juliet balconies” which do not allow a seating area. The balconies of the first floor are accessed off the smaller bedrooms of the duplex units – it is not considered that these will unduly impact privacy.</li> <li>f) Following the objection regarding the rear wall, the agent met the objector on site and subsequently submitted a plan which details that the wall will be made good in any areas with structural issues.</li> <li>g) Property values are not a material planning consideration and therefore little weight is attached to this concern.</li> <li>h) Environmental Health were consulted on the proposal and have not expressed concern about undue noise and disturbance during construction. Naturally there is always some noise and disturbance during construction however this is managed under separate legislation to ensure operating hours and noise levels are appropriate.</li> </ul>

	<ul style="list-style-type: none"> <li>i) In the intervening time since this objection was received, a large proportion of the population have been vaccinated against Covid-19. No guidance has been issued to state that building densities should be reduced as a consequence of the pandemic.</li> <li>j) See Para 8.12 and Para 8.13 which details the pre-community consultation and consultation undertaken as part of the application process.</li> <li>k) There is no evidence to suggest that additional residential properties would lead to an increase in rodents and there is a Service Management Plan submitted to manage waste collections etc.</li> <li>l) There is a separation distance of some 20m between the rear blocks and Ardgowan Street. There is no indication that light will be impacted.</li> <li>m) NIW were consulted and NI Water confirmed that waste water treatment capacity is not available at present for the proposed development and advised that if the applicant wishes to proceed they should contact NIW to discuss alternative interim options such as a temporary wastewater facility at the developer's own expense; this would not be adopted by NIW in the future. 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. In light of the NI Water response the agent has advised that they would be agreeable to the use of a negative planning condition to require full details of the how foul/waste water is to be disposed of prior to commencement of the development.</li> <li>n) There is no intention to create a gated community as detailed in the boundary treatments.</li> </ul>
<b>8.0</b>	<b><u>ASSESSMENT</u></b>
<b>8.1</b>	<b><u>Development Plan</u></b>
8.1.1	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.
8.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
8.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, dBMAP 2015 is considered to hold significant weight.

8.1.4	The site is un-zoned white land under the BUAP and both versions of BMAP.
<b>8.2</b>	<b><u>The principle of residential development at this location</u></b>
8.2.1	The SPPS sets out five core planning principles for the planning system, including improving health and wellbeing, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
8.2.2	The site is located within the settlement limits in draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
8.2.3	The surrounding context is predominantly housing and the site is zoned as white land. As the site is occupied by an existing manufacturing building (Class B2) Policy PED7 (Retention of Zoned Land and Economic Development Uses) of PPS4, 'Planning and Economic Development', is a material consideration. The proposal involves the loss of a manufacturing premises to residential use. This is contrary to Policy PED7, which is explored further in Para 8.3 below.
8.2.4	Northern Ireland Housing Executive (NIHE) were consulted and confirmed that there is an identified need in the area for social housing.
8.2.5	Further considerations are the policy provisions of PPS 7 and PPS 8 which are also explored below.
<b>8.3</b>	<b><u>Economic Considerations.</u></b>
8.3.1	The Design and Access Statement (DAS) states that " <i>the site is operated by Decco Ltd Cash and Carry, which is a DIY, garden, construction and industrial supplies merchant that serves high street retailers, garden centres and building/engineering companies.</i> " It also states that " <i>The use comprises the storage and distribution of materials that accommodates trade based custom and does not cater for the general retail market. Goods are stored on-site and sold directly to trade. Customers can also place orders for delivery with the field and telesales team or via the company's online platform. Although comprising an element of B4 (storage or distribution), paragraph 5.31 of PPS4 confirms that a builders' supplies merchants as a sui generis use.</i> "
8.3.2	The DAS goes on to state that as " <i>the proposed scheme would not strictly result in the loss of any of these uses, it is our view that an assessment against the provisions of PED7 is not required.</i> "
8.3.3	The DAS also states that without prejudice to the above point, that it is considered that the proposal would satisfy criteria (d) and (e) siting that the present use has a significant adverse impact on the character and amenities of the surrounding area, and, that the site is unsuitable for modern industrial, storage or distribution purposes.
8.3.4	Whilst the current use could be argued to be sui generis it could also be considered that a B2 or B4 use would be lawful and for that reason PED 7 should be assessed in full.
8.3.5	It is considered that the present building and use on the site is not in keeping with its context which is characterised by low-rise housing. There are no large factories or Class B2-B4 uses in the locale. Redcar Street is narrow and characterised by terraced housing as well as the nearby school and it is considered that a residential use would be more compatible with the locale.



8.3.6	It is considered that the existing use if proposed in the modern day would be contrary to PED 9 of PPS 4, a point also made in the accompanying DAS. The applicant has also agreed to a significant developer contribution of 20% social housing which will assist housing need in the area.
8.3.7	It is therefore considered that on balance, the proposed use complies with Policy PED 7 and that the proposed use would be more compatible with surrounding uses.
8.3.8	In terms of Employment and Skills, an assessment was provided by the agent. It demonstrates an estimated 123 full time jobs during construction and a further 5 full-time jobs on an on-going basis. The Council's Economic Team were consulted and advised that <i>"the current projection forecast 5 employments being created through the development, due to the end use being residential accommodation. This will have no nominal effect on the Belfast labour market or skills issues. Therefore no employability and skills related Developer Contributions Section 76 clauses will be required for this phase of the development"</i> .
8.4	<b><u>Design and layout</u></b>
8.4.1	Paragraphs 4.11 and 4.12 of the SPPS require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported. The SPPS states the majority of PPS's remain applicable under 'transitional arrangements', including PPS 3. The SPPS states that PPS3, 7 and 12 remain applicable under 'transitional arrangements'.
8.4.2	Planning Policy Statement 7 relates to quality in housing developments. PPS 7 objectives place emphasis on achieving quality residential development not only in terms of respecting local character and amenity of established residential areas, but also the developments themselves should be attractive for prospective residents. QD1 lists 9 criteria with which all proposals for residential development must comply. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. The PPS7 addendum "Safeguarding the Character of Established Residential Areas" is also a material consideration and includes three policies LC1-3.
8.4.3	<u>Criterion (a)</u> of QD1 of PPS 7 requires the development to respect the surrounding context and to be appropriate in terms of layout, scale, massing, appearance and surfacing. The Urban Design Officer (UDO) notes that the current application <i>"proposes three storeys across all four blocks within the site with the upper floors taking the form of a contemporary mansard addition which visually retains the general impression of a two storey scheme, reflecting the general heights within surrounding context"</i> . The UDO goes on to state that the height is <i>"appropriate to this site and reflects that of neighbouring buildings. It is also worthy to note that the block along Redcar Street has also been setback from the road so as to further reduce the perceived massing of the building, while allowing for the creation of an attractive landscaped/ garden buffer which again softens the building."</i>
8.4.4	<u>Criterion (b)</u> is not applicable.
8.4.5	<u>Criterion (c)</u> requires adequate provision for public and private open space and landscaped areas as an integral part of the development. Planning Policy Statement 8, Policy OS2 Public Open Space in New Residential Development recommends at least 10% public open space. There is approximately 1445sq m of open space to the rear and sides of Blocks B and C available to the public not including additional incidental space. Some of the units in Block B

	and C have private balconies and others have direct access onto the open space including a private buffer at ground floor.
8.4.6	Block A contains approximately 980m of ground floor space between the two terraces. This comprises of a landscaped walkway (240sqm) and private gardens for the larger units. The gardens range from approximately 20 – 35 sqm which are considerable for duplex/apartment units. The 1-bedroom apartments which are located across the second floor of the terraces have access to the walkway at ground floor, the communal open space to the rear, and also benefit from landscaped courtyards varying from approximately 25-40sqm which contain the front doors to the apartments but also seating and planting.
8.4.7	The UDO notes the generous open space provided including the <i>“dynamic linear route that doubles as a shared communal space and will improve community cohesion for future residents as well as providing a safe space for children to play in. It is noted that both of the longer blocks would benefit from a total separation distance of 16.4m, which includes the communal linear/gillen space, which in my view is considered sufficient in what is a relatively urban context”</i> .
8.4.8	The proposal meets policy requirement criterion (c) as well as the 10% requirement in Policy OS2 of PPS 8 and Creating Places
8.4.6	<u>Criterion (d)</u> relates to the provision of local neighbourhood facilities. It is considered that there are sufficient neighbourhood and community facilities on the Woodstock Road/Cregagh Road.
8.4.7	<u>Criteria (e) and (f)</u> require adequate and appropriate provision for parking, walking and cycling in conjunction with the policy requirements of Planning Policy Statement 3: Traffic Movement and Parking. DfI Roads were consulted and initially had concerns regarding the level of incutillage parking, the capacity of on-street parking in the area and potential progression issues. As a result, the applicant provided additional surveys, proposals for green travel measures including car club, bike club and travel cards and introduced a parking bay to improve road safety. Additionally they increased the number of incutillage spaces to 46 no. DfI Roads have advised in an email dated 7 <sup>th</sup> June 2021 that they have no objections in principle subject to conditions, informatives and PSD and that they intend to provide a final response in a matter of days.
8.4.8	<u>Criterion (g)</u> relates to design and materials. The proposal was subject to a PAD which was not finished in its entirety. As a result some changes were requested to ensure better articulation and design in addition to layout changes necessitated by feedback from DfI Roads. The UDO states that <i>“Both the block along Redcar Street and its sister block immediately to the rear incorporate projecting bays at GF level with small terraces above. This not only picks up contextually on the projecting bays of the existing terrace directly opposite but also helps to introduce a rhythm to the terrace and break up its massing, while adding depth and visual interest to its articulation. Blocks B and C to the rear echo the façade arrangements of the large blocks but with less pronunciation of bays in a nod to the larger mansion block footprints of existing buildings found along Ardgowan Street to the south. As mentioned previously, the use of a mansard profile at upper floor level allows for additional accommodation to be provided without necessarily adding a great extent of bulk to the buildings. The design of the gable ends of the buildings have been improved in order to reduce massing and create more attractive frontages in these locations that provide increased passive surveillance”</i> .
8.4.9	The UDO goes on to describe the materials – <i>“a mix of buff brick and render have been utilised for the finishes of the buildings across the site. While this will differ to a degree with the largely predominant use of red brick in adjacent streets, the use of a buff brick will in my opinion result in a contemporary and fresh arrangement that helps to embed the buildings</i>

	<i>within their setting with the use of white render reflecting materials found along existing terraces in the wider area". He also suggests that "should a recommendation of approval be made, I would suggest that an appropriately worded condition is included that requires the Council's prior approval of materials including the buff brick, render, windows/doors, roof material as well as any railings/boundary treatments". This condition is included at Para 11.2.</i>
8.4.10	<u>Criterion (h)</u> deals with the impact the development may have on adjacent land uses and residents taking into account the proposed layout, existing and proposed boundary treatments and separation distances. During negotiation, separation distances were increased both between Blocks B and C to the rear boundary and between the terraces of Block A and it is considered that there will be no unacceptable adverse impact on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance
8.4.11	Policy LC1 (Protecting Local Character, Environmental Quality and Residential Amenity) of the addendum to PPS 7 states that the proposed density of the development must not be significantly higher than that found in the established residential area and that the pattern of development is also in keeping with the overall character of the locale. The density of apartments (at approximately 81 dwellings per hectare) is lower than that of the nearby residential terraces estimated by the UDO at 1 at 110-120 dwellings per hectare. The pattern of terraces is more appropriate/in keeping with the local environment than the factory building. The proposal therefore meets criteria (a) and (b) of Policy LC1.
8.4.12	In addition, criterion (c) states that all dwelling units and apartments comply with the space standards set out in Annex A. The site layout submitted by the agent show sizes which vary from 40sqm for a one-person studio to 102sqm for a six-person three-bed apartment. These meet the requirements for space standards as outlined in Annex A of the addendum to PPS 7.
<b>8.5</b>	<b><u>Landscaping and boundary treatments</u></b>
8.5.1	The site contains landscaped areas within the car park as well as a communal area of amenity space to the rear. In addition, there are incidental landscaped areas within the scheme.
8.5.2	The large area of open space to the rear was the subject of discussion and as a result, amended plans were submitted which created pathways, permanent seating areas, delineation of public and private space and movement patterns.
8.5.3	A Landscape Management Plan has been provided and will be subject to condition.
8.5.4	The Tree Officer was consulted and provided feedback which was incorporated into the amendments. He has provided conditions and informatives.
<b>8.6</b>	<b><u>Traffic, Movement and Parking</u></b>
8.6.1	DFI Roads have no objection to the application. 46 no parking spaces are provided as well as cycle parking. Green measures have been included which will be secured via Section 76 (see para 8.4.7). A layby was introduced to assist with potential progression issues. The area is well connected in terms of its proximity to the city centre and is on a main arterial route in terms of public transport.
<b>8.7</b>	<b><u>Contaminated Land</u></b>
8.7.1	The application is supported by a GQRA which has been considered by both NIEA and Environmental Health. Both have provided conditions and informatives accordingly.

<b>8.8</b>	<b><u>Noise</u></b>
8.8.1	Environmental Health has reviewed the Noise Impact Assessment and advised that it meets the relevant requirements. Conditions have been provided.
<b>8.9</b>	<b><u>Air Quality</u></b>
8.9.1	Environmental Health has reviewed the Air Quality Assessment and advised that it meets the relevant requirements. Conditions have been provided.
<b>8.10</b>	<b><u>Site Drainage/Flood Assessment</u></b>
8.10.1	The application is supported by a Flood Risk Assessment and Drainage Assessment. The proposal has been considered against policies FLD 1-5 of Revised PPS15. Rivers Agency advised that the Flood Risk Assessment is deemed to be robust with regards to managing flood risk. Rivers Agency have advised they have no objections under FLD 2, 4 and 5. With regards to Policy FLD 3, a Schedule 6 consent (to discharge into a watercourse) has been requested provided. Rivers Agency have no objection subject to condition.
8.10.2	NIW were consulted and advised that NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development and advised that if the applicant wishes to proceed they should contact NIW to discuss alternative interim options such as a temporary wastewater facility at the developer's own expense; this would not be adopted by NIW in the future. 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. In light of the NI Water response the agent has advised that they would be agreeable to the use of a negative planning condition to require full details of the how foul/wastewater is to be disposed of prior to commencement of the development. As this matter can be addressed by a suitably worded planning condition (see Para 11.15) this issue is not considered to be a refusal reason.
<b>8.11</b>	<b><u>Natural Heritage</u></b>
8.11.1	NIEA, Natural Environment Division (NED) acknowledges receipt of the NI Biodiversity Checklist, uploaded to the NI Planning Portal on 17 <sup>th</sup> July 2020 and the Preliminary Ecological Appraisal (PEA), dated June 2019. Having considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.
<b>8.12</b>	<b><u>Pre-Community Consultation</u></b>
8.12.1	For applications that fall within the major category a prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on the applicant for planning permission to consult the community in advance of submitting an application.
8.12.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2019/0759/PAN) was submitted to the Council on 8 April 2019 and was deemed acceptable on 18 April 2019.

8.12.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which details public meetings, letters, leaflets and the public advertisement.
8.12.4	Concerns were expressed regarding the noise and disturbance of the existing use as well as the undesirable appearance of the existing building. The PACC report details generally positive feedback in terms of housing at the proposed location and the need for housing in the area. In terms of feedback, attendees raised that the trees should be retained, there should not be a gated community and one attendee objected to the idea of any social housing on the site.
8.12.5	It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
<b>8.13</b>	<b><u>Statutory Consultation</u></b>
8.13.1	The scheme was first advertised on 24 <sup>th</sup> July 2020 and readvertised on 30 <sup>th</sup> April 2021. Neighbour notifications were initially issued on 28 <sup>th</sup> July 2020 and renotified of amendments to the scheme on 27 <sup>th</sup> January 2021 and 5 <sup>th</sup> May 2021.
<b>8.14</b>	<b><u>Developer Contributions</u></b>
8.14.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals". A Section 76 agreement has been drafted to reflect the requirement for 20% social housing within the scheme as well as green travel measures such as car club membership, cycle club membership and travel cards.
<b>8.15</b>	<b><u>Conclusion</u></b>
8.15.1	The proposal will have a positive impact on the character and appearance of the area. It is considered that the proposal would result in wider economic benefits and job creation opportunities as well as providing social housing.
8.15.2	Having regard to the Development Plan and relevant material considerations, including the current use on the site, the proposal is considered acceptable and planning permission is recommended subject to conditions and the applicant entering into a Section 76 Planning Agreement.
<b>10.0</b>	<b>Summary of Recommendation:</b>
10.1	Having regard to the policy context and other material considerations above, the proposal is considered on balance acceptable. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to approve subject to conditions and to finalise the wording of conditions and enter into the Section 76 planning agreement subject to no new substantive planning issues being raised. And to resolve any matters in relation to the outstanding consultation response from DfI Roads.

<b>11.0</b>	<b>Proposed Conditions:</b>
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>Notwithstanding the submitted details, no construction of the development hereby permitted shall take place unless in accordance with a schedule of external materials including samples which shall first be submitted to and agreed in writing by the Council.</p> <p>The details shall include buff brick, render, window/door materials, roof material and railings/boundary treatment materials.</p> <p>The works must be implemented and permanently retained in accordance with the details so approved.</p> <p>Reason: To ensure the material finish and detailing is appropriate to the area</p>
11.3	<p>The development hereby approved shall not be commenced unless a Contaminated Land Risk Assessment has been submitted to and approved in writing by the Council. The report must follow best practice and in the first instance contain the following information:</p> <ul style="list-style-type: none"> <li>- A Preliminary Risk Assessment that includes a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.</li> </ul> <p>Should the Preliminary Risk Assessment demonstrate that potential pollutant linkages exist on the site, then a Quantitative Risk Assessment that addresses these issues shall be submitted. This must incorporate:</p> <ul style="list-style-type: none"> <li>- A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations should be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.</li> <li>- A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases should be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665.</li> </ul> <p>Based on the outcome of this risk assessment, a Remediation Strategy may be required. If necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and that they no longer pose a potential risk to human health. It must also detail for the proposed remedial works are to be verified.</p> <p>All construction thereafter must be in accordance with the approved documents.</p> <p>Reason: Protection of human health.</p>
11.4	<p>In the event that a Remediation Strategy is required, in order to demonstrate that any required remedial measures have been incorporated within the proposal, prior to occupation of the development, a Verification Report shall be submitted to and agreed in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been</p>

	<p>implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p>
11.5	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>, as applicable. 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, and subsequently implemented and verified to its satisfaction. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health and environmental receptors to ensure the site is suitable for use.</p>
11.6	<p>All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 11.5 and 11.7 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.7	<p>After completing the remediation works under Condition 11.6; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <a href="https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks">https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks</a>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.8	<p>The facades of all buildings shall be constructed so as to provide a minimum of 54 dB RW, as per Section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential).</p> <ul style="list-style-type: none"> <li>- The uppermost ceilings of dwellings adjacent to the school boundary shall be constructed so as to provide a minimum of 49 dB RW, as per section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential).</li> <li>- All glazing installed within dwellings must provide a minimum sound reduction index of 31 dB RW, as per section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential).</li> </ul>

	<p>- An acoustically treated ventilation system must be incorporated into all dwellings and must provide a minimum of 31 dB RW, as per section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', (dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential)).</p> <p>Reason: Protection of residential amenity.</p> <p>11.9 In the event that any combustion plant, where the single or combined NOx emission rate is more than 5mg/sec, is proposed to be installed in connection with the development, the applicant must first submit an Air Quality Impact Assessment to the Council for approval in writing.</p> <p>Reason: Protection of human health.</p> <p>11.10 The development hereby permitted shall not be commenced unless a Final Drainage Assessment, compliant with FLD 3 &amp; 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 and approved in writing by the Council. All construction thereafter must be in accordance with the approved Assessment.</p> <p>Reason: To safeguard against flood risk to the development and from the development to elsewhere.</p> <p>11.11 All existing trees as detailed on the stamped approved Proposed Landscape Plan, drawing No. 18A, published by the Council on 5<sup>th</sup> May 2021 shall be permanently retained unless otherwise stated on this plan. If any tree to be retained is seriously damaged, uprooted or dies, it shall be replaced with a tree of a similar species and a size standard at the time of planting to be agreed in writing by the Council.</p> <p>No arboricultural work or tree surgery shall take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998, 2010. Recommendations for Tree Work.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>11.12 No development may commence on site unless protective barriers (fencing) and ground protection have been erected / installed as specified in British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' (section 6.2) on any existing trees to be retained on the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Within the fenced area, no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p> <p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p> <p>All hard surfaces proposed within the Root Protection Area (RPA) of existing trees and any excavation, demolition and or construction within the RPA of any existing tree shall be</p>
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11.13	<p>carried out in accordance with recommendations outlined Landscape Management Plan, published by the Council on 24<sup>th</sup> September 2021.</p> <p>All soft landscaping works shall be carried out in accordance with the approved details on the Proposed Landscape Plan, drawing No. 18A, published by the Council on 5<sup>th</sup> May 2021.</p> <p>The works shall be carried out prior to the occupation of the development hereby approved or within the first available planting season after occupation, whatever is the sooner or unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.14	<p>Once completed, all soft landscaping shall be maintained in accordance with the Beth Moore Charter Landscape Architect 'Landscape Management Plan' titled Housing Development at Redcar St., Belfast, published 24<sup>th</sup> September 2021.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.15	<p>No development shall commence on site until details of wastewater 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>
12.0	<p><b>Representations from Elected Representatives</b> (if relevant) N/A</p>
13.0	<p><b>Referral to DfI</b> (if relevant) N/A</p>

<b>ANNEX A</b>	
<b>Date Valid</b>	10th July 2020
<b>Date First Advertised</b>	24th July 2020
<b>Date Last Advertised</b>	30th April 2021
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 1-5 ,Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 10 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 10 Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 12 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 12 Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 14 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 14 Redcar Street,Belfast,Down,BT6 9BP 14, Ardgowan Street, Belfast, Down, Northern Ireland, BT6 9BU The Owner/Occupier, 16 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 16 Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 18 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 18 Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 1a ,Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 2 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 2 Redcar Street,Belfast,Down,BT6 9BP 20 Ardgowan Street,Belfast,Down,BT6 9BU The Owner/Occupier, 20 Redcar Street,Belfast,Down,BT6 9BP 22 Redcar Street,Belfast,Down,BT6 9BP 24 Redcar Street,Belfast,Down,BT6 9BP 26 Redcar Street,Belfast,Down,BT6 9BP 28 Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 30 Redcar Street,Belfast,Down,BT6 9BP The Owner/Occupier, 32 Redcar Street,Belfast,Down,BT6 9BP 34 Redcar Street,Belfast,Down,BT6 9BP	

The Owner/Occupier,  
 36 Redcar Street,Belfast,Down,BT6 9BP  
 The Owner/Occupier,  
 366 – 398b Woodstock Road,Belfast,Down,BT6 9DQ  
 4 Ardgowan Street,Belfast,Down,BT6 9BU  
 The Owner/Occupier,  
 4 Redcar Street,Belfast,Down,BT6 9BP  
 The Owner/Occupier,  
 40 Redcar Street,Belfast,Down,BT6 9BP  
 The Owner/Occupier,  
 400 Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 402 Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 402a ,Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 404 Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 404a ,Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 406 - 418 Woodstock Road,Belfast,Down,BT6 9DQ  
 42 -48 Redcar Street,Belfast,Down,BT6 9BP  
 490 Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 5 Ardgowan Street,Belfast,Down,BT6 9BU  
 The Owner/Occupier,  
 50 Redcar Street,Belfast,Down,BT6 9BP  
 The Owner/Occupier,  
 6 Ardgowan Street,Belfast,Down,BT6 9BU  
 6, Redcar Street, Belfast, Down, Northern Ireland, BT6 9BP  
 The Owner/Occupier,  
 8 Ardgowan Street,Belfast,Down,BT6 9BU  
 The Owner/Occupier,  
 8 Redcar Street,Belfast,Down,BT6 9BP  
 The Owner/Occupier,  
 Apartment 2,366a ,Woodstock Road,Belfast,Down,BT6 9DQ  
 The Owner/Occupier,  
 Euston Street Primary School,163 Euston Street,Belfast,Down,BT6 9AG

<b>Date of Last Neighbour Notification</b>	5th May 2021
<b>Date of EIA Determination</b>	26th February 2021
<b>ES Requested</b>	No

**Planning History**

Ref ID: LA04/2019/0759/PAN

Proposal: Demolition of existing building and erection of residential development.

Address: 1-5 Redcar Street, Belfast, BT6 9BP.,

Decision: PAN Acceptable

Decision Date: 18.04.2019

Ref ID: Z/1998/0597

Proposal: Erection of 90 houses and flats

Address: WILLOWFIELD PHASE 1A & 1B. 103-129 CASTLEREAGH ROAD, 37-77 REDCAR STREET, 54-100 REDCAR STREET, 88-1

Decision: Permission Granted

Decision Date: 06.05.1999

Ref ID: Z/1989/0464

Proposal: Warehouse and ancillary offices (Approval of Reserved Matters)

Address: 1-5 REDCAR STREET BELFAST BT6

Decision: Permission Granted

Decision Date: 07.08.1989

Ref ID: Z/1989/0065

Proposal: Warehouse and ancillary offices

Address: 1-5 REDCAR STREET BELFAST BT6

Decision: Permission Granted

Decision Date: 22.03.1989

Ref ID: LA04/2015/1525/F

Proposal: Bicycle shelters-house 20nr bicycles-constructed on a concrete base

Address: Euston Street Primary School, Euston Street, Belfast, BT6 9AG,

Decision: Permission Granted

Decision Date: 10.02.2016

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> Tuesday 15 <sup>th</sup> June 2021	
<b>Application ID:</b> LA04/2020/1593/F	:
<b>Proposal:</b> Refurbishment works to existing park, comprising: revised accesses from Jamaica Road and Old Park Road; extension of existing 3G pitch; refurbishment of existing flood lighting; a replacement 405m2 GFA changing pavilion incorporating community facilities and a shelter for up to 101 spectators; new MUGA; new multi-use community event space; new street furniture, outdoor gym equipment and park lighting; new inclusive/multi-age playground; new 2.4m boundary fencing; rationalisation of existing path network including resurfacing; new SUDS pond/wetland wildlife area; landscape interventions including planting, woodland management, entrance improvements and all associated works.	<b>Location:</b> Marrowbone Millennium Park, Oldpark Road, Belfast BT14 6QS
<b>Referral Route:</b> Major application and BCC application	
<b>Recommendation:</b> Approval subject to Conditions	
<b>Applicant Name and Address:</b> Belfast City Council Belfast City Hall Belfast BT1 5GS	<b>Agent Name and Address:</b> AECOM 10th Floor Clarence West Building 2 Clarence Street West Belfast BT2 7GP
<b>Executive Summary:</b> This application seeks full permission for refurbishment works to an existing park, comprising: revised accesses from Jamaica Road and Old Park Road; extension of existing 3G pitch; refurbishment of existing flood lighting; a replacement 405m2 GFA changing pavilion incorporating community facilities and a shelter for up to 101 spectators; new MUGA; new multi-use community event space; new street furniture, outdoor gym equipment and park lighting; new inclusive/multi-age playground; new 2.4m boundary fencing; rationalisation of existing path network including resurfacing; new SUDS pond/wetland wildlife area; landscape interventions including planting, woodland management, entrance improvements and all associated works.  The key issues are: <ul style="list-style-type: none"> <li>- principle of use on the site</li> <li>- design and layout</li> <li>- impact on amenity / character of the area</li> <li>- impact on natural and built heritage</li> <li>- access, movement, parking and transportation, including road safety</li> </ul>	

- flood risk
- landscaping
- other environmental matters

The site is located within an existing public park facility at Marrowbone Millennium Park, Oldpark Road, Belfast. The application site comprises of grassland with paths throughout. A 3G football pitch is situated in the south of the application site, with a small playpark adjacent to the east. A one storey, pre-fab changing room building is located to the north of the 3G pitch. A strip of woodland planting is found along the southern and eastern boundaries of the application site.

The site is identified as an Area of Existing Open Space” within (Draft) Belfast Metropolitan Area Plan (BMAP) 2004 (BT 141) and BMAP 2015 (BT 123) and, “Lands reserved for Landscape Amenity or Recreation use” in the Belfast Urban Area Plan 2001 (BUAP). The application site is also within a Local Landscape Policy Area (LLPA) – Designation BT 141 Oldpark as per (Draft) BMAP 2004.

The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), Planning Policy Statement 2, Planning Policy Statement 3, Planning Policy Statement 6, Planning Policy Statement 8, and Planning Policy Statement 15.

BCC Environmental Health, Northern Ireland Water, BCC Tree Officers, BCC Parks and Recreation, DFI Roads Service, DFI Rivers Agency, Historic Environment Division (Historic Monuments) DAERA Water Management Unit, DAERA Regulation Unit and DAERA Natural Environment Division have raised no issues of concern subject to conditions and the proposal is considered acceptable.

On this basis, it is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to approve subject to conditions and to finalise the wording of conditions subject to no new substantive planning issues being raised.

## Case Officer Report

### Site Location Plan



### Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

### Characteristics of the Site and Area

#### 1.0 Description of Proposed Development

Refurbishment works to existing park, comprising: revised accesses from Jamaica Road and Old Park Road; extension of existing 3G pitch; refurbishment of existing flood lighting; a replacement 405m<sup>2</sup> GFA changing pavilion incorporating community facilities and a shelter for up to 101 spectators; new MUGA; new multi-use community event space; new street furniture, outdoor gym equipment and park lighting; new inclusive/multi-age playground; new 2.4m boundary fencing; rationalisation of existing path network including resurfacing; new SUDS pond/wetland wildlife area; landscape interventions including planting, woodland management, entrance improvements and all associated works.

#### 2.0 Description of Site

The site is located within an existing public park facility at Marrowbone Millennium Park, Oldpark Road, Belfast. The application site comprises of grassland with paths throughout. A 3G football pitch is situated in the south of the application site, with a small playpark adjacent to the east. A

one storey, pre-fab changing room building is located to the north of the 3G pitch. A strip of woodland planting is found along the southern and eastern boundaries of the application site. The application site is defined by metal fencing with accesses via Jamaica Road and Old Park Road. Residential development abuts the site on all sides. The site is identified as an Area of Existing Open Space” within (Draft) Belfast Metropolitan Area Plan (BMAP) 2004 (BT 141); BMAP 2015 (BT 123) and, “Lands reserved for Landscape Amenity or Recreation use” in the Belfast Urban Area Plan 2001 (BUAP). The application site is also within a Local Landscape Policy Area (LLPA) – Designation BT 141 Oldpark as per (Draft) BMAP 2004.

## **Planning Assessment of Policy and Other Material Considerations**

3.1 There is no relevant recent planning history on the site. Since this proposal falls under the category of Major Development, Pre Application Community Consultation was carried out under the planning reference LA04/2018/2783/PAN. Feedback given was positive from the public with 75% of responses stating they were supportive of the proposal.

### **4.0 Policy Framework**

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.2 Strategic Planning Policy Statement (SPPS)

4.3 Planning Policy Statement (PPS) 2: Natural Heritage

4.4 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.5 Planning Policy Statement (PPS) 6: Planning, Archaeology, and the Built Heritage

4.6 Planning Policy Statement (PPS) 8: Open Space, Sport and Outdoor Recreation

4.7 Planning Policy Statement (PPS) 15: Planning and Flood Risk

### **5.0 Statutory Consultees**

5.1 DFI Roads Service – No objection subject to conditions

5.2 Northern Ireland Water Ltd – No objection

5.3 DFI Rivers Agency – No objection

5.4 DAERA Natural Environment Division – No objection subject to conditions

5.5 DAERA Regulation Unit – No objection subject to conditions

5.6 DAERA Water Management Unit – No objection

5.7 HED Historic Monuments – No objection subject to conditions

### **6.0 Non Statutory Consultees**

6.1 Belfast City Council (BCC) Environmental Health – No objection subject to conditions

6.2 BCC Tree Officers – No objection subject to conditions

6.3 BCC Parks and Recreation - No objection

### **7.0 Representations**

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

### **8.0 Other Material Considerations**

8.1 Parking Standards

### **9.0 Assessment**

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

9.2 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had



reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remain contentious). The site is identified as an area of existing open space within (Draft) Belfast Metropolitan Area Plan (BMAP) 2004; BMAP 2015 and, the Belfast Urban Area Plan 2001 (BUAP). The application site is also within a Local Landscape Policy Area (LLPA) – Designation BT 141 Oldpark as per (Draft) BMAP 2004. The site is also located on the site of the former Oldpark Brick Works (IHR10325).

9.3 The proposed development is for “Refurbishment works to existing park, comprising: revised accesses from Jamaica Road and Old Park Road; extension of existing 3G pitch; refurbishment of existing flood lighting; a replacement 405m2 GFA changing pavilion incorporating community facilities and a shelter for up to 101 spectators; new MUGA; new multi-use community event space; new street furniture, outdoor gym equipment and park lighting; new inclusive/multi-age playground; new 2.4m boundary fencing; rationalisation of existing path network including resurfacing; new SUDS pond/wetland wildlife area; landscape interventions including planting, woodland management, entrance improvements and all associated works.”

9.4 The key issues are:

- principle of use on the site
- design and layout
- impact on amenity / character of the area
- impact on natural and built heritage
- access, movement, parking and transportation, including road safety
- flood risk
- landscaping
- other environmental matters

#### 9.5 Principle of use on the site

The site is within the development limits of Belfast in BUAP, Draft BMAP and the version of BMAP purported to be adopted. Policy OS 1 of PPS 8 states there is a general presumption against the loss of open space to competing land uses. Annex A of PPS 8 defines ‘open space’ and a range of uses that are of public value and offer important opportunities for sport and outdoor recreation. The existing use of the site falls within A2 (iii) as amenity green space, a communal green space within housing. The proposed development does not represent a change of use, but is a refurbishment and upgrade, and will fulfil a need in the area as well as promoting health and well-being. It is considered that the proposed upgrade will represent a more productive use of the site, subject to the consideration and resolution of planning and environmental matters.

#### 9.6 Design and layout

The aim of the proposal is to improve the quality of the existing open space. The existing 3G pitch will be widened and lengthened to a scale of 95m by 55m, which will bring it into line with the standards required for intermediate level football. Since the proposal includes the widening and lengthening of the pitch it will be necessary to relocate and refurbish existing floodlighting as part of this proposal. As well as providing outdoor gym equipment, playground and street furniture, the existing pathway network will be improved for pedestrians and cyclists. The proposed MUGA is located in the East of the site adjacent to the playing field where the existing playpark is sited currently. A single storey changing pavilion with covered spectator seating abuts the northern boundary of the playing field. A new play area will be located to the North of the site. An open community event space is sited in the middle of the park and will be surfaced using fibre sand reinforced grass turf.

9.7 Policy OS4 of PPS8 requires that buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment.

9.8 The proposed works to the existing 3G pitch and proposed new MUGA (adjacent) etc would have a negligible visual impact on the locality. Public views of the site would read as green space/playing surface largely. Floodlights generally have a greater visual impact, however there are 6 floodlights to the existing playing field. There are 8 proposed floodlights in total, 3 to the MUGA at 8m in height and 5 to the playing field at 15m in height. The proposed changing pavilion structure sited adjacent to the playing field is single storey and of a scale and character that would be reasonably expected at a sports facility. Whilst larger than the existing pre-fab structure it will have would have no greater visual impact. The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. On balance, the proposal would not result in adverse visual impacts.

#### **9.9 Impact on amenity / character of the area**

Policies OS4 and OS7 of PPS8 require consideration of noise and light disturbance issues. Policy OS4 requiring proposals to ensure there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated.

9.10 In assessing these impacts, Environmental Health (EH) has been consulted with noise and lighting assessments submitted by the applicant. In relation to floodlights, EH initially had concerns regarding potential light spill from the proposed floodlights for the MUGA to 277 – 287 Oldpark Road as these addresses were not included in the initial report. The Agent submitted additional information which satisfied EH's concerns and they responded with no objection subject to conditions preventing the operation of the floodlights after 10pm; as well as conditioning the horizontal and vertical illuminance drawing submitted.

9.11 With regard to noise, EH requested additional information from the Planning Agent and also suggested the use of an acoustic barrier. Four additional models were submitted which included a match on the football pitch with 101 spectators and MUGA at 1.5m height screened and unscreened, and at 4m height screened and unscreened. Aecom (the agent) advised also that it is not envisaged that the number of matches or spectators will exceed the levels historically associated with this site. Having assessed the additional information EH have no objections to the proposal with respect to noise disturbance subject to the inclusion of Conditions. The pitches and associated stand shall only operate between 0800 – 2200 on any day. They have also conditioned the inclusion of rubber noise suppression blocks between the posts and panels on the proposed ball stop fence to the football pitch and the MUGA pitch

#### **9.12 Impact on Natural and Built Heritage**

Policy OS4 requires that there is no adverse impact on features of importance to nature conservation, archaeology or built heritage. The site is not located within a Conservation Area, Area of Townscape Character, but it is a site of archaeological interest. The application site is located on the site of the former Oldpark Brick Works (IHR 10325), and therefore Policy BH2 of PPS6 applies. HED Historic Monuments stated the buildings associated with the Brick Works were located under the western half of the existing playing fields. While no above-ground remains survive, there is the possibility for the survival of below-ground remains associated with these structures which would be impacted upon by any intrusive ground works or ground lowering in this area. HED considered the impacts of the proposal and is content it satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works, including an Industrial Archaeology survey and a mitigation strategy focussing on the industrial archaeological remains of the site. This is in order to identify and record any industrial archaeological remains in advance of new construction, or to provide for their preservation *in situ*, as per Policy BH 4 of PPS 6.

9.13 With respect to the natural heritage on the site an Ecological Appraisal; Bat Activity Survey and floodlighting details were considered by Natural Environment Division (NED). The bat roost potential survey of the trees and buildings on site found them to have negligible suitability for roosting bats. Bat activity on site was found to be low, with two types foraging mainly along the treeline at the western edge of the site, which is to be retained. The floodlighting is to be upgraded, and the External Floodlighting light map shows that the level of light spill would be sufficient to deter foraging bats (2-50 Lux) in areas. However, because floodlighting would likely only be in use for a few nights per week, and only from after dusk until approximately 22:00, and bat activity was found to be low on the site, the impact of on-site lighting on foraging bats is not considered to be significant by NED. Overall they have no objection to the proposal subject to the submission of a Lighting Plan to be agreed in writing with the Council prior to any work commencing on site. The Plan shall include the following:

- Specifications of lighting to be used across the site, including model of luminaires, location and height.
- All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, e.g. use of low level lighting, screens, hoods, cowls, etc.
- A horizontal illuminance contour plan (isolux drawing) showing predicted light spillage across the site.
- Measures to minimise light spill onto the SuDS pond and the vegetation along the west of the site.

#### **9.14 Access, Movement, Parking and Transportation, including road safety**

The application site has an existing service vehicular access directly onto Oldpark Road. This access will be retained. In addition to its use as a service access this entrance will also allow access to the new 1No. disabled parking bay located within the site. The existing pedestrian access from Jamaica Road will be removed and redesigned as a wider stepped entrance. This replacement access will be located to the south of the existing access. On consultation with DfI Roads Service, the authoritative body on road safety and transport issues, they responded initially requesting a number of amendments, which were addressed and on re-consultation, DfI Roads have no objections subject to conditions should approval be granted.

#### **9.16 Flood Risk**

Policy OS4 requires satisfactory arrangements for drainage to be provided, and specific drainage/flood risk policy is set out in PPS15. Since the proposal's site area is greater than 1 hectare, Policy FLD 3 of PPS 15 applies. A Drainage Assessment, was submitted and sent to DfI Rivers Agency for comment. They responded with no objection.

#### **9.17 Landscaping**

There a large number of trees throughout the site of various height, and species, including a mature belt along the western boundary. Initial consultation with both BCC Tree Officers and BCC Parks and Recreation presented a number of concerns as well as requests for additional information. These comments were addressed and an updated landscaping plan submitted. The mature tree cover on the western boundary of the site is considered the most significant in terms of character and visual amenity, and these are to be retained as part of the process. More than 55 new trees of 4 differing species are proposed also. Having consulted with BCC tree officers and BCC Parks and Recreation Team they have no objections subject to standard conditions.

#### **9.18 Other Environmental Matters**

An Investigation Report; Environmental Site Assessment and subsequent information clarifying a number of points were submitted, relating to the risk of contaminated land on the site. Following assessment both DAERA Regulation Unit and BCC EHO suggested conditions should approval be granted.

**9.19 Conclusion**

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions. The approved development will allow for more diverse recreational uses, the introduction of an enhanced playing field, MUGA, outdoor gym, new playground and an upgrade to the path network, promoting health and well-being to the surrounding area. Should members agree with the recommendation to approve, it is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to approve subject to conditions and to finalise the wording of conditions subject to no new substantive planning issues being raised.

**Neighbour Notification Checked:** Yes

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

**Conditions:**

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

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

2. The pitches, floodlighting and associated stand hereby approved shall not be operational outside the following hours: 08:00 hrs to 22:00hrs.

REASON: Protection of residential amenity

3. The proposed ball stop fence to the football pitch and the MUGA pitch shall include proprietary rubber noise suppression blocks between the posts and panels to minimise noise impact.

REASON: Protection of residential amenity

4. Prior to commencement of construction, the applicant shall submit to and have approved in writing by the Planning Authority, a Remediation strategy. This Strategy must demonstrate how the pollutant linkages identified within the AECOM Infrastructure & Environment UK Ltd report entitled 'Marrowbone Park, Environmental Improvement Scheme, Environmental Site Assessment, Belfast City Council' (dated 18th December 2019 and referenced 60340741), and clarified within the AECOM Ltd letter report dated 20th January 2021 regarding 'Marrowbone Millennium Park, Oldpark Road, Belfast, BT14 6QS' (AECOM Reference LA04/2020/1593/F), are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

In particular, this Remediation strategy must clearly outline the gas protection measures to be provided to development in line with its Characteristic Situation (CS) 2 classification. The Remediation Strategy must also consider the potential risk posed by asbestos in shallow soils and, if necessary, outline how any resulting pollutant linkage is to be broken.

All construction thereafter must be in accordance with the approved Remediation Strategy.

Reason: Protection of human health.

5. In order to demonstrate that the required remedial measures have been incorporated within the proposal, prior to occupation of the development, a Verification Report shall be submitted to and agreed in writing by the Planning Authority. The Verification Report

must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

6. 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.

7. The floodlight scheme associated with the hereby permitted development shall be installed in accordance with the specifications detailed in the in the Abacus horizontal and vertical illuminance drawing design, ref UKS17728/8.

Reason: Protection of residential amenity.

8. The floodlighting shall be optically controlled and directed in such a manner as to minimise light pollution from glare and light spill. The vertical light spill associated with the floodlights shall not exceed 10 lux at the nearest residential premises as detailed in the Abacus horizontal and vertical illuminance drawing design, ref UKS 17728/8.

Reason: Protection of residential amenity.

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

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

11. After completing the remediation works under Condition 10; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

12. No development or piling work should commence on this site until a piling risk

assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>.

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

13. All landscaping works shall be carried out in accordance with the approved details on Proposed Layout Landscape Proposal, Drawing Number xx, received on xx xx xx. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

14. Prior to any work commencing all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site. Please notify council when the fencing is erected for a site visit to confirm the fencing is installed in the correct locations.

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

15. Prior to the commencement of the development hereby approved (including all preparatory work), details of all proposed surgery / pruning shall be submitted to and approved in writing by the Local Planning Authority. The approved tree pruning works shall be carried out in accordance with BS3998:2010. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to avoid any irreversible damage to retained trees and to protect and enhance the appearance and character of the site and locality.

16. If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over. The roots must be wrapped in wet hessian wrap until the arrival of an arborist or council tree officers.

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

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

Reason: To avoid compaction within the RPA of existing trees to be retained.

18. Prior to work commencing on site, a Lighting Plan must be submitted to and agreed in writing by the Planning Authority. The approved Lighting Plan shall be implemented accordingly, unless otherwise agreed in writing by the Planning Authority. The Plan shall include the following:

- a) Specifications of lighting to be used across the site, including model of luminaires, location and height.
- b) All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, e.g. use of low level lighting, screens, hoods, cowls, etc.
- c) A horizontal illuminance contour plan (isolux drawing) showing predicted light spillage across the site.
- d) Measures to minimise light spill onto the SuDS pond and the vegetation along the west of the site.

Reason: The protection of natural heritage.

19. No development should take place on-site until the method of sewage disposal has been agreed in writing with NIW or a Consent to discharge has been granted.

Reason: To ensure a practical solution to sewage disposal is possible at this site.

20. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. 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:60340741\_MWB\_AEC\_LE\_2002 Rev P1 bearing the Department for Infrastructure determination date stamp 13/5/21.

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

21. The development hereby permitted shall not be commenced until any retaining wall / inspection chamber requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

REASON: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

22. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities.

The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

23. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under Condition 22.

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

24. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 22. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

## ANNEX

<b>Date Valid</b>	11th August 2020
<b>Date First Advertised</b>	4th September 2020
<b>Date Last Advertised</b>	

### Details of Neighbour Notification (all addresses)

The Owner/Occupier,  
1 Belmore Way, Belfast, Antrim, BT14 7BG  
The Owner/Occupier,  
1 Torrens Avenue, Belfast, Antrim, BT14 6HZ  
The Owner/Occupier,  
10 Jamaica Road, Belfast, Antrim, BT14 7QW  
The Owner/Occupier,  
10 Jamaica Way, Belfast, Antrim, BT14 7QX  
The Owner/Occupier,  
12 Jamaica Road, Belfast, Antrim, BT14 7QW  
The Owner/Occupier,  
12 Jamaica Way, Belfast, Antrim, BT14 7QX  
The Owner/Occupier,  
12 Oldpark Square, Belfast, Antrim, BT14 7DR  
The Owner/Occupier,  
13 Ardoyne Court, Belfast, Antrim, BT14 7DB  
The Owner/Occupier,  
14 Ardoyne Walk, Belfast, Antrim, BT14 7PP  
The Owner/Occupier,  
14 Jamaica Road, Belfast, Antrim, BT14 7QW  
The Owner/Occupier,  
14 Jamaica Way, Belfast, Antrim, BT14 7QX  
The Owner/Occupier,  
15 Oldpark Square, Belfast, Antrim, BT14 7DR  
The Owner/Occupier,  
16 Jamaica Road, Belfast, Antrim, BT14 7QW  
The Owner/Occupier,  
16 Jamaica Way, Belfast, Antrim, BT14 7QX  
The Owner/Occupier,



17 Oldpark Square,Belfast,Antrim,BT14 7DR  
 The Owner/Occupier,  
 18 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 18 Jamaica Way,Belfast,Antrim,BT14 7QX  
 The Owner/Occupier,  
 19 Havana Gardens,Belfast,Antrim,BT14 7QN  
 The Owner/Occupier,  
 19 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 19 Oldpark Square,Belfast,Antrim,BT14 7DR  
 The Owner/Occupier,  
 2 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 2 Jamaica Way,Belfast,Antrim,BT14 7QX  
 The Owner/Occupier,  
 2 Oldpark Grange,Belfast,Antrim,BT14 6EJ  
 The Owner/Occupier,  
 20 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 21 Havana Gardens,Belfast,Antrim,BT14 7QN  
 The Owner/Occupier,  
 21 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 21 Oldpark Square,Belfast,Antrim,BT14 7DR  
 The Owner/Occupier,  
 22 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 23 Havana Gardens,Belfast,Antrim,BT14 7QN  
 The Owner/Occupier,  
 23 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 24 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 25 Havana Gardens,Belfast,Antrim,BT14 7QN  
 The Owner/Occupier,  
 25 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 26 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 27 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 277 Oldpark Road,Belfast,Antrim,BT14 6QR  
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 279 Oldpark Road,Belfast,Antrim,BT14 6QR  
 The Owner/Occupier,  
 28 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 281 Oldpark Road,Belfast,Antrim,BT14 6QR  
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 283 Oldpark Road,Belfast,Antrim,BT14 6QR  
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 285 Oldpark Road,Belfast,Antrim,BT14 6QR  
 The Owner/Occupier,  
 287 Oldpark Road,Belfast,Antrim,BT14 6QR

The Owner/Occupier,  
 289 Oldpark Road,Belfast,Antrim,BT14 6QR  
 The Owner/Occupier,  
 3 Torrens Avenue,Belfast,Antrim,BT14 6HZ  
 The Owner/Occupier,  
 30 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 32 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 323 Oldpark Road,Belfast,Antrim,BT14 6QS  
 The Owner/Occupier,  
 325 Oldpark Road,Belfast,Antrim,BT14 6QS  
 The Owner/Occupier,  
 327 Oldpark Road,Belfast,Antrim,BT14 6QS  
 The Owner/Occupier,  
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 34 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 341 Oldpark Road,Belfast,Antrim,BT14 6QS  
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 36 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 38 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 4 Jamaica Way,Belfast,Antrim,BT14 7QX  
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 40 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 42 Jamaica Road,Belfast,Antrim,BT14 7QW  
 The Owner/Occupier,  
 43a ,Jamaica Street,Belfast,Antrim,BT14 7QF  
 The Owner/Occupier,  
 43b ,Jamaica Street,Belfast,Antrim,BT14 7QF  
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 44 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 46 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 48 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 5 Ardoyne Walk,Belfast,Antrim,BT14 7PP  
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 5 Torrens Avenue,Belfast,Antrim,BT14 6HZ  
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 6 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 6 Jamaica Way,Belfast,Antrim,BT14 7QX  
 The Owner/Occupier,  
 6 Oldpark Grange,Belfast,Antrim,BT14 6EJ  
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 7 Ardoyne Walk,Belfast,Antrim,BT14 7PP  
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 7 Old Park Grange, Belfast  
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 8 Ardoyne Court,Belfast,Antrim,BT14 7DB  
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 8 Jamaica Road,Belfast,Antrim,BT14 7QW  
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 8 Jamaica Way,Belfast,Antrim,BT14 7QX  
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 Apartment 2,363 Oldpark Road,Belfast,Antrim,BT14 6QS  
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 Apartment 4,363 Oldpark Road,Belfast,Antrim,BT14 6QS  
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 Apartment 5,363 Oldpark Road,Belfast,Antrim,BT14 6QS

The Owner/Occupier, Apartment 6,363 Oldpark Road,Belfast,Antrim,BT14 6QS	
<b>Date of Last Neighbour Notification</b>	28th April 2021
<b>ES Requested</b>	No
<p><b>Planning History</b></p> <p>Ref ID: LA04/2020/1593/F          Proposal: Refurbishment works to existing park, comprising: revised accesses from Jamaica Road and Old Park Road; extension of existing 3G pitch; refurbishment of existing flood lighting; a replacement 405m2 GFA changing pavilion incorporating community facilities and a shelter for up to 101 spectators; new MUGA; new multi-use community event space; new street furniture, outdoor gym equipment and park lighting; new inclusive/multi-age playground; new 2.4m boundary fencing; rationalisation of existing path network including resurfacing; new SUDS pond/wetland wildlife area; landscape interventions including planting, woodland management, entrance improvements and all associated works.          Address: Marrowbone Millennium Park, Oldpark Road, Belfast, BT14 6QS.,          Decision:          Decision Date:</p> <p>Ref ID: LA04/2017/1899/PAN          Proposal: Public realm improvements comprising: re surfacing of existing footways with natural stone and asphalt; granite kerbs; new street tree planting; new or replacement street furniture; and formalisation of existing on-street parking arrangements.          Address: Lands at 1-521 Oldpark Road, 223-245 Cliftonville Road, 286-296 Cliftonville Road, 1-13 Torrens Avenue, 1a Deepark Road, 10 Albertville Drive, and 177-155 Crumlin Road, Belfast.,          Decision: PANACC          Decision Date:</p> <p>Ref ID: LA04/2018/2378/F          Proposal: Public realm improvements comprising the re-surfacing of existing footways and on-street parking areas with natural stone, granite and asphalt; granite kerbs; boundary enhancements; new/replacement street trees and furniture; realignments to existing pedestrian crossings; minor junction improvements at Century Street and Manor Street; advisory cycle lanes on Lower Oldpark Road, and all associated site and access works.          Address: Lands adjacent to, 2-480 Oldpark Road, 5-521 Oldpark Road, 223 245 Cliftonville Road, 286-296 Cliftonville Road, 2 Westland Road, 89 Torrens Crescent, 93-99 Torrens Avenue, 1-13 Torrens Avenue, 2 Ardoyne Avenue, 10 Century Street, 17 Albert</p>	

Decision: PG  
Decision Date: 05.06.2019

Ref ID: Z/2010/0781/F  
Proposal: Temporary changing accommodation and 6m high ballstop fence to existing pitch.  
Address: Marrowbone Millennium Park, Oldpark Road, Belfast  
Decision:  
Decision Date: 10.08.2010

Ref ID: LA04/2017/2805/PAN  
Proposal: The proposals are for refurbishment and renewal of the existing park, works are to include:  
Revised access to Jamaica Road to include new wide stepped entrance and handrail.  
Revised access points Old Park Road.  
Extension of existing 3G pitch and associated drainage to accommodate intermediate football.  
New pitch lighting.  
Associated changing pavilion and informal shelter.  
New 30 X 15m Polymeric MUGA.  
New fibersand grass multiuse community event space.  
New street furniture and park lighting.  
New trim trail equipment.  
New inclusive playground with 1.2m bowtop railing and multi age play provision.  
New fencing on the west and north boundaries. New decorative railings on the eastern boundary.  
Address: Marrowbone Park, Oldpark Road, Belfast, BT14 6QS,  
Decision: PANACC  
Decision Date:

Ref ID: Z/1999/2566  
Proposal: Erection of a new perimeter fence around site.  
Address: Oldpark Playing Fields, Oldpark Road Belfast. BT14  
Decision:  
Decision Date: 24.02.2000

Ref ID: Z/2011/0812/F  
Proposal: Replacement of grass pitch with third generation playing surface, erection of pitchside fencing, ballstops and erection of six floodlight masts  
Address: Marrowbone Millennium Park Oldpark Road Belfast BT14 7QW,  
Decision: MAA  
Decision Date: 16.03.2012

Ref ID: LA04/2018/2783/PAN  
Proposal: Revised access to Jamaica Road to include new wide stepped entrance and handrail

Revised access points Oldpark Road  
Extension of existing 3G pitch and associated drainage to accommodate intermediate football  
New pitch lighting  
Associated changing pavilion and informal shelter  
New 30 x 15 Polymeric MUGA  
New fibres and grass multiuse community event space  
New street furniture and park lighting  
New trim trail equipment  
New inclusive playground with 1.2 bowtop railing and multi age play provision  
New fencing on the West and North boundaries. New decorative railings on the Eastern Boundary.  
Rationalisation of existing path network and replacement of surfacing with new exposed aggregate concrete.  
New SUDS/well and wildlife area incorporating run off from pavilion and pitches.  
Woodland management to existing woodland block to improve sight lines and views  
New entrance landscape proposals and parkland landscape enhancements.  
Address: Marrowbone Millennium Park, Oldpark Road, Belfast, Bt14 6QS.,  
Decision: PANACC  
Decision Date:

Ref ID: LA04/2019/2489/DC

Proposal: Discharge of condition no.2 of LA04/2017/2422/F (Verification Report) varied under LA04/2019/1846/F

Address: Lands immediately east of 7 Ardglan Place and 15m north of 45 Jamaica Way.,

Decision: AL

Decision Date:

Ref ID: LA04/2019/2219/DC

Proposal: Discharge of condition no. 11 of LA04/2017/2422/F

Address: Lands immediately east of, 7 Ardglan Place, and 15 metres north of, 45 Jamaica Way, Belfast.,

Decision: AL

Decision Date:

Ref ID: LA04/2019/1846/F

Proposal: Application to vary condition 2 LA04/2017/2422/F regarding the submission of a verification report to confirm remediation measures prior to the operation of development

Address: Lands immediately east of, 7 Ardglan Place and, 15 Metres north of, 45 Jamaica Way, Belfast.,

Decision: PG

Decision Date: 01.10.2019

Ref ID: LA04/2019/1799/F

Proposal: 15m telecommunications column, with 6No. antennae (3No. enclosed within a shroud, 3No. not enclosed). Proposal includes the provision of 4No. new equipment cabinets and associated ground works.

Address: On footpath opposite, 363 Oldpark Road, Belfast, BT14 6QN.,

Decision: WITHDR

Decision Date: 10.09.2019

Ref ID: LA04/2019/2337/F

Proposal: Proposed 17.5m telecommunications column with 6no antennae (3no enclosed within a shroud, 3no not enclosed) Proposal includes the provision of 4no new equipment cabinets and associated ground works

Address: On footpath opposite 363 Oldpark Road, Belfast, BT14 6QN,

Decision:

Decision Date:

Ref ID: LA04/2019/0205/F

Proposal: Application under section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission LA04/2015/1420/F (Erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements) to develop land without complying with condition 9 (seeking variation of the type of remediation measures to be implemented in respect to contaminated land).

Address: Lands at, 336-344 Old Park Road, Belfast, BT14 6QE.,

Decision: PG

Decision Date: 28.02.2019

Ref ID: Z/1993/2755

Proposal: Internal alterations to public house and enlargement of windows in north gable

Address: 69 JAMAICA STREET BELFAST BT14

Decision:

Decision Date:

Ref ID: Z/1996/2721

Proposal: Boundary wall / fence and gates.

Address: JAMAICA INN, 69 JAMAICA STREET, BELFAST BT14.

Decision:

Decision Date:

Ref ID: LA04/2018/1820/F

Proposal: Alteration to planning permission LA04/2017/2422/F to change from proposed modular block retaining wall to a permacrib retaining wall at the rear of plots 11-16. (Retention)

Address: Lands immediately east of, 7 Ardglan Place, and 15 metres north of, 45 Jamaica Way, Belfast.,

Decision: PG

Decision Date: 23.10.2018

Ref ID: LA04/2017/2422/F

Proposal: Erection of 11 dwellings and 10 apartments with associated car parking, amenity space, landscaping and associated works. Access from Jamaica Way.

Address: Lands immediately east of, 7 Ardglan Place, and 15 metres north of, 45 Jamaica way, Belfast,

Decision: PG

Decision Date: 27.03.2018

Ref ID: LA04/2016/1069/DC

Proposal: Discharge of condition 13 of planning approval LA04/2015/1420/F

Address: Lands at, 336-344 Old Park Road, Belfast, BT14 6QE,

Decision: AL

Decision Date:

Ref ID: LA04/2015/1420/F

Proposal: Erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements

Address: Lands at 336-344 Old Park Road, Belfast, BT14 6QE,

Decision: PG

Decision Date: 31.03.2016

Ref ID: LA04/2018/2007/DC

Proposal: Discharge of conditions 2,3,4, 9 & 10

Address: Lands at, 336-344 Old Park Road, Belfast, BT14 6QE.,

Decision: RL

Decision Date:

Ref ID: Z/2008/0769/F

Proposal: Demolition of existing public house and erection of 9 no apartments.

Address: 336 Old Park Road, Belfast, BT14 6QE.

Decision:

Decision Date: 07.05.2009

Ref ID: Z/2001/0929

Proposal: Steps

Address: Steps at Jamaica Road Bank, Ardoyne Belfast

Decision:

Decision Date:

Ref ID: Z/1979/1934

Proposal: ERECTION OF HOUSING

Address: RDA 2 PHASE 4 ARDILEA STREET, OLD PARK ROAD, BT14

Decision:



Decision Date:

Ref ID: LA04/2018/1336/DC

Proposal: Discharge of condition 2 LA04/2017/2422/F

Address: Lands immediately east of, 7 Ardglan Place, and 15 metres north of , 45

Jamaica Way, Belfast,

Decision: RL

Decision Date:

Ref ID: LA04/2016/0070/A

Proposal: Retrospective externally illuminated shop signs

Address: Renewing the Routes Scheme, Oldpark Road and Cliftonville Road, Belfast,

Decision: CG

Decision Date: 18.02.2016

Ref ID: Z/2011/1406/F

Proposal: Upgrade to existing boundary fence at the north end of the park, along the 'Park Inn' pedestrian walkway

Address: Marrowbone Millennium Park (formerly known as Oldpark Playing Fields), Oldpark Road, Belfast, Co Antrim, BT14 6QS,

Decision:

Decision Date: 06.03.2012

Ref ID: Z/1994/2710

Proposal: Provision of new pedestrian access to new playground

Address: OLDPARK PLAYING FIELDS, OLDPARK ROAD, BELFAST BT14

Decision:

Decision Date:

Ref ID: LA04/2015/0922/PAD

Proposal: Erection of 8 one bedroom apartments, 6 two bedroom apartments, 6 two bedroom dwellings and 2 three bedroom dwellings with in-curtilage and communal parking and private amenity space (22 units in total)

Address: 336-344 Old Park Road, Belfast, BT14 6QE,

Decision:

Decision Date:

Ref ID: Z/2013/0215/F

Proposal: Upgrade to existing park boundary fence within Marrowbone Millennium Park

Address: Marrowbone Millennium Park (formerly known as Oldpark Playing Fields), Oldpark Road, Belfast, BT14 6QS,

Decision: PG

Decision Date: 14.05.2013

**Notification to Department (if relevant)**

Date of Notification to Department: N/A

Response of Department:

## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2020/0847/F	<b>Date of Committee:</b> 15 June 2021
<b>Proposal:</b> Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden (Amended Drawings / Additional Information)	<b>Location:</b> 25-29 University Road and lands to the rear of 3 -17 Claremont Street, Belfast, BT7 1NA
<b>Referral Route:</b> Objections received - Proposal is for over 12 residential units	
<b>Recommendation:</b> APPROVAL	
<b>Applicant Name and Address:</b> HOLG Ltd 159 Durham Street Belfast	<b>Agent Name and Address:</b> Carlin Planning Limited Forsyth House Cromac Street Belfast
<p><b>Executive Summary:</b></p> <p>The proposed development relates to 'Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden'.</p> <p>An associated application for Conservation Area Consent has been submitted in respect of the application site, proposing 'Demolition of 25-29 University Road with retention of front facade and alterations to the ground floor façade' (reference LA04/2020/1208/DCA).</p> <p>6 representations have been received in relation to this proposed development, 5 objections and 1 support letter.</p> <p>The site is not zoned for a use within BUAP or draft BMAP. The building and front portion of the site is located within the Queens Conservation Area (CA), whilst the rear part of the site is located within the draft 'Lower Lisburn Road' Area of Townscape Character (dBMAP). The site is also located within the designated Queens Office Precinct (dBMAP). The site fronts on to University Road, which is a designated arterial route, as designated by dBMAP.</p> <p>The key issues to consider relate to:</p> <ul style="list-style-type: none"> <li>• Principle of demolition in the Conservation Area</li> <li>• Impact of proposal on the Conservation Area</li> <li>• Impact on residential amenity</li> </ul> <p>In relation to the proposed demolition, it is acknowledged that No. 25 and 27 have been damaged by fire. The CA Officer (CAO) has advised that there is no objection to the proposed demolition, provided the submitted structural information is accurate. An independent engineer has advised that, following consideration of the information, there is a case for partial demolition. The proposal results in the retention of the building facades, thereby protecting the features of the buildings which contribute to the character of the CA. Furthermore, it is noted that No. 29 University Avenue is a relatively new building and the internal layout of No. 25-27 has been amended over the years in line</p>	

with its restaurant use. In conclusion, it is considered that, on balance, the proposed demolition is acceptable.

With regard to the proposed development, it is considered that the retention of the front facades and improvements will result in the preservation of the character of the CA. However, the CAO has advised of concerns regarding the proposed rear elevation. These concerns are alleviated by the limited public views of the rear of the building. The only views of the proposed development from Queens CA will be of the front elevation. On balance, it is considered that the proposed development complies with the policy tests of the SPPS, PPS 6 and PPS 7 in respect of new development within CA's.

It is considered that the proposed development will not result in an adverse impact on residential amenity of proposed or existing occupiers. However, in order to achieve this, mitigation measures such as 'opaque glazing' and 'sound reduction' windows will need to be utilised. This can be secured by imposition of planning conditions. The proposal results in an acceptable provision of communal and private amenity space.

#### Section 76 Agreement

- As it is integral to the acceptability of the proposal, the communal amenity space to the rear will be secured through a Section 76 agreement.
- A Travel Plan Co-ordinator will be appointed, establishment of a 'car club' scheme, provision of residential travel cards and cycle schemes for 3 years.
- Façade retention system to ensure the building is adequately secured during demolition works.

There are no concerns with regard to impact on the nearby listed building, site access, parking, drainage, flooding or sewage infrastructure.

#### **Recommendation - APPROVAL**

On balance, 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 and Section 76 agreement. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of any conditions and to agree a Section 76.

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The proposed development relates to 'Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden'.
1.2	The proposed development includes demolition of rear and internal walls with retention of the front façade and reinstatement of the fire damaged roof at No's 25 and 27.
1.3	The proposed development will result in a 3-storey terraced building between the two existing buildings at No. 23 and 31. The proposal includes the retention of the front façade, with a three-storey cantilevered extension at the rear. Two car parking spaces, bin storage, cycle parking and a communal amenity area are located at the rear of the building, whilst there are two small areas of private amenity at the front of the building.
1.4	The proposed front elevation includes 4 dormer windows and 4 roof lights within the proposed roof plane. The external materials include dark grey roof slates, hard wood sliding sash windows, render walls, metal downpipes and metal clad dormers.
1.5	The proposed rear elevation includes two metal clad dormers within the roof plane. The rear extension is proposed to be finished in a mix of dark grey and buff white brick.
1.6	An associated application for Conservation Area Consent has been submitted in respect of the application site, proposing 'Demolition of 25-29 University Road with retention of front facade and alterations to the ground floor façade' (reference LA04/2020/1208/DCA).
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is located within the urban limits of Belfast. The application site relates to 3 buildings located within an existing terrace along University Road. Two of the buildings (No. 25 and 27) have been badly damaged in a fire, with damage to the roof, windows, doors and internal fittings clearly visible from the street. The buildings are 3 storeys in height, with a dormer window located on the roof plane of No. 29. The buildings are finished in render and the style / dimensions of the existing window openings of the application buildings replicate the neighbouring buildings along the terrace. The ground floor doors and windows are more modern in design and appearance. The front of the site is currently secured with fencing. The rear of the site is accessible via an existing archway located directly beside No. 3 Claremont Street. There is a small yard at the rear of the site, which is currently used for parking and storage. At the rear of this yard, there is an elongated triangular area that runs along the rear of No. 9 – 17 Claremont Street. This area is quite overgrown with vegetation and appears to have been used for small scale dumping in the past.
2.2	

2.3

The surrounding area is characterised primarily by a mix of land uses, primarily residential and commercial (including restaurants, retail, offices and financial services). The front portion of the site, including the buildings, is located within the Queens Conservation Area, whilst the rear portion is located within a draft Area of Townscape Character.



**Planning Assessment of Policy and other Material Considerations**

3.0

**Site History**

LA04/2020/0392/DCA – 25-29 University Road - Full demolition of existing first and second floors including facades with facade retention of ground floor front and rear walls due to fire damage – Application Withdrawn


	<p>LA04/2019/1523/F - 25-29 University Road - Partial demolition, alteration and extension of existing buildings including change of use from restaurant/offices to 20 apartments and erection of communal bin store – Application Withdrawn</p> <p>LA04/2019/1526/DCA - 25-29 University Road - Partial demolition of internal and external walls, roof and rear returns – Application Withdrawn</p> <p>Z/2005/0326/A – 25-27 University Road - Advertising Banner on front elevation of Restaurant (Retrospective) – Permission refused 28/6/05</p> <p>Z/2004/0152/F – 25-27 University Road - Change of use and refurbishment of existing restaurant to provide public house – Permission Granted 18/5/04</p> <p>There are also various older applications associated with the historic restaurant use.</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (dBMAP)
4.3	<p>Strategic Planning Policy Statement (SPPS)</p> <p>PPS 3 Access, Movement and Parking</p> <p>PPS 6 Planning, Archaeology and the Built Heritage</p> <p>PPS 6 Addendum Areas of Townscape Character</p> <p>PPS 7 Quality Residential Environments</p> <p>PPS 7 Addendum - Safeguarding the character of established residential areas</p> <p>PPS 12 Housing in Settlements</p> <p>PPS 15 Planning and Flood Risk</p>
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objections, subject to conditions.
5.2	Historic Environment Division – No objections, subject to condition.
5.3	NI Water – No objections
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objections, subject to conditions
6.2	Rivers Agency – No objections
6.3	BCC Conservation Area Officer – No objection to demolition, on the basis that submitted structural information is accurate. Concerns with proposed development noted, however balanced against the limited public views.
<b>7.0</b>	<b>Representations</b>
7.1	6 representations have been received in relation to this proposed development, 5 objections and 1 support letter.
7.2	The objections raised the following issues:

7.3	<ul style="list-style-type: none"> <li>• Land ownership issues have been raised by third parties.</li> <li>• Claremont Street being dealt with by two separate planning officers as it is split by postcode.</li> <li>• Only one means of escape and only one staircase for all upper floor accommodation, resulting in fire risk.</li> <li>• Open living rooms / kitchens are compressed into the unsized flats with no consideration of amenity or safety.</li> <li>• Minimal outlook from apartments.</li> <li>• Apartments accessed through a very low archway under separate management and therefore not a reliable escape route or fire access route.</li> <li>• Rear of the site is used for car parking by restaurant and other occupants, restricting the amenity, safety, refuse, air quality, anti-social activities and neighbourhood intensity.</li> <li>• The proposal has no community benefit.</li> <li>• The proposal removes historic diversity.</li> <li>• Overbearing nature of the rear extension is without design precedent and is of poor design standard.</li> <li>• Proposal represents overdevelopment.</li> <li>• The archway on Claremont Street is compromised by this application.</li> <li>• Buildings and site access are all affected by subsidence, including adjacent restaurant and nearby housing at Claremont Court.</li> <li>• Proposed building is not fully wheelchair accessible.</li> <li>• Proposal fails to meet the ATC and historical aspects of the location.</li> <li>• Proposal raises a prematurity issue in relation to the Local Area Plan.</li> <li>• Proposal is inappropriate and questions whether it is HMO / Air BnB style accommodation.</li> </ul> <p>The support letter raised the following issue:</p> <ul style="list-style-type: none"> <li>• The removal of the fire damaged building is welcomed.</li> </ul>
8.0	<b>Assessment</b>
8.1	<p><u>Preliminary Matters</u></p> <p>Objections has been received from third parties claiming that parts of the site are not in the ownership of the applicant. Following receipt of the first objection regarding land ownership, the applicant served notice on a 3<sup>rd</sup> party landowner and amended the planning certificate on the P1 form to reflect the 3<sup>rd</sup> party ownership. One objection related to the land at the rear of the site behind No. 11 Claremont Street. The Council sought further clarification from the planning agent, who advised that the application certificate in relation to ownership had been completed correctly. In the absence of any evidence to the contrary, it is assumed that the correct certificate has been completed. The grant of planning permission relates to the land, not the applicant.</p>
8.2	<p>A further objection letter advised that Claremont Street is being dealt with by two separate planning officers as it is split by postcode. It is not unusual for different planning officers to deal with proposed developments on the same street or within the same area. Belfast City Council is the statutory Planning Authority and the identity of the individual case officer is not considered to be material.</p> <p><u>Development Plan context</u></p>



8.3	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.
8.4	The site is not zoned for a use within BUAP or draft BMAP. The front portion of the site including the buildings is located within the Queens Conservation Area (CA), whilst the rear part of the site is located within the draft 'Lower Lisburn Road' Area of Townscape Character (dBMAP). The site is also located within the designated Queens Office Precinct (dBMAP). The site fronts on to University Road, which is a designated arterial route, as designated by dBMAP.
8.5	<u>SPPS</u> The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.
8.6	Para 6.18 of the SPPS states that the guiding principle for managing development within a CA is to <i>'afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle'</i> . This is consistent with Section 104 of the Planning Act (Northern Ireland) 2011 (The 2011 Act).
8.7	Development proposals within the CA should be sympathetic to the characteristic built form of the area, respect the character of adjoining buildings, not result in environmental problems, protect important views within, into and out of the area, protect trees and landscape features and conform with the guidance set out in the Conservation Area Design Guide.
8.8	The SPPS also aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements, particularly locations that benefit from high accessibility to public transport facilities. The SPPS also encourages balanced communities and good design.
8.9	<u>Principle of Demolition</u> Policy BH14 of PPS 6 states <i>'The Department will normally only permit the demolition of an unlisted building in a conservation area where the building makes no material contribution to the character or appearance of the area'</i> . The Conservation Area Officer (CAO) has provided comment on the proposal, advising that the existing buildings make a significant contribution to the architectural and historic interest / character and appearance of the CA. As such, there is a presumption against demolition. In assessing proposals for demolition, the Department will have regard to the same broad criteria for demolition of listed buildings.

8.10	Para 6.5 of PPS 6 provides further amplification of the issues that are generally relevant to listed building consent applications, specifically importance of the building, its architectural and historic interest, the particular physical features of the building, the building's setting and contribution to the local scene and the extent to which proposed works would bring substantial benefits to the community.
8.11	The CAO has identified the features of the buildings which make a significant contribution to the architectural and historic interest / character and appearance of the CA, i.e. the buildings feature a stuccoed finish, with decorative quoins, console brackets supporting eaves and sliding sash windows within moulded surrounds. The agent has advised that the proposed demolition does not include these features as the front facades are to be retained.
8.12	Policy BH10 of PPS 6 states ' <i>There will be a presumption in favour of retaining listed buildings. The Department will not permit the demolition of a listed building unless there are exceptional reasons why the building cannot be retained in its original or a reasonably modified form</i> '.
8.13	The agent advises that the exceptional reason for demolishing the internal parts of the building and rear elevations is that the building has been severely fire damaged. It is noted that only two of the three buildings (No's 25 and 27) are fire damaged.
8.14	In accordance with Para 6.23 and 6.25 of PPS 6, the agent has provided additional information in support of the case for demolition. The agent advises that the building is fire damaged and is not currently in use, therefore the proposal offers a viable new use for the site. He does not believe that it would be viable for a charitable or community organisation to bring this building back into use. Furthermore, he advises that the important features of the buildings previously identified by the CAO are proposed for retention and there are clear benefits to regenerating the site to provide housing in line with the Belfast Agenda and emerging LDP. The agent advises that the condition of the building is very poor as outlined in the structural reports and the intention of the scheme is to repair the building whilst retaining and enhancing the historic features identified by the CAO. He considers the proposed scheme represents an alternative proposal for the site.
8.15	The CAO acknowledges the information submitted by the agent in support of the proposed demolition and recommends that an independent structural engineer's report is sought to verify the submitted details. The CAO advises further that on the basis that the submitted details are bona fide and sufficient to meet the PPS6 criteria, there would be no objections to the demolition works.
8.16	As noted earlier, information has been submitted by the agent to support the case for demolition. The Council has sought independent expert advice and has been advised that there appears to be a case for some demolition (or careful dismantling), however the engineer questioned the argument in relation to demolition of No. 29 as it had not been damaged in the fire.
8.17	Further research into the history of the building at No. 29 shows that this building was actually constructed approximately 16-18 years ago, in accordance with previous approval(s) Z/2002/1532/F and Z/2002/1533/F. The below image from Google earth shows the site of No. 29 as a vacant gap site in December 2001. It is noted that the redevelopment of the site took place subsequent to the designation of Queens CA.

8.18	
8.19	<p>In addition, there is a significant planning history associated with No. 25 and 27 in relation to the previous use as a restaurant. Consequently, the internal layout of both buildings had been amended significantly from the traditional layout when the buildings were first constructed.</p>
8.20	<p><u>Character</u> As indicated previously, the front portion of the site is located within the Queens CA, whilst the rear portion of the site is located within the draft 'Lower Lisburn Road' Area of Townscape Character (ATC).</p>
8.21	<p>There was an objection to the proposed ATC designation during the BMAP public inquiry. Although the PAC report advises that no site-specific details were included with the objection, it is unclear if a Lower Lisburn Road ATC designation will be included, if and when BMAP is adopted.</p>
8.22	<p>The PAC also considered objections to the general policy for the control of development in ATCs which is contained in the draft BMAP. The PAC recommended that the policy be deleted and that detailed character analysis be undertaken, with a design guide produced for each ATC. It would be wrong to make any assumptions as to whether these recommendations will be reflected in any lawfully adopted BMAP or as to whether the text detailing the key features of the Lower Lisburn Road ATC will be repeated. As it stands, it is unclear how the area will be characterised in any lawfully adopted BMAP and by extension, how the proposal will impact the character. Regardless of the lack of a policy context, the impact of the proposal on the proposed ATC remains a material consideration and can still be objectively assessed.</p>
8.23	<p>With regard to the proposed development, the CAO has provided comments, advising of no objections in relation to the front elevation, <i>'As now proposed the front elevation is considered of suitable scale, form, massing, design and elevational treatment to preserve the character and appearance of the conservation area. Considering the damage that has been done to the existing building, it would also represent an enhancement over the current situation on site'</i>.</p>

8.24	The CAO advises that the existing rear returns do not respect the traditional three-dimensional hierarchical arrangement of domestic architecture, however, suggests that the proposed rear building line should project no further than the existing returns. Concerns are noted that the rear return projects in an irregular shape beyond the ground floor building line, thereby increasing the overall massing/bulk, resulting in a return which is not subservient to the parent building. The CAO also raises issue with the roof form of the rear return and the proposed dormers at the rear of the primary building. The Queens Conservation Area Design Guide states that <i>'Dormer windows will not be permitted to collectively occupy more than 30% of the area of any particular roof elevation'</i> . The proposed dormer windows cover approximately 36% of the rear roof elevation. However, the CAO acknowledges that there are no public views onto the rear return from the street scene therefore it is difficult to conclude that it would result in a negative visual impact on the CA.
8.25	In summary, with regard to the proposed rear return, the CAO advises that <i>'Concerns remain with scale, form and massing of the rear extension/alterations, and it would be preferable if the scheme was revised to address these; however I acknowledge that due to the limited views of the rear return from the public realm, that there would be no demonstrable harm arising as a direct consequence. As such the character and appearance of the conservation area would still be preserved'</i> .
8.26	Following consideration of the CAO's comments, it is concluded that the proposed front elevation represents an opportunity to enhance the character and appearance of the CA, both in the repair of the existing fire damaged building and the addition and refurbishment of architectural details, such as decorative quoins and console brackets supporting eaves. On close inspection of the existing buildings, the brackets on No. 29 are not as ornate and are missing the decorative panels as exhibited on No's 25-27. The proposed elevation results in No. 29 replicating the architectural details of the other two buildings. As the proposal includes retention of the existing building facades, a Section 76 agreement is required to secure this.
8.27	Despite this, there are concerns with the proposed rear elevation, in relation to the form / massing / roof form of the rear return and the provision of large dormer windows on the roof of the primary building. These concerns are balanced somewhat by the limited views of the rear elevation from the public realm. Furthermore, the only achievable views of the proposed development from Queens CA are limited to the front elevation.
8.28	It is not considered that the proposed development conflicts with the policy tests of Policy ATC 2 of PPS 6 Addendum. The portion of the site within the draft ATC does not include any built development.
8.29	In summary, on balance, it is considered that the proposed development complies with the policy tests of the SPPS and PPS 6 in that it results in an enhancement of the character and appearance of the CA. Furthermore, the proposal complies with the tests of PPS 7 in that the development respects the surrounding context and is appropriate to the character and topography of the site.
8.30	<u>Residential Density</u> The application site measures approximately 800 sq metres. The proposed development for 16 apartments equates to a residential of approximately 200 dwellings per Hectare and is therefore considered a high-density development. It is important to consider the surrounding context in terms of residential density. University Road is defined by a mix of uses, predominantly of a commercial and

	residential nature. There are examples of high-density residential development along University Road within close proximity of the site, such as University Court, an apartment development located approximately 60 metres to the north of the site. University Court has a residential density equating to approximately 280 dwellings per Hectare. Claremont Street is a predominantly residential area, with 2 relatively large apartment developments. The residential density of Claremont Street equates to approximately 166 dwellings per Hectare. Claremont Court, an apartment development located approximately 30 metres south of the application site has a residential density of approximately 380 dwellings per Hectare.
8.31	The front of the application site, including the existing buildings, is located within the Queens CA. This contrasts with most of the surrounding residential development, which is located outside the CA. It is not considered that the application site is located within a residential part of the CA. Furthermore, the SPPS advises that higher density housing development should be promoted in locations that benefit from high accessibility to public transport facilities. It is therefore considered that the proposed residential density is acceptable.
8.32	<u>Impact on Listed buildings</u> The application site is located in close proximity to a Grade B listed Building, Methodist Church (Deconsecrated), University Road (Ref. HB26/28/006). Historic Environment Division have considered the effects of the proposal on the listed building and concluded that it satisfies the policy tests of the SPPS para 6.12 and Policy BH11 of PPS 6, subject to a condition ensuring all works, materials and finishes are in accordance with the submitted drawings.
8.33	<u>Residential Amenity</u> An 'Internal Daylight Report' was submitted in support of the proposed development following a request from the Council. It is noted that the ground floor apartments at the rear will be most impacted by reduced levels of daylight / sunlight, however the proposed design has been amended to include additional windows. For example, Apartment 4 kitchen / living room has been amended to include 4 separate windows to increase the amount of daylight received internally. The report concludes that the proposed development meets the target design standards and published guidance in terms of daylight levels within habitable rooms.
8.34	The front of the building is orientated in an easterly direction, whilst the windows in the proposed rear extension are generally orientated in a southerly or westerly direction. The building at No. 31 University Road has a large rear extension and is located due south of the application site. It is considered that this extension will result in overshadowing of the proposed development, however the courtyard provides separation of approximately 6.5 – 8.5 metres between the two extensions. Given the surrounding context, it is not considered that the potential overshadowing will create an adverse impact.
8.35	Six of the rear apartments include balconies orientated in a southerly direction. The orientation of the rear extension means that potential for overlooking towards the dwellings from No. 3 to 17 Claremont Street is limited. The closest dwellings on Claremont Street (No. 3, 5 and 7) are located to the south west of the proposed return therefore mitigating against potential overlooking. No. 9 Claremont Street has a rear return with two windows facing the proposed building. The separation distance is approximately 17 metres. The primary windows in the living areas of Apartments 7, 11 and 15 are orientated to the south, however each apartment has a bedroom window and living room window orientated in a westerly direction. On balance, whilst views of No. 9 Claremont Street are achievable, it is not considered

	to represent an unacceptable adverse impact. There are concerns with potential overlooking from the rear access ramp into the living area of Apartment 4. It is considered that this can be mitigated by a condition requiring opaque glazing in the event of approval.
8.36	8 of the 16 proposed apartments have outlook on to University Road. Furthermore, the private amenity space at the front of the development provides defensible space. The remaining apartments located at the rear have outlook over the courtyard and / or the communal amenity area at the rear of the site. The inclusion of the communal green area is important in this scheme to provide an outlook for the rear facing apartments which otherwise would not be acceptable.
8.37	<u>Space Standards</u> Policy LC1 does not apply to this proposed development as the site location is not within an 'established residential area' as defined by Annex E of PPS 7 Addendum. Although the policy does not apply, it is noted that only 7 of the proposed apartments comply with the space standards, as set out in Annex A.
8.38	<u>Noise &amp; Odour</u> A Noise and Odour Impact Assessment was originally submitted in support of the proposed development, however additional noise and odour information was submitted throughout the process to address issues raised by BCC Environmental Health (EHO). The Assessment identified that the proposal could be impacted by traffic noise and plant / equipment noise associated with the adjoining restaurant at No. 31 University Road.
8.39	EHO have considered the properties at No. 21 and 23 University Road in relation to potential noise nuisance. There is an extant approval for 'Change of use from place of worship (sui generis) to public house (sui generis)' at 21 University Road (ref. Z/2014/1655/F) and there is an existing restaurant at No. 23, which is currently closed. Information was submitted calculating the potential noise impact as a result of patron dispersal from these premises. It is considered that this impact can be mitigated by addition of 'sound reduction' windows.
8.40	EHO have also provided comment on the proposed amenity areas of the proposed development. In relation to the private amenity spaces and balconies, the noise consultant advises that it is unlikely that recommended WHO guideline limits would be met. However, EHO note the additional communal amenity area at the rear of the proposed development and advise that it is likely that noise level during the day may achieve levels below the recommended noise limit. Furthermore, EHO also refer to British Standard guidance regarding noise ' <i>the acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50-55dBLAeq,16hr</i> '. The standard continues, however, as follows: " <i>these guideline values may not be achievable in all circumstances where development might be desirable. In such a situation development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited</i> ". Given the above comments in addition to the urban location of the proposal and the various amenity options within the development (i.e. communal amenity area, courtyard, private amenity areas and balconies), it is considered that the proposal is acceptable in terms of noise.
8.41	EHO provided additional comment on the communal amenity area at the rear of the development, advising that it could create potential nuisance for the neighbouring residents. Consequently, EHO recommend a condition should be placed in the

	event of approval restricting access to the area after 11.00 pm. A management Plan for the apartments will also be conditioned.
8.42	In relation to odour, EHO have considered the aforementioned restaurant at No. 23 University Road, which is currently closed. EHO note that it is unlikely that the kitchen extraction system was designed to provide a very high level of odour control as at that time there would not have been residential premises immediately adjoining it. However, the dispersion point for this extraction system is such that it would not be expected to arise in a significant odour concern.
8.43	<p><u>Amenity Space</u></p> <p>The proposed development includes an area of communal amenity space to the rear, including benches and landscaping. This area measures approximately 167 sq metres. Furthermore, there is a courtyard at the rear of proposed building with benches for amenity. The four ground floor apartments have private amenity areas, whilst six of the apartments on the upper floors have private balconies. Consequently, the proposed development includes adequate provision of amenity space.</p> <p>As it is integral to the acceptability of the proposal, the communal amenity space to the rear will be secured through a Section 76 agreement. Members should note that this part of the site is not currently within the ownership of the applicant. The applicant has advised that notice has been served on the appropriate landowner.</p>
8.44	<p><u>Access and Parking</u></p> <p>The proposal does not include any parking spaces (2 spaces are retained for use of the owner of No. 23), however 16 covered cycle parking spaces are provided. A Parking survey and Travel Plan have been submitted in support of the proposal. The Travel Plan includes measures to encourage the use of other modes of transport other than the private car, including appointment of a Travel Plan Co-ordinator, establishment of a 'car club' scheme, provision of residential travel cards and cycle schemes for 3 years. DFI Roads provided comment on the proposal and offered no objections.</p>
8.45	Ramped access is provided at the rear of the proposed building, in addition to level access at the front. Furthermore, there is a lift proposed within the building, therefore assisting the needs of people whose mobility is impaired.
8.46	<p><u>Movement and Connectivity</u></p> <p>The site is located on an arterial route and is highly accessible for walking, cycling, driving and by public transport. Local neighbourhood facilities are also located in close proximity to the site.</p>
8.47	<p><u>Sewage infrastructure</u></p> <p>NI Water (NIW) have advised that there is available capacity within the existing sewage network to facilitate the proposal.</p>
8.48	<p><u>Flooding &amp; Drainage</u></p> <p>A Drainage Assessment was submitted in support of the proposal, in accordance with Policy FLD 3 of PPS 15. Rivers Agency provided comment on the DA and advised they have no objections to the proposed development</p>
8.49	<p><u>Fire safety &amp; Structural issues</u></p> <p>The objections have raised issues regarding fire safety and structural issues in relation to the archway. It is not considered that the internal layout of the proposed development will contribute to risks in the event of fire. In any case, in the event of</p>

8.50	<p>approval, an application will need to be made to Building Control who assess the proposal in accordance with the Building Regulations.</p> <p><b>Section 76 Agreement</b></p> <ul style="list-style-type: none"> <li>• As it is integral to the acceptability of the proposal, the communal amenity space to the rear will be secured through a Section 76 agreement.</li> <li>• A Travel Plan Co-ordinator will be appointed, establishment of a 'car club' scheme, provision of residential travel cards and cycle schemes for 3 years.</li> <li>• Façade retention system to ensure the building is adequately secured during demolition works.</li> </ul>
<p><b>9.0</b></p> <p>9.1</p> <p>9.2</p> <p>9.3</p> <p>9.4</p> <p>9.5</p>	<p><b>Summary of Recommendation: APPROVAL</b></p> <p>In relation to the proposed demolition, it is acknowledged that No. 25 and 27 have been damaged by fire. The CAO has advised that there is no objection to the proposed demolition, provided the submitted structural information is accurate. An independent engineer has advised that, following consideration of the information, there is a case for demolition. The proposal results in the retention of the building facades, thereby protecting the features of the buildings which contribute to the character of the CA. Furthermore, it is noted that No. 29 University Avenue is a relatively new building and the internal layout of No. 25-27 has been amended over the years in line with its restaurant use. In conclusion, it is considered that, on balance, the proposed demolition is acceptable.</p> <p>With regard to the proposed development, it is considered that the retention of the front facades and improvements will result in an enhancement of the character of the CA. However, the CAO has advised of concerns regarding the proposed rear elevation. These concerns are alleviated by the limited public views of the rear of the building. The only views of the proposed development from Queens CA will be of the front elevation. On balance, it is considered that the proposed development complies with the policy tests of the SPPS, PPS 6 and PPS 7 in respect of new development within CA's.</p> <p>It is considered that the proposed development will not result in an unacceptable adverse impact on residential amenity of proposed or existing occupiers. However, in order to achieve this, mitigation measures such as 'opaque glazing' and 'sound reduction' windows will need to be utilised. This can be secured by imposition of planning conditions. The proposal results in an acceptable provision of communal and private amenity space.</p> <p>There are no concerns with regard to impact on the nearby listed building, site access, parking, drainage, flooding or sewage infrastructure.</p> <p>On balance, 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 and Section 76 agreement. It is requested that the Section 76 Agreement and final wording of conditions is delegated to the Strategic Director of Place and Economy.</p>
10.0	<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. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with Drawing No. 01B uploaded to the Planning Portal on 20th November 2020.</p> <p>REASON: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>3. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with Drawing No. 01B uploaded to the Planning Portal on 20th November 2020. . These facilities shall be permanently retained.</p> <p>REASON: To ensure acceptable parking facilities on the site.</p> <p>4. The development shall operate in accordance with the Waste Management Plan uploaded to the Planning Portal on 22nd May 2020.</p> <p>REASON: In the interests of road safety and the convenience of road users.</p> <p>5. The development shall operate in accordance with the Travel Plan uploaded to the Planning Portal on 7th January 2021.</p> <p>REASON: To encourage alternative modes of transport to the private car.</p> <p>6. Prior to installation, the applicant shall submit to the Planning Authority, for review and approval in writing, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of the hereby permitted development. The window specification for habitable rooms shall be in line with recommendations of section 5 of the Layde Acoustic Noise and Odour Impact Assessment (dated March 2020, referenced P389/2).</p> <p>Reason: Protection of residential amenity.</p> <p>7. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided in compliance with building control requirements</p> <p>Reason: Protection of residential amenity.</p> <p>8. Prior to installation, the applicant shall submit to the Planning Authority, for review and approval in writing, confirmation of the specification of alternative mechanical means of ventilation. The specification shall be located at rooftop as recommended in section 6.3 of the Layde Consulting Noise and Odour Impact Assessment dated March 2020. The specification for the alternative means of ventilation shall demonstrate that the operation of the system will not compromise the recommended internal noise levels of habitable rooms outlined in British Standard BS8233:2014.</p> <p>Reason: Protection of residential amenity.</p>
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	<p>9. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided in compliance with building control requirements</p> <p>Reason: Protection of residential amenity.</p> <p>10. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed.</p> <p>Reason: Protection of residential amenity.</p> <p>11. Prior to occupation of the hereby permitted development, the developer shall verify that the window schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.</p> <p>Reason: Protection of residential amenity.</p> <p>12. The fire damaged party walls between the commercial premises at no. 23 and no.31 University Road shall be upgraded to a finished construction as presented in point 11 of the Layde Consulting letter dated 8th July 2020, referenced P/389/2 and shall be capable of providing a sound reduction of at least 55dBRw.</p> <p>Reason: Protection of residential amenity.</p> <p>13. The fire damaged party walls between the commercial premises at no. 23 and no.31 University Road shall be upgraded to a finished construction as presented in point 11 of the Layde Consulting letter dated 8th July 2020, referenced P/389/2 and shall be capable of providing a sound reduction of at least 55dBRw.</p> <p>Reason: Protection of residential amenity.</p> <p>14. Access to and use of the communal external amenity area located between the rear of Claremont Street and Fountainville Street shall not be permitted between the hours of 23:00-07:00hrs.</p> <p>Reason: Protection of residential amenity.</p> <p>15. The rear external communal amenity area shall incorporate a 1.8m high close boarded fence and include retention of the boundary wall as shown in Drawing No. 01B uploaded to the Planning Portal on 20th November 2020.</p> <p>Reason: Protection of residential amenity.</p> <p>16. 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.</p> <p>Reason: In the interests of visual amenity and to allow the Council to control the external appearance.</p>
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	<p>17. The window marked with an X on Drawing No. 06C uploaded to the Planning Portal on 4th June 2021 shall be finished in opaque glass, shall be permanently retained, and in the event of breakage shall be replaced with obscure glass within four weeks to the satisfaction of Belfast City Council.</p> <p>Reason: In the interests of amenity.</p> <p>18. All works, materials and finishes shall be completed in accordance with Drawing No. 06C uploaded to the Planning Portal on 4th June 2021.</p> <p>Reason: Protection of nearby listed building.</p> <p>19. Prior to the first occupation of the dwelling units hereby approved an Apartment Management Plan (AMP) shall be submitted for agreement in writing by the Council. The AMP will include the management of resident activity in the communal amenity area, hours of operation; and the retention &amp; management of boundaries and landscaping and access.</p> <p>Reason: In the interests of residential amenity</p>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b>  <b>N/A</b>	

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## Committee Application

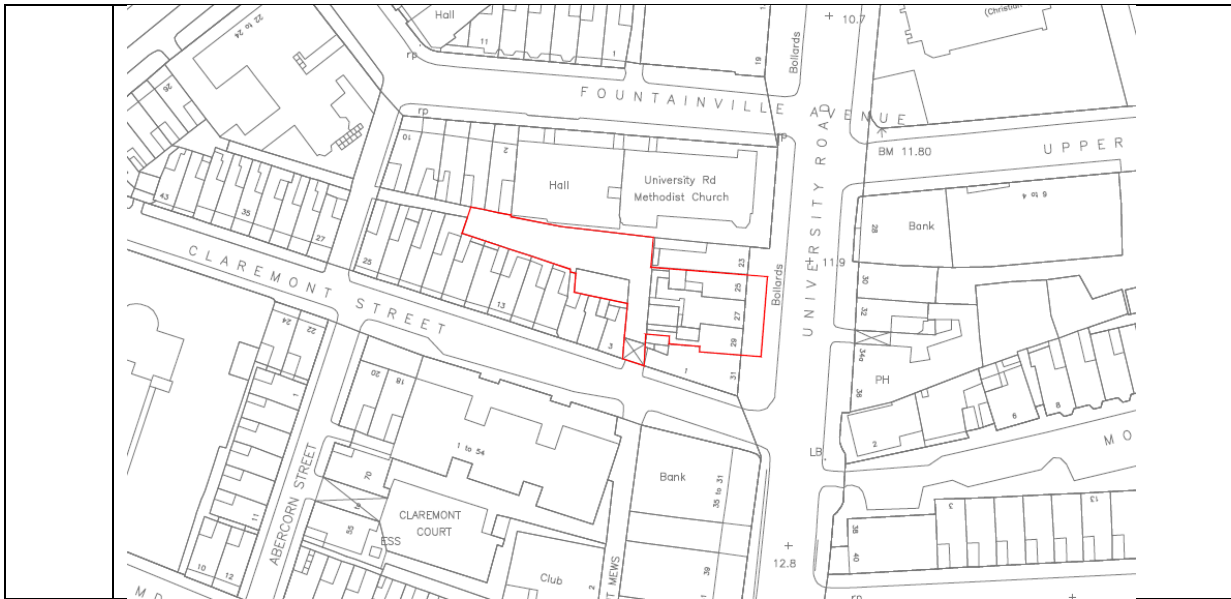
Development Management Report	
<b>Application ID:</b> LA04/2020/1208/DCA	<b>Date of Committee:</b> 15 June 2021
<b>Proposal:</b> Demolition of 25-29 University Road with retention of front facade and alterations to the ground floor facade (Amended Description & Drawings)	<b>Location:</b> 25-29 University Road and lands to the rear of 3 -17 Claremont Street, Belfast, BT7 1NA
<b>Referral Route:</b> Objections received - Proposal is for over 12 residential units	
<b>Recommendation:</b> APPROVAL	
<b>Applicant Name and Address:</b> HOLG Ltd 159 Durham Street Belfast	<b>Agent Name and Address:</b> Carlin Planning Limited Forsyth House Cromac Street Belfast
<b>Executive Summary:</b>  <p>The proposed demolition works relate to 'Demolition of 25-29 University Road with retention of front facade and alterations to the ground floor façade'.</p> <p>An associated full application for redevelopment of the site has been submitted in respect of the application site, proposing 'Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden' (reference LA04/2020/0847/F). This application is recommended for approval.</p> <p>The site is not zoned for a use within BUAP or draft BMAP. The front portion of the site including the buildings is located within the Queens Conservation Area (CA), whilst the rear part of the site is located within the draft 'Lower Lisburn Road' Area of Townscape Character (dBMAP). The site is also located within the designated Queens Office Precinct (dBMAP). The site fronts on to University Road, which is a designated arterial route, as designated by dBMAP.</p> <p>1 objection has been received in relation to this proposed demolition.</p> <p>The CA Officer (CAO) has advised that there is no objection to the proposed demolition, provided the submitted structural information is accurate. An independent engineer has advised that, following consideration of the information, there is a case for demolition. The proposal results in the retention of the building facades, thereby protecting the features of the buildings which contribute to the character of the CA. Furthermore, it is noted that No. 29 University Avenue is a relatively new building and the internal layout of No. 25-27 has been amended over the years in line with its restaurant use. In conclusion, it is considered that, on balance, the proposed demolition is acceptable.</p> <p>Section 76 Agreement            The façade will be secured by a façade retention system and over seen by a suitably qualified structural engineer and secured by a Sec 76 Agreement.</p> <p><b>Recommendation:</b> APPROVAL</p>	

On balance, 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 and Section 76 agreement.

It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of any conditions and to agree a Section 76.

## Characteristics of the Site and Area

<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The proposed demolition works relate to 'Demolition of 25-29 University Road with retention of front facade and alterations to the ground floor façade'.
1.2	An associated full application for redevelopment of the site has been submitted in respect of the application site, proposing 'Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden' (reference LA04/2020/0847/F).
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is located within the urban limits of Belfast. The application site relates to 3 buildings located within an existing terrace along University Road. 2 of the buildings (No. 25 and 27) have been badly damaged in a fire, with damage to the roof, windows, doors and internal fittings clearly visible from the street. The buildings are 3 storeys in height, with a dormer window located on the roof plane of No. 29. The buildings are finished in render and the style / dimensions of the existing window openings of the application buildings replicate the neighbouring buildings along the terrace. The ground floor doors and windows are more modern in design and appearance. The front of the site is currently secured with fencing. The rear of the site is accessible via an existing archway located directly beside No. 3 Claremont Street. There is a small yard at the rear of the site, which is currently used for parking and storage. At the rear of this yard, there is an elongated triangular area that runs along the rear of No. 9 – 17 Claremont Street. This area is quite overgrown with vegetation and appears to have been used for small scale dumping in the past.
2.2	The surrounding area is characterised primarily by a mix of land uses, primarily residential and commercial (including restaurants, retail, offices and financial services). The front portion of the site, including the buildings, is located within the Queens Conservation Area, whilst the rear portion is located within a draft Area of Townscape Character.
2.3	



### Planning Assessment of Policy and other Material Considerations

#### 3.0 Site History

LA04/2020/0392/DCA – 25-29 University Road - Full demolition of existing first and second floors including facades with facade retention of ground floor front and rear walls due to fire damage – Application Withdrawn

LA04/2019/1523/F - 25-29 University Road - Partial demolition, alteration and extension of existing buildings including change of use from restaurant/offices to 20 apartments and erection of communal bin store – Application Withdrawn

LA04/2019/1526/DCA - 25-29 University Road - Partial demolition of internal and external walls, roof and rear returns – Application Withdrawn

Z/2005/0326/A – 25-27 University Road - Advertising Banner on front elevation of Restaurant (Retrospective) – Permission refused 28/6/05

Z/2004/0152/F – 25-27 University Road - Change of use and refurbishment of existing restaurant to provide public house – Permission Granted 18/5/04

Z/2002/1532/F – 29 University Road - Retail/Office development – Permission Granted 30/5/03

Z/2002/1533/F – 29 University Road – Office Development – Permission Granted 30/5/03

Z/1997/0741 – Fitzys Restaurant, 25-27 University Road - Extension and general refurbishment of restaurant – Permission Granted

Z/1995/0928 – 25-27 University Road - First floor extension to rear of Fitzys Restaurant


Z/1994/0763 – 25-27 University Road - Alterations & improvements to new restaurant frontage

	<p>Z/1994/0665 - 25-27 University Road - Extension to rear of existing restaurant and change of use of first floor to licensed restaurant</p> <p>Z/1992/1171 - 25-27 University Road - Change of use of existing licensed restaurant, hot food outlet and offices to public house licensed premises</p> <p>Z/1992/1170 – 25 University Road - Change of use of ground floor of No 25 University Road from hot food outlet to form extension to existing licensed restaurant at No 27 University Road</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (dBMAP)
4.3	Strategic Planning Policy Statement (SPPS) PPS 6 Planning, Archaeology and the Built Heritage
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	Not applicable
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Conservation Area Officer – No objection to demolition, on the basis that submitted structural information is accurate. Concerns with proposed development noted, however balanced against the limited public views.
<b>7.0</b>	<b>Representations</b>
7.1	1 objection has been received in relation to this proposed demolition.
7.2	<p>The objection raised the following issues:</p> <ul style="list-style-type: none"> <li>• Shared party wall between objector's property (No. 23) and the application building (No. 25) is experiencing structural movements and deteriorating due to exposure to the elements.</li> <li>• Current Conservation Area consent application should consider and mitigate against adverse impact of No. 23.</li> <li>• Further information requested regarding how party wall stability will be maintained, waterproofed and protected from the elements and how the party wall will be monitored for movements through the demolition process.</li> </ul>
<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</p>



8.2	<p>Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP remaining a material consideration.</p>
	<p>The site is not zoned for a use within BUAP or draft BMAP. The front portion of the site including the buildings is located within the Queens Conservation Area (CA), whilst the rear part of the site is located within the draft 'Lower Lisburn Road' Area of Townscape Character (dBMAP). The site is also located within the designated Queens Office Precinct (dBMAP). The site fronts on to University Road, which is a designated arterial route, as designated by dBMAP.</p>
8.3	<p><u>Policy / Legislative Framework</u></p> <p>The site of the proposed demolition is located within the City Centre Conservation Area. The proposal is considered under Section 104(11) of the Planning Act (NI), Paragraph 6.19 of the SPPS and policy BH 14 of Planning Policy Statement 6: Planning, Archaeology and the Built Environment. Section 104(11) of the Planning Act (NI) 2011 states that special regard must be had to the desirability of;</p> <ul style="list-style-type: none"> <li>(a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</li> <li>(b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.</li> </ul>
8.4	<p>Similarly, Paragraph 6.18 of the SPPS states special regard to the desirability of enhancing the character or appearance of Conservation Areas should be afforded when an opportunity to do so exists, or the character or appearance should at least be preserved where an opportunity to enhance does not exist.</p>
8.5	<p>Policy BH 14 of PPS 6 relates specifically to demolition in a conservation area. The Department will normally only permit the demolition of an unlisted building in a conservation area where the building makes no material contribution to the character or appearance of the area. Policy BH14 also states that where the principle of demolition is acceptable, it will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.</p>
8.6	<p><u>Principle of Demolition</u></p> <p>Policy BH14 of PPS 6 states '<i>The Department will normally only permit the demolition of an unlisted building in a conservation area where the building makes no material contribution to the character or appearance of the area</i>'.</p> <p>The Conservation Area Officer (CAO) has provided comment on the proposal, advising that the existing buildings make a significant contribution to the architectural and historic interest / character and appearance of the CA. As such, there is a presumption against demolition. In assessing proposals for demolition, the Department will have regard to the same broad criteria for demolition of listed buildings.</p>
8.7	<p>Para 6.5 of PPS 6 provides further amplification of the issues that are generally relevant to listed building consent applications, specifically importance of the building, its architectural and historic interest, the particular physical features of the building, the building's setting and contribution to the local scene and the extent to which proposed works would bring substantial benefits to the community.</p>
8.8	<p>The CAO has identified the features of the buildings which make a significant contribution to the architectural and historic interest / character and appearance of the CA, i.e. the buildings feature a stuccoed finish, with decorative quoins, console brackets supporting eaves and sliding sash windows within moulded surrounds. The</p>

	agent has advised that the proposed demolition does not include these features as the front facades are to be retained.
8.9	Policy BH10 of PPS 6 states ' <i>There will be a presumption in favour of retaining listed buildings. The Department will not permit the demolition of a listed building unless there are exceptional reasons why the building cannot be retained in its original or a reasonably modified form</i> '.
8.10	The agent advises that the exceptional reason for demolishing the internal parts of the building and rear elevations is that the building has been severely fire damaged. It is noted that only two of the three buildings (No's 25 and 27) are fire damaged.
8.11	In accordance with Para 6.23 and 6.25 of PPS 6, the agent has provided additional information in support of the case for demolition. The agent advises that the building is fire damaged and is not currently in use, therefore the proposal offers a viable new use for the site. He does not believe that it would be viable for a charitable or community organisation to bring this building back into use. Furthermore, he advises that the important features of the buildings previously identified by the CAO are proposed for retention and there are clear benefits to regenerating the site to provide housing in line with the Belfast Agenda and emerging LDP. The agent advises that the condition of the building is very poor as outlined in the structural reports and the intention of the scheme is to repair the building whilst retaining and enhancing the historic features identified by the CAO. He considers the proposed scheme represents an alternative proposal for the site.
8.12	The CAO acknowledges the information submitted by the agent in support of the proposed demolition and recommends that an independent structural engineer's report is sought to verify the submitted details. The CAO advises further that on the basis that the submitted details are bona fide and sufficient to meet the PPS6 criteria, there would be no objections to the demolition works.
8.13	As noted earlier, information has been submitted by the agent to support the case for demolition. The Council has sought independent expert advice and has been advised that there appears to be a case for some demolition (or careful dismantling), however the engineer questioned the argument in relation to demolition of No. 29 as it had not been damaged in the fire.
8.14	Further research into the history of the building at No. 29 shows that this building was actually constructed approximately 16-18 years ago, in accordance with previous approval(s) Z/2002/1532/F and Z/2002/1533/F. The below image from Google earth shows the site of No. 29 as a vacant gap site in December 2001. It is noted that the redevelopment of the site took place subsequent to the designation of Queens CA.
8.15	

8.16		
8.17		
8.18	<p>In addition, there is a significant planning history associated with No. 25 and 27 in relation to the previous use as a restaurant. Consequently, the internal layout of both buildings had been amended significantly from the traditional layout when the buildings were first constructed.</p>	
	<p>An objection has been received raising issues in relation to the structural integrity of the party wall boundary between No. 23 and 25. The purpose of this application for Conservation Area Consent is to assess the impact of the proposed demolition works on the appearance and character of the CA. Notwithstanding, it is considered that the proposed demolition can be undertaken appropriately without harm to the neighbouring building. Furthermore, as the roof of No's 25 and 27 is currently damaged, it is considered that the current situation is potentially more harmful than the proposed demolition and subsequent redevelopment of the site.</p>	
8.19	<p>In summary, it is acknowledged that No. 25 and 27 have been damaged by fire. The CAO has advised that there is no objection to the proposed demolition, provided the submitted structural information is accurate. An independent engineer has advised that, following consideration of the information, there is a case for demolition. The proposal results in the retention of the building facades, thereby protecting the features of the buildings which contribute to the character of the CA. Furthermore, it is noted that No. 29 University Avenue is a relatively new building and the internal layout of No. 25-27 has been amended over the years in line with its restaurant use.</p>	
8.20	<p>In conclusion, it is considered that, on balance, the proposed demolition is acceptable.</p>	
	<p><u>Redevelopment</u></p> <p>PPS 6 clarifies that full information and detailed plans about what is proposed for the site after demolition will be required with any conservation area consent applications, and where consent may be granted, this would normally be subject to conditions requiring redevelopment in line with an approved scheme.</p> <p>This application is linked with LA04/2020/0847/F for 'Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden', which has also been recommended for approval</p>	

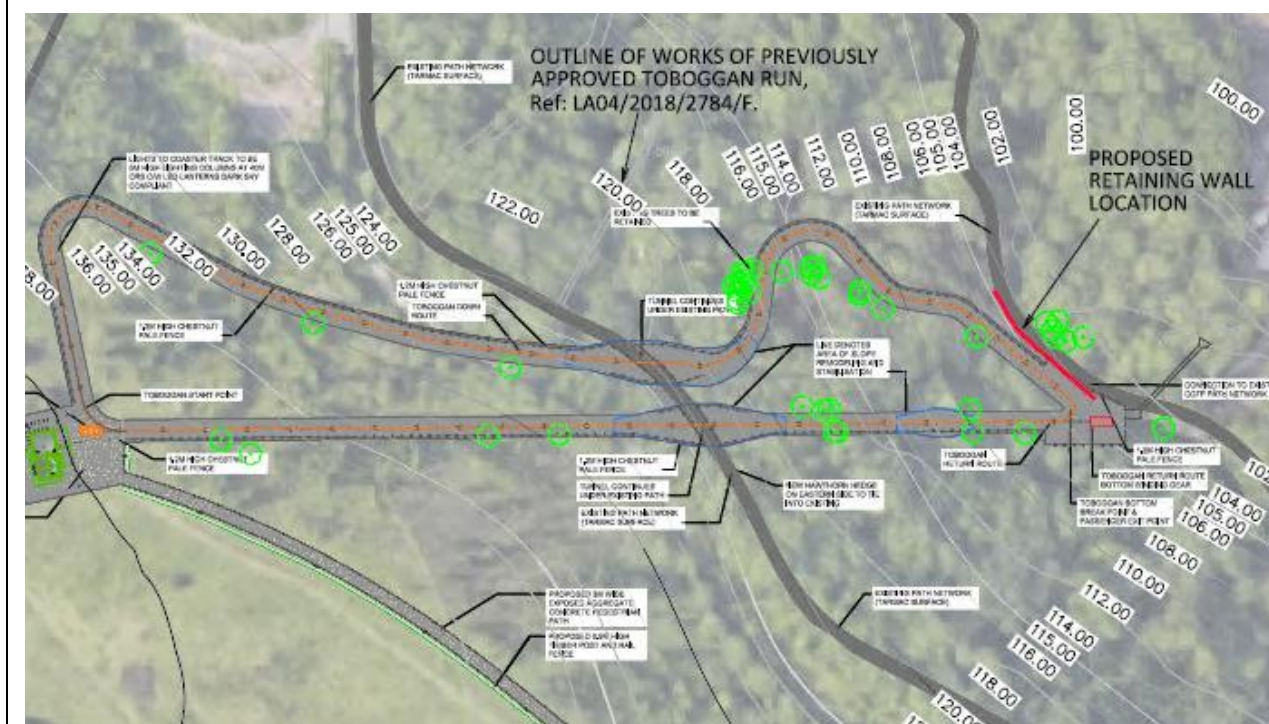
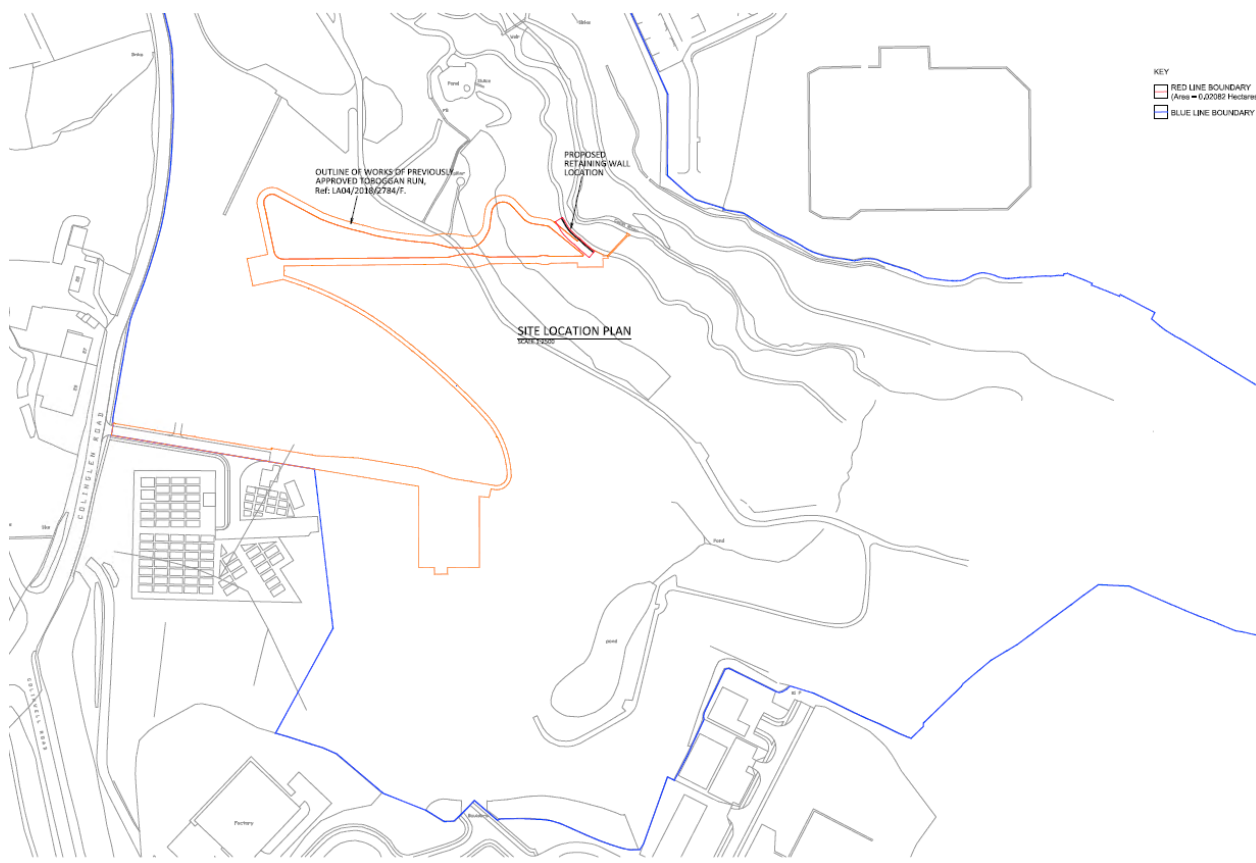
<b>9.0</b>	<b>Summary of Recommendation: APPROVAL</b>
9.1	On balance, it is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions and Section 76 agreement. It is requested that the Section 76 Agreement and final wording of conditions is delegated to the Strategic Director of Place and Economy.
<b>10.0</b>	<b>Conditions</b>
10.1	The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.  Reason: As required by Section 105 of the Planning Act (Northern Ireland) 2011.
10.2	This consent is granted subject to the implementation of a satisfactory replacement scheme as approved under planning application reference LA04/2020/0847/F. The approved demolition is prohibited until such time as a contractor has been appointed and contracts have been signed for the approved redevelopment of the site.  Reason: To ensure the implementation of a satisfactory scheme in the interest of the Queens Conservation Area.
<b>Notification to Department (if relevant)</b>	
DFI to be consulted, if approved by BCC Planning Committee.	
<b>Representations from Elected members:</b>	
N/A	

## Development Management Officer Report Committee Application

Summary	
<b>Application ID:</b> LA04/2020/0991/F	<b>Committee Meeting Date:</b> Tuesday 15 <sup>th</sup> June 2021
<b>Proposal:</b> Maximum 3m high retaining wall and associated works (retrospective)	<b>Location:</b> Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite nos 27-29 Colinglen Road and accessed off Colinglen Road
<b>Referral Route:</b> Scheme is Supported by Council Funding	
<b>Recommendation:</b>	Approval Subject to Conditions
<b>Applicant Name and Address:</b> Colin Glen Trust 163 Stewartstown Road Belfast BT17 0HW	<b>Agent Name and Address:</b> AECOM 10th Floor Clarence West Building 2 Clarence Street West Belfast
<p><b>Executive Summary:</b> The application is seeking full planning permission the erection of maximum 3m high retaining wall and associated works (retrospective).</p> <p>The subject retaining wall has been erected to facilitate the new Toboggan run development at Colin Glen Forest Park. Planning permission for this Toboggan run development was granted by Belfast City Council on 10th April 2019 (Ref: LA04/2018/2784/F).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The principle of a new retaining wall at this location.</li> <li>• Visual impacts and other environmental considerations i.e. impact on trees, Colin Glen River</li> <li>• Wider amenity issues.</li> </ul> <p>The site is currently designated as existing open space in the adopted Belfast Urban Area Plan 2001 and Draft BMAP. The use as open space will remain as existing with the retaining wall located along the approved Toboggan run.</p> <p>NIEA, Rivers Agency, and the Tree and Landscape team were consulted. NIEA sought further information and following the submission of this, has no concerns. The other consultees had no objections.</p> <p><b>Recommendation- approval subject to conditions</b> 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 any conditions.</p>	

## Case Officer Report

## Site Location Plan



<b>1.0</b>	<b>Description of Site and Area</b>
1.1	The application site is located within the Colin Glen Forest Park. It can be accessed via a shared access with Colin Glen Allotments from the Colin Glen Road.
<b>2.0</b>	<b>Description of Proposed Development</b>
2.1	<p>The application is seeking full planning permission the erection of maximum 3m high retaining wall and associated works (retrospective).</p> <p>The subject retaining wall has been erected to facilitate the new Toboggan run development at Colin Glen Forest Park. Planning permission for this Toboggan run development was granted by Belfast City Council on 10th April 2019 (Ref: LA04/2018/2784/F).</p>
<b>Planning Assessment</b>	
<b>3.0</b>	<b>Planning History</b>
3.1	LA04/2018/2784/F - Colin Glen Forest Park, 163 Stewartstown Road, on lands north of Colin Glen, Community allotments and opposite No's 27-29 Colin Glen Road, and accessed off, Colin Glen Road, Belfast, BT17 0HW., - Proposed toboggan run (324m winding descent with 241m straight return) and associated single storey prefabricated building with access road, car parking, pathways, lighting, supporting planting and site works. - PERMISSION GRANTED
<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) 8 – Open Space, Sport and Recreation</p> <p>Planning Policy Statement (PPS) 15 – Planning and Flood Risk</p>
<b>5.0</b>	<b>Statutory Consultees</b>
	None
<b>6.0</b>	<b>Non-Statutory Consultees</b>
	<p>Rivers Agency – No Objection</p> <p>NIEA – No Concerns</p> <p>Tree and Landscape Team – No objection</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.
<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 retaining wall at this location.</li> <li>• Visual impacts and other environmental considerations i.e. impact on trees, Colin Glen River</li> <li>• Wider amenity issues.</li> </ul>



8.2	<p><u>Principle of Development</u></p> <p>The agent advised that the <i>“retaining wall was not originally envisioned, and as such the retaining wall structure was not included in the drawings approved under the Toboggan run planning application. However, during construction unforeseen issues relating to ground conditions and subsidence were identified at this location, necessitating the need for a retaining wall”</i>.</p> <p>Whilst this requirement in itself does not address the issue of allowing a retaining wall at this location, the principle of the Toboggan run was deemed acceptable under the previous application, LA04/2018/2784/F. The development and use will remain as approved with the addition of the retaining wall. The ground area to be used for the structure is not extensive and given the requirement of the structure to mitigate against structural impacts, it is considered acceptable, subject to other considerations set out below.</p>
8.3	<p><u>Visual Impacts</u></p> <p>The retaining wall comprises a maximum 3m high segmental structure, approximately 34.7m in length, located adjacent to the previously approved Toboggan run. It will be finished in ‘secura grand blocks by Tobermore, colour heather’</p> <p>The retaining wall whilst long is considered to be of an acceptable scale, design and materials in the context and will not detrimentally impact the overall visual amenity of the area.</p>
8.4	<p><u>PPS 8: Open Space, Sport and Outdoor Recreation</u></p> <p>The ground area lost to build the wall is not considered extensive. Therefore, under PPS8 there is no significant loss of open space to accommodate the structure.</p> <p>The retaining wall is required for the safe use of the Toboggan run, which has been considered an acceptable use under the previous application. The Toboggan run will bring wider community benefit by providing a recreational facility that will not only provide for the local community but will attract visitors from further afield, whilst still maintaining a recreational use.</p>
8.5	<p><u>Impact on Trees</u></p> <p>The Tree and Landscape Team within Council were consulted. They advised that, <i>“It is unclear to determine if trees have been removed to facilitate the construction of the wall. Nonetheless, the wall is stated as being constructed due to prevent major structural impacts from occurring, therefore, it is considered a vital aspect into the safety aspects for the recreational use within the forest park.”</i></p> <p>As the developer did not indicate that any trees had been removed to facilitate the development, The Tree and Landscape Team offered no objection to the proposal.</p>
8.6	<p><u>Natural Heritage</u></p> <p>NIEA considered the impacts of the proposal and required further information:</p> <ul style="list-style-type: none"> <li>• Details on the mitigation that was employed to protect heritage i.e., CMS or CEMP.</li> <li>• Findings of the pre-construction Otter survey and that the NIEA survey specifications were followed during the pre-construction survey.</li> <li>• Clarification that the HMP was adhered too in relation to the current proposal.</li> </ul> <p>Following the submission of the requested information, NIEA has no concerns.</p>
8.7	<p><u>Planning and Flood Risk</u></p>



	In terms of the Colin Glen River, Rivers Agency were consulted. They advised that whilst a "Drainage Assessment is not required by the policy, the developer should still be advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere." The proposal has been assessed against Policy FLD 1, 2, 3, 4 and 5 of revised PPS 15.
<b>9.0</b>	<b>Summary of Recommendation – Approval</b> Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
<b>10.0</b>	<b>Conditions</b>
10.1	<p>1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.</p> <p>Reason: This is a retrospective application.</p> <p>2. If any further construction works are proposed which are not included in the planning permission granted in respect of the application LA04/2018/2784/F, the application LA04/2019/1066/F or covered by the application LA04/2020/0749/DC, then Water Management Unit would request that a Construction Environmental Management Plan (CEMP) should be submitted for Water Management Unit's approval, at least 8 weeks prior to the commencement of construction.</p> <p>Reason: This is to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p> <p>Informatives:</p> <ol style="list-style-type: none"> <li>1. The drawing references 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> <li>4. The developer should be advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere.</li> </ol>

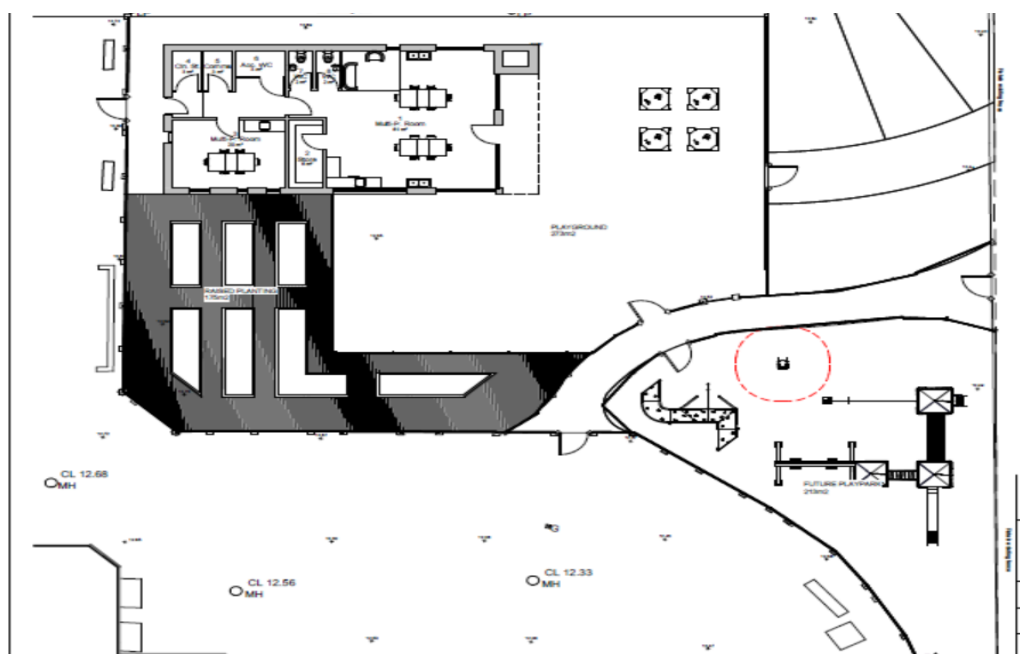
ANNEX					
<b>Date Valid</b>	02.06.2020				
<b>Date First Advertised</b>	12.06.2020				
<b>Date Last Advertised</b>	N/A				
<b>Details of Neighbour Notification</b> (all addresses)					
<table border="1"> <tbody> <tr> <td>59 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX</td> </tr> <tr> <td>61 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX</td> </tr> <tr> <td>63 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX</td> </tr> <tr> <td>65 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX</td> </tr> </tbody> </table>		59 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX	61 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX	63 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX	65 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX
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63 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX					
65 Colin Glen Green,Andersonstown,Belfast,Antrim,BT17 0HX					
<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> <b>01</b> <b>02</b> <b>03</b>					
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: N/A Response of Department: N/A					

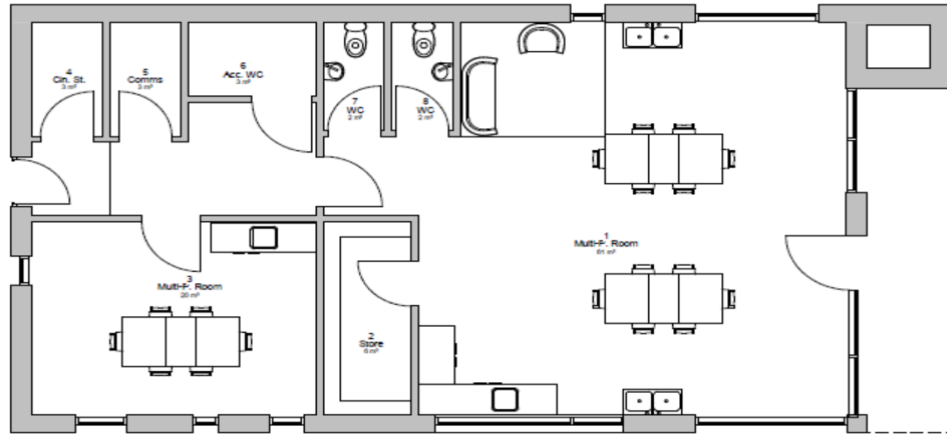
## Committee Application

Development Management Report	
<b>Committee Date:</b> Tuesday 15th June 2021	<b>Application ID:</b> LA04/2020/2637/F
<b>Proposal:</b> Proposed single storey, stand-alone multi-purpose building and associated site works	<b>Location:</b> Cregagh Primary School Mount Merrion Ave Belfast BT6 0FL
<b>Referral Route:</b> The Council is providing funding for the proposal As per Scheme of Delegation 3.8.5 (d)	
<b>Recommendation:</b> Approval, subject to conditions	
<b>Applicant Name and Address:</b> Jonathan Bell Education Authority 3 Charlemont Place Armagh BT61 9AX	<b>Agent Name and Address:</b> Gregory Architects 4 Crescent Gardens Belfast BT25 1TH
<p><b>Executive Summary</b></p> <p>The application seeks full planning permission for a single storey, stand-alone multi-purpose building and associated site works within the grounds of the Primary School. The multi-purpose building will be single storey with a flat roof and will comprise of two main rooms approx. 60sqm and 20sqm. Also, within the building there is the provision of toilets and a storage area. The associated site works include several raised planting beds and area to be used as an outdoor playground for children.</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 amenity</li> <li>• Open Space</li> <li>• Access and Parking</li> </ul> <p>The application was neighbour notified and advertised in the local press. No letters of representation were received.</p> <p>BCC Environmental Health Services were consulted and are content with the proposal subject to an informative being placed on the decision relating to contaminated land. DfI Roads were also consulted and offered no objection to the proposal.</p> <p>The proposal has been assessed against and is considered to comply with the BUAP, Draft BMAP, and the SPPS, Addendum to PPS 6 and PPS 8. 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:</b></p> <p>It is recommended that planning permission is granted and that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of any conditions</p>	

## Case Officer Report

### Site Location Plan:





**1 Ground Floor Plan**  
1 : 50



Render of North Eastern Elevation



Render of Northern Elevation and Future Site Development

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	<p>The proposal is a Proposed single storey, stand-alone multi-purpose building and associated site works. The multi-purpose building has two main rooms measuring 60sqm and 20sqm which provide space for children to use, as well as several storage areas and toilet facilities. The building will be single storey measuring 14m x 7m, with a flat roof and elevations finished with timber cladding. The associated site works consists of raised planting beds and an outdoor playground.</p> <p>The unit is within the grounds of Cregagh Primary school and currently consists of an area of hard standing, as well a small portion of a landscaped area.</p>
1.2	
<b>2.0</b>	<b>Description of Site and Area</b>
2.1	<p>The existing site is a mixture of an area of hardstanding and a landscaped area within the grounds of Cregagh Primary School. The site is located to the rear of the main school building and is enclosed to the south and east by a mixture of boundary fencing and landscaping.</p> <p>The surrounding area is mixed use with a grass football pitch located to the east of the site, whilst a number of residential properties are located to the south.</p>
<b>Planning Assessment of Policy and Other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	<p>Y/1992/0334 Cregagh Primary School, Mount Merrion Avenue, Castlereagh. New 9 classroom primary school with partial hearing unit and multi -purpose hall. Existing school building to be demolished. PERMISSION GRANTED</p> <p>Y/1995/0339 Cregagh Primary School, Mount Merrion Avenue, Castlereagh Provision of 2 No. temporary classrooms (1 double unit) PERMISSION GRANTED</p> <p>Y/2000/0390/F Cregagh Primary School, Mount Merrion Avenue, Castlereagh. New 9 classroom PS with partial hearing unit, and multi-purpose hall. Existing school building to be demolished and youth community building with adjacent car parking and playground. Temporary accommodation when school is demolished. PERMISSION GRANTED</p> <p>Y/2001/0151/F Cregagh Primary, Mount Merrion Avenue, Belfast BT6 0FZ New 9 classroom school &amp; youth community centre. PERMISSION GRANTED</p>
<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>

	Addendum to Planning Policy Statement 6 (Areas of Townscape Character) Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation
<b>5.0</b>	<b>Statutory Consultees</b>
5.1	DFI Roads – Offered no objection to the proposal
<b>6.0</b>	<b>Non-Statutory Consultees</b>
6.1	Environmental Health – No objection subject to an informative being placed on the decision relating to contaminated land
<b>7.0</b>	<b>Representations</b>
7.1	The application was neighbour notified on the 14th January 2021 and advertised in the local press on the 22 <sup>nd</sup> January 2021. No letters of representation were received.
<b>8.0</b>	<b>Assessment</b>
8.1	<p><u>Area Plans</u></p> <p>The site is within the development limits of the BUAP with no particular zoning. The site is located within the development limits of the draft Belfast Metropolitan Area Plan and was again not zoned for any particular use. The site is located within the Cregagh Area of Townscape Character. The proposal relates to a single storey, stand-alone multi-purpose building and associated site works within the grounds of an existing school, 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 surrounding character of the area; impact on neighbouring amenity, and impact on access and parking</p>
8.3	It is considered the proposal is in compliance with the relevant Core Planning Principles 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 children in the school, 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	<p><u>Design and Impact on the character and appearance of the area</u></p> <p>The external elevations are to be finished with timber cladding, this is considered an acceptable material for a building of this nature and will not impact the overall character or appearance of the area. It is considered the scale of the proposal is acceptable when assessed in context with the existing school.</p>
8.6	<p><u>Amenity</u></p> <p>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 an informative being attached to the decision relating to potential contaminated land.</p>

8.7	The proposal complies with the criteria within the SPPS. The proposal is not considered to cause significant noise or disturbance and is considered compatible with the surrounding land uses in the area.
8.8	<p><u>Impact upon the Area of Townscape Character</u></p> <p>The proposal is within the Cregagh Area of Townscape Character. It is considered that the proposed building will not impact on the ATC due to the scale of the proposal. When assessed in the context of the existing site within the grounds of the school, the design and appearance is considered acceptable. The proposal will maintain the character and appearance of the ATC and policy ATC 2 of the Addendum has been met.</p>
8.9	<p><u>Open Space</u></p> <p>Due to the site partially being located on a landscaped area within the school grounds the proposal will result in the loss of this area of open space, the proposal must therefore be assessed against Policy OS1 of PPS 8. Within Policy OS1 an exception to the loss of open space is permitted if the proposal brings substantial community benefits to the area which outweighs the loss of open space.</p>
8.10	Additional information has been submitted by the agent demonstrating how the proposal will provide facilities to benefit both the older and younger members of the community, improve community relations and provide a space to develop skills and training for members of the community. The proposal will provide sufficient soft landscaping in the form raised planters, as well a playground for children. It is considered that the proposed outdoor space as part of the proposal is of better quality and is more of a usable space in comparison with the current open space on site. On balance the community benefits from the proposal is considered sufficient to outweigh the loss of a small area of open space within the school grounds.
8.11	<p><u>Traffic, Roads and Parking</u></p> <p>The unit is well served by public transport and in an easily accessible location given its position within the grounds of the school. DFI Roads were consulted and had no objections. 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>
8.12	<p><u>Other Considerations</u></p> <p>The previous school building on the site was Listed, however was demolished to facilitate the development of the school currently on site approved under reference Y/2001/0151/F. Therefore, no consultation with HED was considered necessary.</p>
8.13	<p><u>Conclusion</u></p> <p>Having regard to the policy context and other material considerations above, the proposal is considered to comply with the Area Plan, SPPS and PPS3 Planning permission is recommended subject to conditions.</p>
9.0	<b>Summary of Recommendation – Approval</b>
9.1	It is recommended that planning permission is granted and the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of any conditions.



10.0	<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.</li> </ol> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <ol style="list-style-type: none"> <li>1. In the event that unexpected contamination is encountered during the approved development of this site, the development should cease and the applicant should contact the Planning Authority. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with best practice.</li> </ol>
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ANNEX	
<b>Valid</b>	06.01.2021
<b>Date First Advertised</b>	22.01.2021
<b>Date Last Advertised</b>	N/A
<b>Details of Neighbour Notification (all addresses)</b>  14/01/2021  Details of Neighbour Notification (all addresses) 10 Cappagh Gardens,Belfast,Down,BT6 0ET  11 Cappagh Gardens,Belfast,Down,BT6 0ET  7a ,Cappagh Gardens,Belfast,Down,BT6 0ET  7b ,Cappagh Gardens,Belfast,Down,BT6 0ET  7c ,Cappagh Gardens,Belfast,Down,BT6 0ET  7d ,Cappagh Gardens,Belfast,Down,BT6 0ET  7e ,Cappagh Gardens,Belfast,Down,BT6 0ET  7f ,Cappagh Gardens,Belfast,Down,BT6 0ET  8 Cappagh Gardens,Belfast,Down,BT6 0ET  9 Cappagh Gardens,Belfast,Down,BT6 0ET  Cregagh Community Centre,69b ,Mount Merrion Avenue,Belfast,Down,BT6 0FG  Cregagh Youth Centre,69b ,Mount Merrion Avenue,Belfast,Down,BT6 0FG	
<b>Date of Last Neighbour Notification</b>	14/01/2021
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 – Site Location Plan 02 – Site Plan, Existing 03 – Site Plan, Proposed 04 – Floor Plan, Proposed 05 – Elevations, Proposed	
<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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## Committee Report

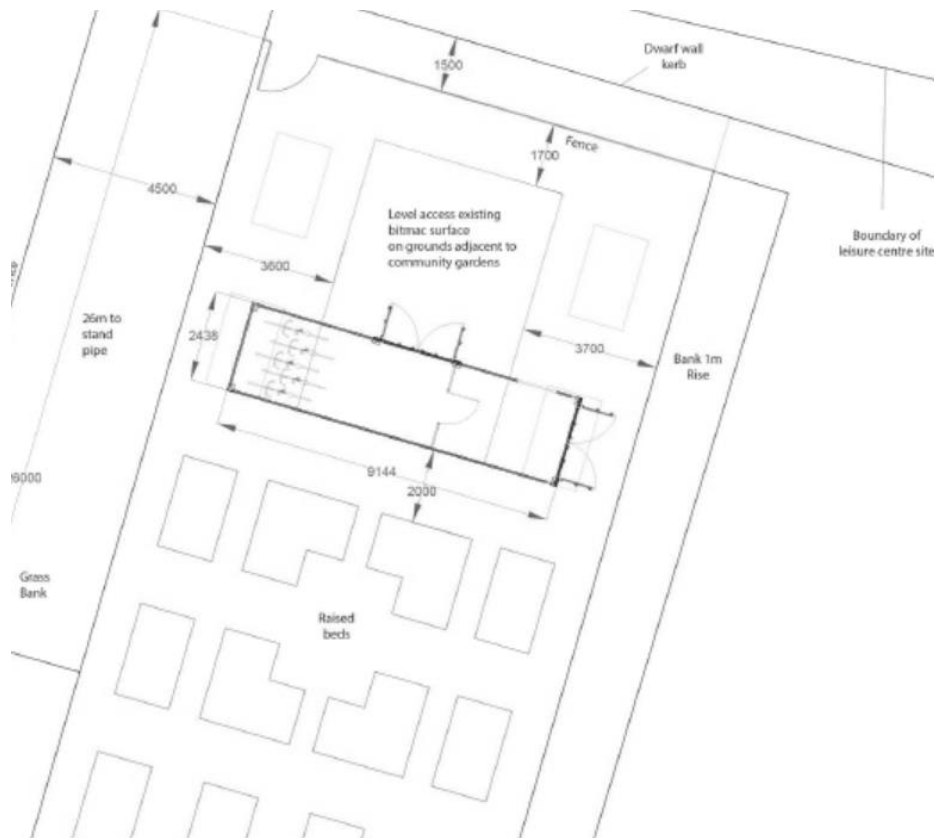
Development Management Report	
<b>Application ID:</b> LA04/2021/0696/F	<b>Date of Committee:</b> Tuesday 15 <sup>th</sup> June 2021
<b>Proposal:</b> Development of 'Active Travel Hub', which includes the installation of a 9m x 2.5m shipping container, with modifications to accommodate an internal bike store, and a small office.	<b>Location:</b> Whiterock Leisure Centre Whiterock Close Whiterock Road Belfast
<b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (d) – BCC is the landowner	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Sustrans 2 Cathedral Square College Green Belfast	<b>Agent Name and Address:</b> ARdMackel Architects Teach Basil 2 Hannahstown Hill Belfast
<p><b>Executive Summary:</b> The proposal is for the development of 'Active Travel Hub', which includes the installation of a 9m x 2.5m shipping container, with modifications to accommodate an internal bike store, and a small office.</p> <p><b>Area Plan</b> The proposed site is situated within Whiterock Leisure Centre and is designated as lands reserved for landscape, amenity or recreation use in the BUAP and as existing open space within both versions of dBMAP and an urban landscape wedge (BT 99).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Design of the proposal</li> </ul> <p>The proposals will complement the existing leisure centre and its recreational use and comply with the relevant policy and area designations.</p> <p>DFI Roads and Environmental Health were consulted and had no objections.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved. Planning permission is therefore recommended for approval for a temporary period of 3 years.</p> <p><b>Recommendation - Approve subject to conditions</b> It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>	

## Case Officer Report

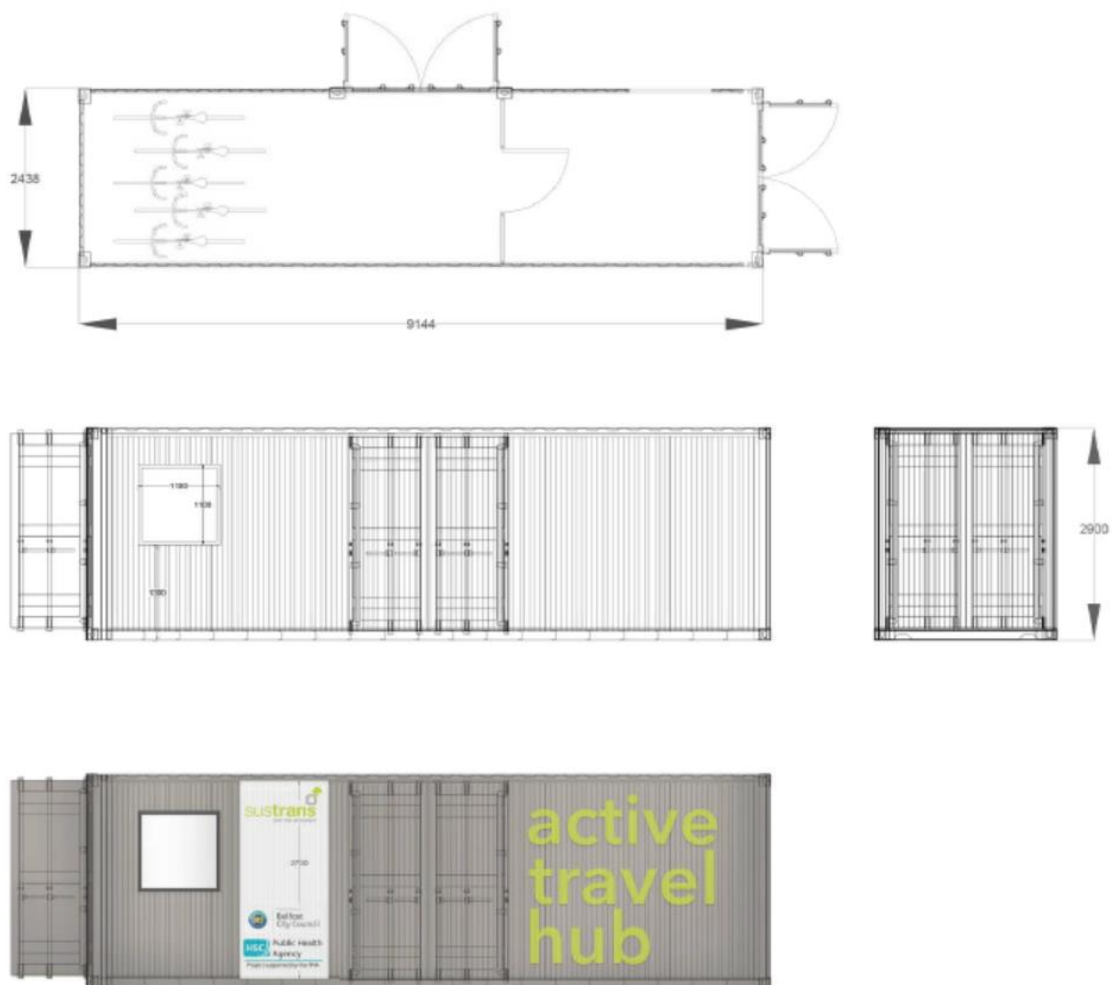
### Site Location Plan



### Block Plan



## Elevations



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> Planning permission is sought for an 'Active Travel Hub', which includes the installation of a 9m x 2.5m shipping container, with modifications to accommodate an internal bike store, and a small office.
<b>2.0</b>	<b>Description of Site</b> The site is located within the Whiterock Leisure Centre site. The leisure centre is accessed from Whiterock Close off the Whiterock Road. The site itself is situated on along the northern boundary of the site in an area that currently contains raised beds and a polytunnel.  The site is designated as lands reserved for landscape, amenity or recreation use in BUAP and as existing open space within dBMAP and an urban landscape wedge (BT 99). To the south of the site is the Belfast City Cemetery while to the north is residential.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> LA04/2021/0718/A, Hard standing adjacent to the car park and entrance to Whiterock Leisure Centre, Whiterock Close, Whiterock Road, Belfast, BT12 7RJ, Mounted sign on face of a shipping container. Under consideration.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2004
4.2	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.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access, Movement and Parking
4.5	Planning Policy Statement 8: Open space, Sport and Outdoor recreation
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads - No objections
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b> Environmental Health - No objections
<b>7.0</b>	<b>Representations</b>  The application was neighbour notified most recently on the 31 <sup>st</sup> March 2021 and advertised in the local press on the 08 <sup>th</sup> April 2021. No representations were received.
<b>8.0</b>	<b>Other Material Considerations</b> None
8.1	<b>Any other supplementary guidance</b> Belfast Agenda
<b>9.0</b>	<b>Assessment</b>



9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Design of the proposal</li> </ul> <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p><b>Principle of development</b></p> <p>The proposal is for a small-scale shipping container which is to be a facility used as a base for cycling and walking activities. The hub will facilitate two programmes running with communities in West Belfast – the Community Active Travel Programme and the Cycle and Walking Lead Volunteers on the Forthmeadow Greenway. The Hub will provide a storage facility for bicycles, trailers and other equipment as well as the small office for staff. The proposal complements the existing use of the site as a leisure centre and is compliant with the core planning principles of improving health and well-being as set out in the SPPS.</p> <p>The proposal will also complement the site's open space designation and will not impact the urban landscape wedge. Proposal is considered to accord with Policy OS1 of PPS8 and the development plan designations.</p> <p><b>Design</b></p> <p>The proposal is a shipping container with associated advertising on the side elevation. The shipping container is to be painted grey. A shipping container would not be deemed an appropriate permanent structure, therefore temporary permission for a period of 3 years has been recommended.</p>
9.3	Having regard to 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>Conditions</b></p> <ol style="list-style-type: none"> <li>1. The permission hereby granted shall be for a limited period of 3 years only from the date of this decision notice. The building hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission.</li> </ol> <p>Reason: To enable The Council to consider the development in the light of circumstances then prevailing.</p> <ol style="list-style-type: none"> <li>2. 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</li> </ol>

	<p>remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To protect human health.</p> <p>Informatives</p> <p>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: 29/03/2021, drawing nos. 01, 04, 05.</p>
<p><b>Notification to Department (if relevant): No</b></p>	
<p><b>Representations from Elected members: None</b></p>	

## Committee Report

Development Management Report	
<b>Application ID:</b> LA04/2021/0718/A	<b>Date of Committee:</b> Tuesday 15 <sup>th</sup> June
<b>Proposal:</b> Mounted sign on face of a shipping container	<b>Location:</b> Whiterock Leisure Centre Whiterock Close Whiterock Road Belfast
<b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (d) BCC is the landowner	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Sustrans 2 Cathedral Square College Green Belfast	<b>Agent Name and Address:</b> ARdMackel Architects Teach Basil 2 Hannahstown Hill Belfast
<p><b>Executive Summary:</b> The proposal is a mounted sign on the face of a shipping container. The proposal is in association with the proposal for an active travel hub under reference LA04/2021/0696/F.</p> <p><b>Area Plan</b> The proposed site is situated within Whiterock Leisure Centre and is designated as lands reserved for landscape, amenity or recreation use in BUAP and as existing open space within both versions dBMAP and an urban landscape wedge (BT 99).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Amenity</li> <li>• Public Safety</li> </ul> <p>The proposed advertisement will respect the amenity of the surrounding area and will not prejudice public safety.</p> <p>DFI Roads were consulted and had no objections.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved. Advertisement consent is therefore recommended for approval for a temporary period of 3 years in line with the shipping container permission.</p> <p><b>Recommendation - Approve subject to conditions</b> It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>	

## Case Officer Report

### Site Location Plan



### Elevations



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> Mounted sign on face of a shipping container.  The proposed advertisement measures 2.7m by 1.2m on the side elevation of the proposed shipping container which is to be used as an active travel hub.
<b>2.0</b>	<b>Description of Site</b> The site is located within the Whiterock Leisure Centre site. The leisure centre is accessed from Whiterock Close off the Whiterock Road. The site itself is situated along the northern boundary of the site in an area that currently contains raised beds and a polytunnel. The proposal is to be located on the front of the shipping container proposed under LA04/2021/0696/F.  The site is designated as lands reserved for landscape, amenity or recreation use in BUAP and as existing open space within dBMAP and an urban landscape wedge (BT 99). To the south of the site is the Belfast City Cemetery while to the north is residential.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> LA04/2021/0696/F, Hard standing adjacent to the car park and entrance to Whiterock Leisure Centre, Whiterock Close, Whiterock Road, Belfast, BT12 7RJ, Development of 'Active Travel Hub', which includes the installation of a 9m x 2.5m shipping container, with modifications to accommodate an internal bike store, and a small office. Under consideration.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	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.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 17: Control of Outdoor Advertisements
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads- No objections
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b> None
<b>7.0</b>	<b>Representations</b>
	No representations were received.
<b>8.0</b>	<b>Other Material Considerations</b>

	None
8.1	<b>Any other supplementary guidance</b> None
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Amenity</li> <li>• Public safety</li> </ul> <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p><b>Amenity</b> PPS 17 Policy AD1- The term amenity is usually understood to mean its effect upon the appearance of the building or structure or the immediate neighbourhood where it is displayed, or its impact over long distance views.</p> <p>It is deemed the proposed advertisement will respect the amenity of the surrounding area. The proposed advertisement is to be hand painted and is of an appropriate design and scale when viewed in the context of the shipping container, it will attract customers to the proposed active travel hub and enhance the shipping container's appearance. The surrounding area does not contain advertisements and therefore clutter is not an issue.</p> <p><b>Public Safety</b> Given the location of the advertisement north of an existing car park, there are no concerns that the proposal will prejudice public safety. DFI Roads were consulted and had no objections, the proposal therefore complies with Policy AD1, part two.</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>Conditions</b></p> <p>1. The consent hereby granted is for limited period of 3 years only from the date of this decision notice. The advertisement shall be removed in its totality within a period of 4 weeks after the date of expiry.</p> <p>Reason: To enable the Council to consider the development in the light of circumstances then prevailing.</p> <p><b>Informatives</b></p> <p>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: 07/04/2021, drawing nos. 01,05.</p>

<b>Notification to Department (if relevant): No</b>
<b>Representations from Elected members: None</b>

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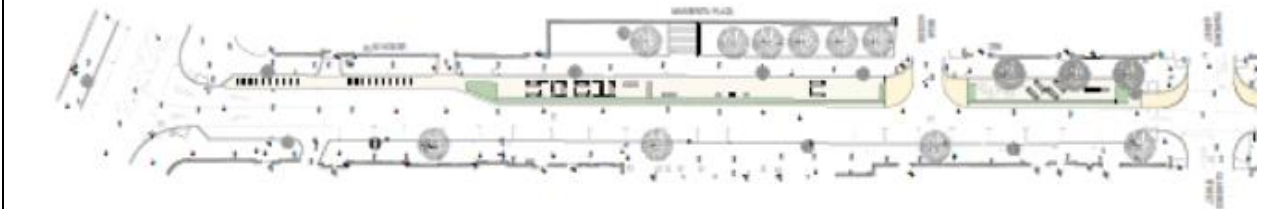
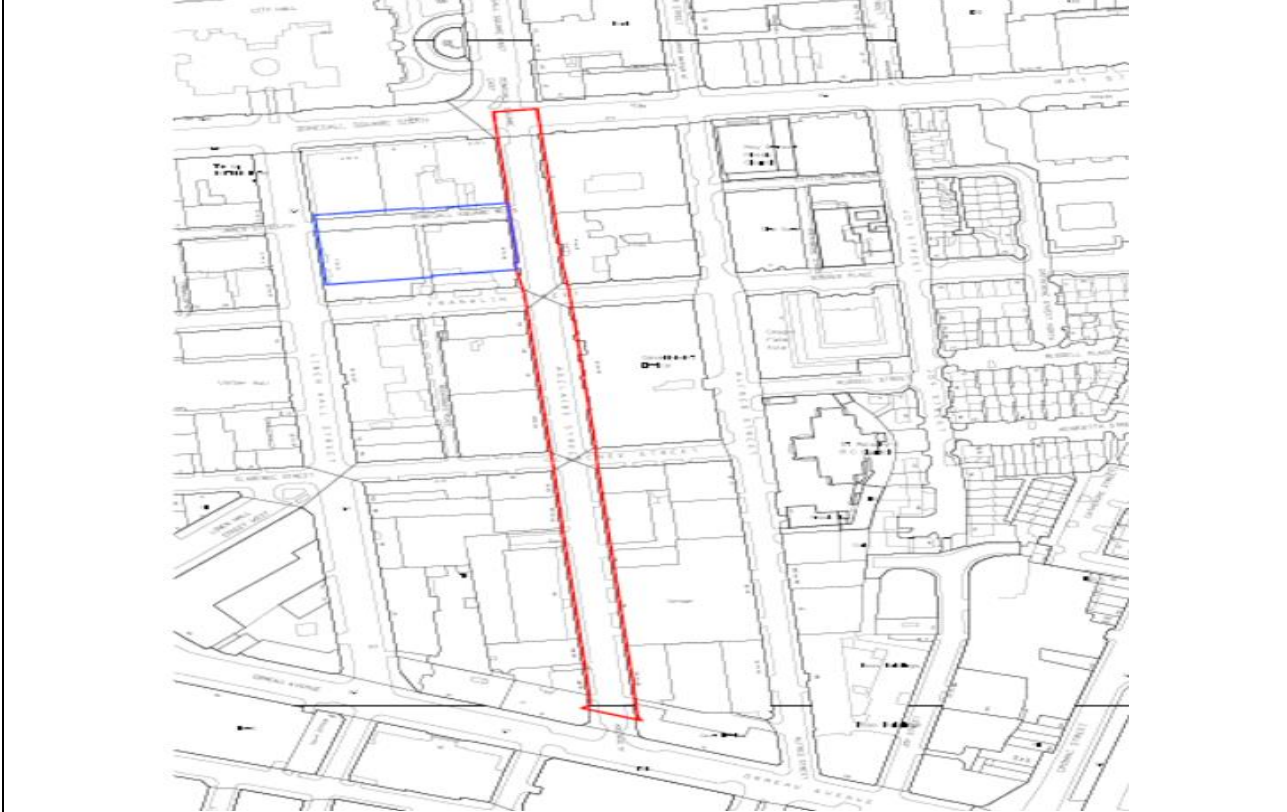
## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2021/0735/F	<b>Committee Meeting Date:</b> 15 <sup>th</sup> June 2021
<b>Proposal:</b> Extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play (temporary 2 years)	<b>Location:</b> 8-83 Adelaide Street. Belfast BT2 8DJ
<b>Referral Route:</b> Belfast City Council is the applicant	
<b>Recommendation:</b>	<b>Approval subject to conditions</b>
<b>Applicant Name and Address:</b> City Regeneration and Development 9 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b>
<p><b>Executive Summary:</b></p> <p>The application seeks temporary planning permission (2 years) for the extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play.</p> <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>• Impact on the character and appearance of the Linen Conservation Area</li> <li>• Impact on Built Heritage</li> <li>• Impact on amenity</li> <li>• Impact on road safety</li> </ul> <p>The site is located within the Linen Conservation Area. Overall, the proposal would preserve the character and appearance of the area including the Conservation Area and would not be detrimental to the setting of nearby listed buildings, amenity of neighbouring properties or harmful to highway safety.</p> <p>The application has been neighbour notified and advertised in the local press, 1 objection has been received to date from the Department of Economy raising concern over accessibility and loss of amenity.</p> <p>Historic Environment Division, Environmental Health and Conservation and Heritage have been consulted and offer no objections. Whilst there is an outstanding consultation response from DFI Roads, they have indicated there is no objection in principle subject to detailed design drawings which are currently being reviewed by Roads.</p> <p>The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3 and PPS6. Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval.</p> <p><b>Recommendation – Approval subject to conditions</b></p>	

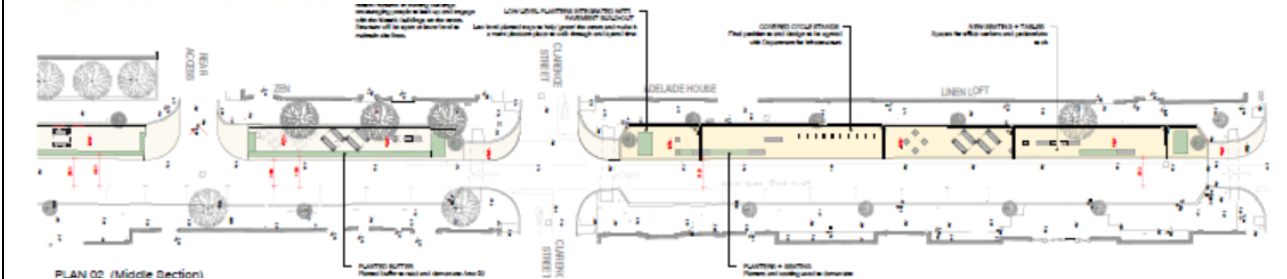
It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions subject to no objection from DFI Roads.

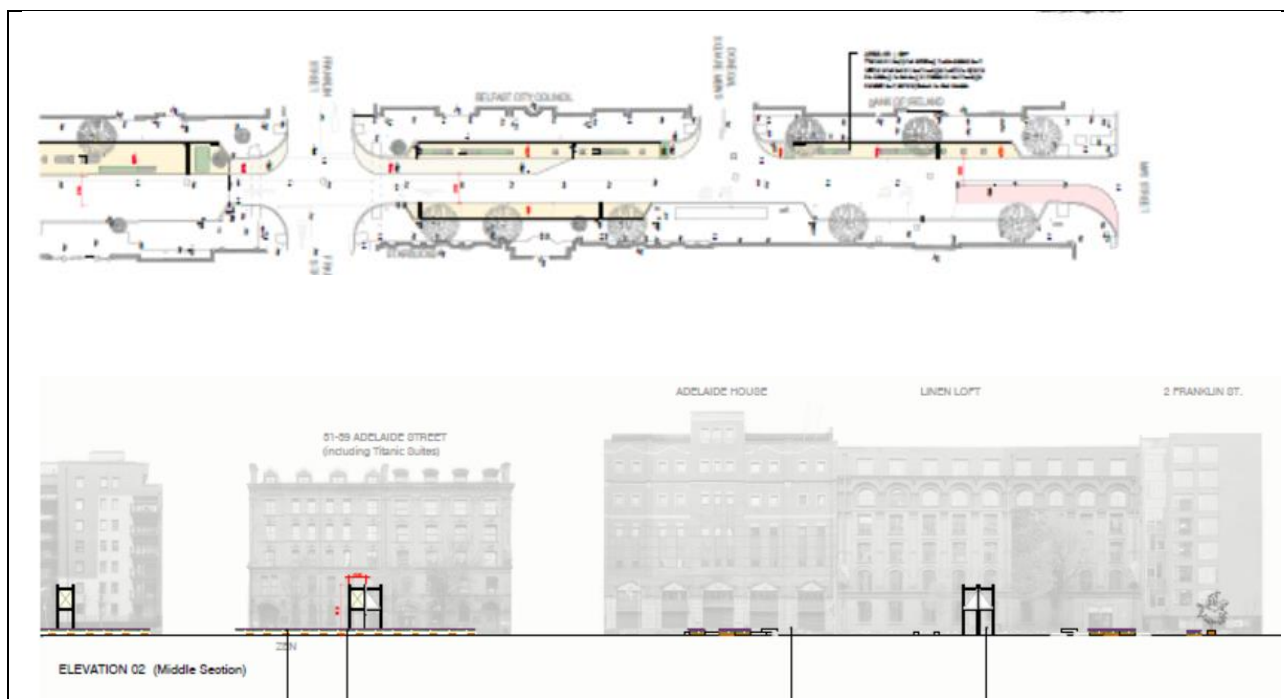
# Case Officer Report

## Site Location Plan



## PROPOSED SITE PLAN





## Characteristics of the Site and Area

<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	<p>Planning permission is sought for the temporary extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play (temporary 2 years).</p> <p>The proposed pavement extensions are located in the area of the existing parking spaces along the west side of the street. In addition, the pavement has been further extended to create external seating areas.</p> <p>The pavement extensions, seating and planting are distributed along almost the full length of the west side of Adelaide Street. The 'lantern' structures are located outside Margarita Plaza, Zen restaurant and the Linen Loft and the street furniture is to be placed solely on the newly extended part of the pavement.</p> <p>The lantern structures are open structures up to a height of 2.9m. Above this height, the rest of the structure is partially filled internally with a lantern. The proposed total height of the structures is 6.8m. The footprint of each structure is 2.26m x 2.26m. The height of the proposed street furniture and planters is less than 1m.</p> <p>The lantern structures will be a timber frame, fixed to buff coloured footings that can double up as seats. The lanterns will be coloured, perforated metal.</p>
<b>2.0</b>	<b>Description of Site.</b>
2.1	<p>City centre street with roadway and footpath to either side with street trees and streetlights along the footpath. The adjoining buildings are predominantly offices interspersed with a residential block, café and restaurant.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Planning History</b>
	<p>Z/2011/0246/F Outside No.2 Adelaide Street Belfast BT2 8GA, Replacement of two bus shelters outside No.2 and No.4 Adelaide Street with new bus shelter. Permission Granted 02.08.2011</p>

	<p>Z/2013/0837/F Adelaide Street opposite Donegall Square Mews. Eight bay Insignia type bus shelter to replace existing two bay shelter. Permission Granted 15.10.2013</p> <p>LA04/2018/0858/F Pavement outside 24-26 Adelaide Street, Belfast, BT2 8GD, 1 No. Smart Hub. Permission Granted 02.08.2018</p> <p>LA04/2018/0673/A Pavement outside 24-26 Adelaide Street, Belfast, BT2 8GD, Double sided digital display panel. Permission Granted 14.08.2018</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	<p><u>Planning policy framework and guidance included:</u></p> <p>Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 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>Regional Development Strategy 2035</p> <p>SPPS for Northern Ireland Planning for a Sustainable Environment</p> <p>Planning Policy Statement 3: Access, Movement and Parking</p> <p>Planning Policy Statement 6: Planning, Archaeology and The Built Heritage</p>
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	<p>DfI Roads Service – Awaiting final response</p> <p>HED - No objection</p>
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
	BCC Environmental Health – No objection with condition
<b>7.0</b>	<b>Representations</b>
7.1	<p>The application has been neighbour notified (286) and advertised in the local press. 1 representation has been received.</p> <p>The following issues were raised:</p> <ul style="list-style-type: none"> <li>- Accessibility</li> <li>- Loss of Amenity</li> </ul> <p>The points raised are addressed as follows:</p> <ul style="list-style-type: none"> <li>- There are no obvious obstructions that would create significant problems in terms of access and egress from the adjacent buildings with the existing footpath being retained. DfI Roads have offered no objections in terms of impacts on parking and road/ pedestrian safety. In addition, the car parking spaces have already been removed by DfI to support current social distancing measures along this side of Adelaide Street.</li> <li>- Given the modest scale and location of the proposed street furniture in relation to large adjoining buildings, there should be no significant impact on the amenity of the occupiers of adjacent buildings.</li> </ul>
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	<p>The Linen Quarter Vision and Guidance</p> <p>Belfast Agenda</p>

<b>9.0</b>	<b>Assessment</b>
9.1	<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>• Impact on the character and appearance of the Linen Conservation Area</li> <li>• Impact on Built Heritage</li> <li>• Impact on amenity</li> <li>• Impact on road safety</li> </ul>
9.2	<p><b>Principle of development:</b></p> <p>The site is within the settlement limits and city centre in the BUAP and both versions of draft BMAP. The site is also within the Linen Conservation Area. The presumption is in favour of development within the settlement limit and the SPPS advises that planning permission ought to be granted for sustainable development that accords with the area plan and causes no demonstrable harm to interest of acknowledged importance. The principle of developing the site is considered to be acceptable subject to compliance with other material considerations as set out below.</p>
9.3	<p><b>Impact on the character and appearance of the Linen Conservation Area</b></p> <p>The site falls within the Linen Conservation Area and therefore assessed against Policy BH12 of PPS6. Advice was sought from the Council's Conservation Team regarding potential impacts upon the character of the conservation area. They have stated the structures are sufficiently distanced from key buildings to ensure that they do not obscure or compete with the surrounding historic vistas and views of historic buildings. The scheme will encourage street usage/footfall and contribute to the ongoing vitality of the area without resulting in detriment or demonstrable harm on the existing historic assets. Proposal is therefore considered to accord with Policy BH12 of PPS6 and the SPPS in this regard.</p>
9.4	<p><b>Impact on Built Heritage</b></p> <p>The proposal has been assessed against Policy BH11 of PPS6 in that the site abuts a number of listed buildings. HED has offered no objections in terms of the impact on the setting of any adjacent listed buildings. The proposal is for sympathetic environmental improvements of a nature and scale that would not detract from the built heritage in the area.</p>
9.5	<p><b>Impact on amenity</b></p> <p>Environmental Health Service considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations. The improvements are considered to be sympathetic in terms of their scale and their everyday use is not likely to create any significant noise and/ or disturbance in what is a busy city centre location. Although there are a number of residential properties facing onto the street, it is not anticipated that the use of the proposed street furniture will result in any significant impact on the amenity of these properties.</p>
9.6	<p><b>Impact on Road Safety and parking</b></p> <p>DfI Roads have requested further information relating to how vehicles can move and manoeuvre within the new roadway after alterations to the footpath have been carried out. Swept Path Analysis has been submitted to show how this is possible and DfI Roads has been reconsulted with this information. Whilst their response remains outstanding, they have indicated there is no objection in principle to the proposal subject to the detailed design. No objection has been offered from DfI roads in relation to a loss of a number of car parking spaces on the western side of Adelaide Street. Furthermore, the car parking spaces in question were removed by DfI Roads and are currently unavailable and have been for the past year to support social distancing measures.</p> <p><b>Conclusion:</b></p>

9.7	The proposal is considered on balance to be acceptable given the temporary nature of the use, and what is considered sympathetic interventions to the street scene, will have no detrimental impact on the character of the Linen Conservation Area, on surrounding built heritage or amenity.
<b>10.0</b>	<b>Summary of Recommendation: Approval Subject to Conditions</b>
10.1	Having regard to the policy context and other material considerations, it is concluded that the proposal is considered acceptable, subject to no objection being raised by DFI Roads. It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions subject to no objection from DFI Roads.
<b>11.0</b>	<b>Conditions and Informatives</b>
	<p>1. The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. All structures hereby permitted shall be removed within 4 weeks of the expiry of the permission.</p> <p>Reason: To enable Council to consider the development in light of circumstances then prevailing and this type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained as a permanent structure.</p> <p>2. 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.</p> <p>Reason: Protection of human health.</p>

<b>ANNEX</b>	
<b>Date Valid</b>	31 <sup>st</sup> March 2021
<b>Date First Advertised</b>	16 <sup>th</sup> April 2021
<b>Date Last Advertised</b>	16 <sup>th</sup> April 2021
<b>Elected representative Interest:</b> None	
<b>Neighbours notified &amp; Advertised :</b> 286 Neighbours	

<b>Date of Last Neighbour Notification</b>	26 <sup>th</sup> April 2021
<b>Date of EIA Determination</b>	<b>N/A</b>
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 Site Location Plan 02 Existing Site Layout 03 Existing Floor Plans 04 Existing Floor Plans 05 Existing Floor Plans 06A Block Plan 07A Proposed Floor Plans 08A Proposed Floor Plans 09A Proposed Floor Plans	
<b>Notification to Department (if relevant)</b> Date of Notification to Department: N/A Response of Department:	



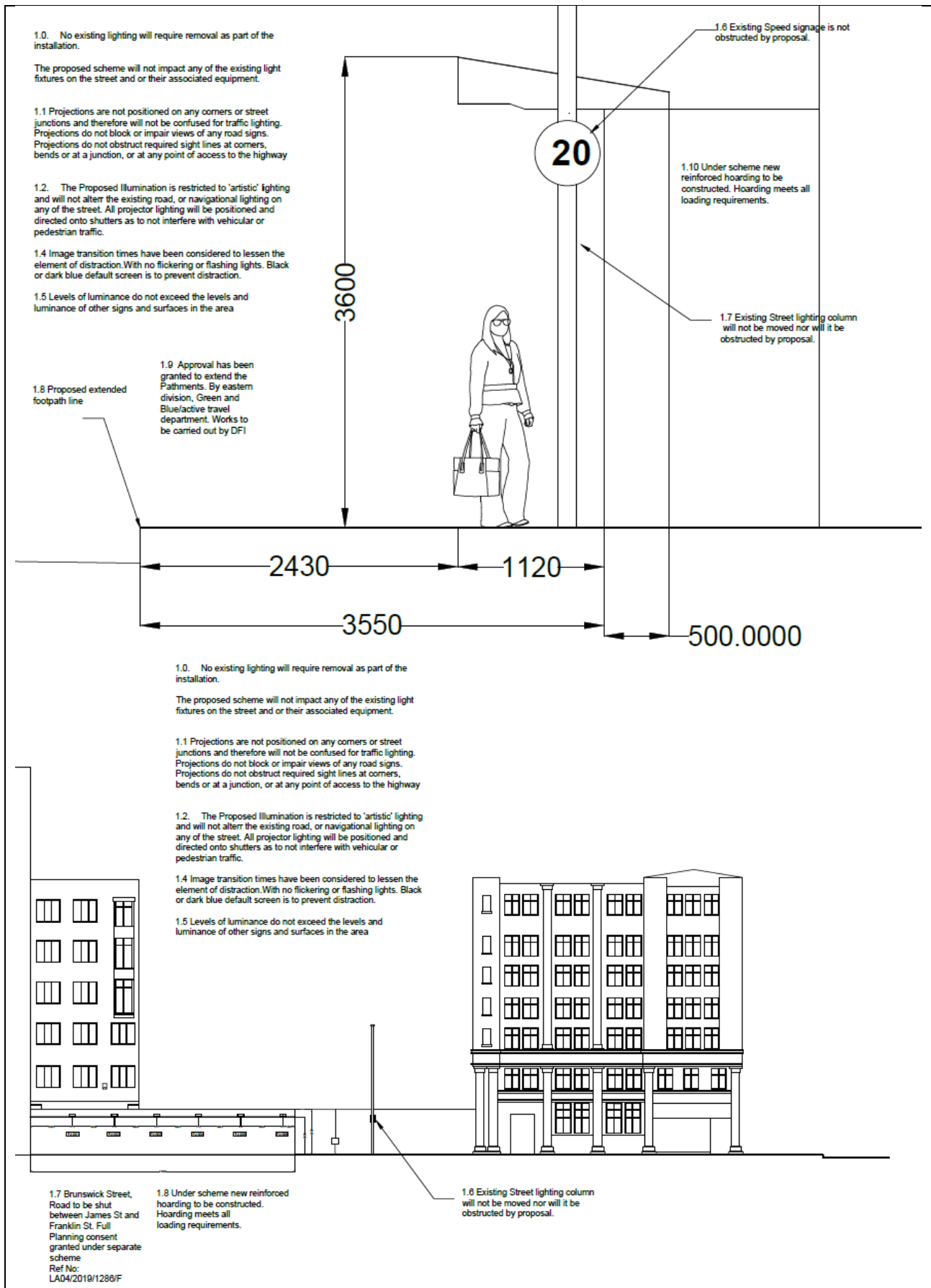
## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2021/0544/F	<b>Committee Date:</b> 15 <sup>th</sup> June 2021
<b>Proposal:</b> Installation of 6 projector units to create an interactive lighting installation along the hoarding of Brunswick Street (Temporary 2 years)	<b>Location:</b> 5-11 Brunswick Street Belfast BT2 7GE
<b>Referral Route:</b>	Application made by Belfast City Council
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> Urban Scale Interventions Portview Trade Centre 310 Newtownards Road Belfast, BT4 1HE
<p><b>Executive Summary:</b> Planning permission is sought for the installation of 6 projector units to create an interactive lighting installation along the hoarding of Brunswick Street for a temporary period of 2 years. This forms part of a citywide lighting strategy undertaken by Belfast City Council to create more welcoming, vibrant and safer places.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>• Impact on character and appearance of the area including Belfast City Centre Conservation Area</li> <li>• Impact on amenity</li> <li>• Impact on highway safety</li> </ul> <p>The application site lies within the development limits for Belfast. The site is located within Belfast City Centre Conservation Area. Overall, the proposal would enhance the character and appearance of the area including the City Centre Conservation Area and would not be detrimental to the amenity of neighbouring properties or harmful to highway safety.</p> <p>The application has been neighbour notified and advertised in the local press, no comments have been received to date. DFI Roads and BC Environmental Health have been consulted and offer no objections to the proposal. Whilst a consultation response from BCC Conservation and Heritage is outstanding, it is not considered that this presents any issue of principle as the proposal is similar to other projector units that have already been approved in the City Centre Conservation Area under references LA04/2019/2385/F and LA04/2019/2386/F.</p> <p>The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3 and PPS6. Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval for a temporary period of 2 years.</p> <p><b>Recommendation - Approve subject to conditions</b> It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>	

## Case Officer Report

### Site Location Plan





Characteristics of the Site and Area		
1.0	<b>Description of Proposed Development</b> The application is for the installation of 6 projector units to act as an interactive lighting installation along the hoarding of Brunswick Street. The application is to install projectors onto the hoarding at 5-11 Brunswick Street. The projector units will be attached to the hoarding on a short extension bracket. The content will be abstract visual content programmed by local Belfast artists.	
2.0	<b>Description of Site and Area</b> The application site is located at 5-11 Brunswick Street. The application site lies within the development limits for Belfast. The site is located within Belfast City Centre Conservation Area  The character of the area is representative of the city centre, defined by mainly commercial uses.	
Planning Assessment of Policy and other Material Considerations		
3.0	<b>Site History</b>  LA04/2020/2469/F (Road surface on Brunswick Street between James Street South junction and Franklin Street junction) Pedestrianised public space to include cafe/bar/storage container/canopy areas, performance stage, outdoor seating and associated works (temporary permission) (Under Consideration)  LA04/2020/2023/PAD (3-7 Brunswick Street) Proposal is for a meanwhile use of the space including hospitality stalls and temporary paving/decking and planting (Under Consideration)  LA04/2015/0800/F (5-7 Brunswick Street) Demolition of the existing building and construction of a new 9 storey office and retail building with roof level plant area (Permission Granted)  LA04/2015/0796/DCA (5-7 Brunswick Street) Demolition of existing multi-storey building (Under Consideration)	
3.1	<b>Enforcement History</b>  LA04/2020/0425/CA (5-7 Brunswick Street) Unauthorised demolition of building in Conservation Area (Negotiate to Resolve)	
4.0	<b>Policy Framework</b>	
4.1	Belfast Urban Area Plan 2001 (BUAP)	
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015  The extant development plan is 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.	
	Draft BMAP 2004	
	4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)	

	4.2.2	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 3: Access, Movement and Parking
4.6		Planning Policy Statement 6: Planning Archaeology and the Built Heritage
<b>5.0</b>		<b>Statutory Consultees Responses</b>
5.1		DFI Roads – no objection subject to condition and informatives
<b>6.0</b>		<b>Non-Statutory Consultees Responses</b>
6.1		BCC Environmental Health - No objection subject to informative
6.2		BCC Conservation & Heritage – awaiting a response
<b>7.0</b>		<b>Representations</b>
7.1		The application was neighbour notified on the 26 <sup>th</sup> April 2021. It was advertised in the local press on the 19 <sup>th</sup> March 2021. No representations have been received to date. Any further representations received will be reported as an update to committee.
<b>8.0</b>		<b>Other Material Considerations</b>
8.1		Belfast City Centre Conservation Area Design Guide Section 104 of the Planning Act (Northern Ireland) 2011
<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: <ul style="list-style-type: none"> <li>• Impact on the character and appearance of the surrounding area including Belfast City Centre Conservation Area</li> <li>• Impact on amenity</li> <li>• Impact on highway safety</li> </ul>
9.3		<p><u>Impact on the character and appearance of the area including Belfast City Centre Conservation Area</u></p> <p>The scale, form, materials and detailing of the projector units respect the adjoining buildings. At present Brunswick Street and the hoarding along the application site suffers from an uninviting presence with lack of lighting and activity. Furthermore, the hoarding which is already in situ, has been subject to vandalism and graffiti. The proposed interactive lighting installation would enhance the appearance of the street and the hoarding at night, making it safer and more attractive for pedestrians. Overall, the proposal complies with PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 2011 in that it would enhance the character and appearance of the area including the City Centre Conservation Area. The Conservation and Heritage Team have been consulted and any response will be reported to members in the update. Given that similar projector units have been approved in other parts of the City Centre Conservation Area under references LA04/2019/2385/F and LA04/2019/2386/F, it is not considered that this presents any issue of principle.</p>
9.4		<p><u>Amenity</u></p> <p>Given the commercial nature of the street, low-level lighting, the subtle changes of colour and motions and light being restricted to the hoardings with limited light spill and no glare, there will be no detrimental impact on the amenity of the adjoining properties in accordance with the SPPS. The BCC Environmental Health team were consulted as part of the application process and confirmed they have no objection to the proposal subject to an informative.</p>

9.5	<p><u>Impact on highway safety</u></p> <p>The projections will be illuminated in a discreet and subtle manner projecting directly onto the hoarding so as to not interfere with vehicular or pedestrian traffic. The projections do not block or impair views of road signs and do not obstruct required sight lines. As such, there will be no negative impact on highway safety and the proposal would comply with PPS3 and the SPPS in this regard. DFI Roads were consulted as part of the application process and have confirmed they have no concerns with the proposal subject to a condition and informatives.</p>
10.0	<p><b>Summary of Recommendation: Approval subject to conditions</b></p> <p>Having regard to the policy context and other material considerations, it is concluded that the proposal is considered acceptable. It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>
11.0	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>The approval is temporary for a period of 2 years from the date of this decision notice. The interactive lighting installation shall cease and all associated equipment must be removed within 4 weeks of the end date of this permission.  Reason: In the long-term interests of the character and appearance of the area.</li> <li>The proposal shall be erected as shown, and in accordance with the statements, on drawings No. 02B, 05B, and, 06B, all published on the planning portal 1st June 2021.  Reason: In the interests of road safety and the convenience of road users.</li> </ol> <p><b>Informatives</b></p> <ol style="list-style-type: none"> <li>The projectors shall not be opened to the public until the proposed hoarding, in which the projectors are to be housed, has been certified to the Department for Infrastructure's standards, by a Chartered Civil or Structural Engineer as having been designed and erected in accordance with the BD2 Technical Approval of Highway Structures: Volume 1: Design Manual for Roads and Bridges. To ensure that the hoarding is designed and constructed in accordance with BD2 Technical Approval procedures.</li> <li>Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required to be in possession of the Department for Infrastructure's consent, to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge).</li> <li>Any works undertaken on the public footway shall be carried out in accordance with the Street Works (Northern Ireland) Order 1995. The works must comply with all of the regulations and Codes of Practice currently in force. The initial requirement is to provide notification of the works. Therefore, prior to any works commencing, appropriate notice of the works must be made to the Statutory Functions Officer at the DfI Roads Section Office (Belfast South, 1a Airport Road, Belfast BT3 9DY, tel: 028 90254600) in the format prescribed in the "NIRAUC Code of Practice for the co-ordination of Street Works and Works for Road Purposes and Related Matters", available from The Stationary Office, Limited, ISBN 0-337-09478-0.</li> <li>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road/footway by vehicles travelling to and from the construction site. Any mud,</li> </ol>

	refuse, etc, deposited on the road/footway as a result of the development, must be removed immediately by the operator / contractor.
<b>Notification to Department (if relevant):</b> N/A	
<b>Representations from Elected members:</b> None	

<p><b>Details of Neighbour Notification (all addresses)</b></p> <p>The Owner/Occupier, 1, Franklin House, 12 Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 1-3 Howard House, Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 10 Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 10, 1-3 Howard House, Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 15 Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 15, Franklin House, 12 Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 16, Franklin House, 12 Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 17 Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 1st Floor, 1-3 Howard House, Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 3, 1-3 Howard House, Brunswick Street, Belfast, Antrim, BT2 7GE</p> <p>The Owner/Occupier, 30 Howard Street, Belfast, Antrim, BT1 6PF</p> <p>The Owner/Occupier, 32 Howard Street, Belfast, Antrim, BT1 6PF</p> <p>The Owner/Occupier, 38-40 , Howard Street, Belfast, Antrim, BT1 6PF</p> <p>The Owner/Occupier, 42 Howard Street, Belfast, Antrim, BT1 6PG</p> <p>The Owner/Occupier, 43 Franklin Street, Belfast, Antrim, BT2 7GG</p> <p>The Owner/Occupier, 44 Howard Street, Belfast, Antrim, BT1 6PG</p> <p>The Owner/Occupier, 46 Howard Street, Belfast, Antrim, BT1 6PG</p> <p>The Owner/Occupier,</p>
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48 Howard Street,Belfast,Antrim,BT1 6PG  
 The Owner/Occupier,  
 5,Franklin House,12 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 5th Floor,1-3 Howard House,Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 7 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 7 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 8 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 8,1-3 Howard House,Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 8,Franklin House,12 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 9,Franklin House,12 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 9-11 Frances House,Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 Franklin House,10 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 Franklin House,12 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 Franklin House,12 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 Ground Floor,14-16 Thomas House,James Street South,Belfast,Antrim,BT2 7GA  
 The Owner/Occupier,  
 Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
 The Owner/Occupier,  
 Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
 The Owner/Occupier,  
 Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PD  
 The Owner/Occupier,  
 Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PE  
 The Owner/Occupier,  
 Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PE  
 The Owner/Occupier,  
 Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PE  
 The Owner/Occupier,  
 Office 1,14-16 Thomas House,James Street South,Belfast,Antrim,BT2 7GA  
 The Owner/Occupier,  
 Office 2,14-16 Thomas House,James Street South,Belfast,Antrim,BT2 7GA  
 The Owner/Occupier,  
 Office 3,14-16 Thomas House,James Street South,Belfast,Antrim,BT2 7GA  
 The Owner/Occupier,  
 Offices 3rd Floor,Franklin House,12 Brunswick Street,Belfast,Antrim,BT2 7GE  
 The Owner/Occupier,  
 Room 28,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
 The Owner/Occupier,



Room 31,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PE  
The Owner/Occupier,  
Room 56-57,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PD  
The Owner/Occupier,  
Room 62,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Room 64,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Room 68,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Room 69,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Rooms 32-35,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Rooms 44a-44b,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Rooms 45a-45b & 45d,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Rooms 52-53,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB  
The Owner/Occupier,  
Rooms 58-59,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PD  
The Owner/Occupier,  
Rooms 70-71,Howard Buildings,26 Howard Street,Belfast,Antrim,BT1 6PB

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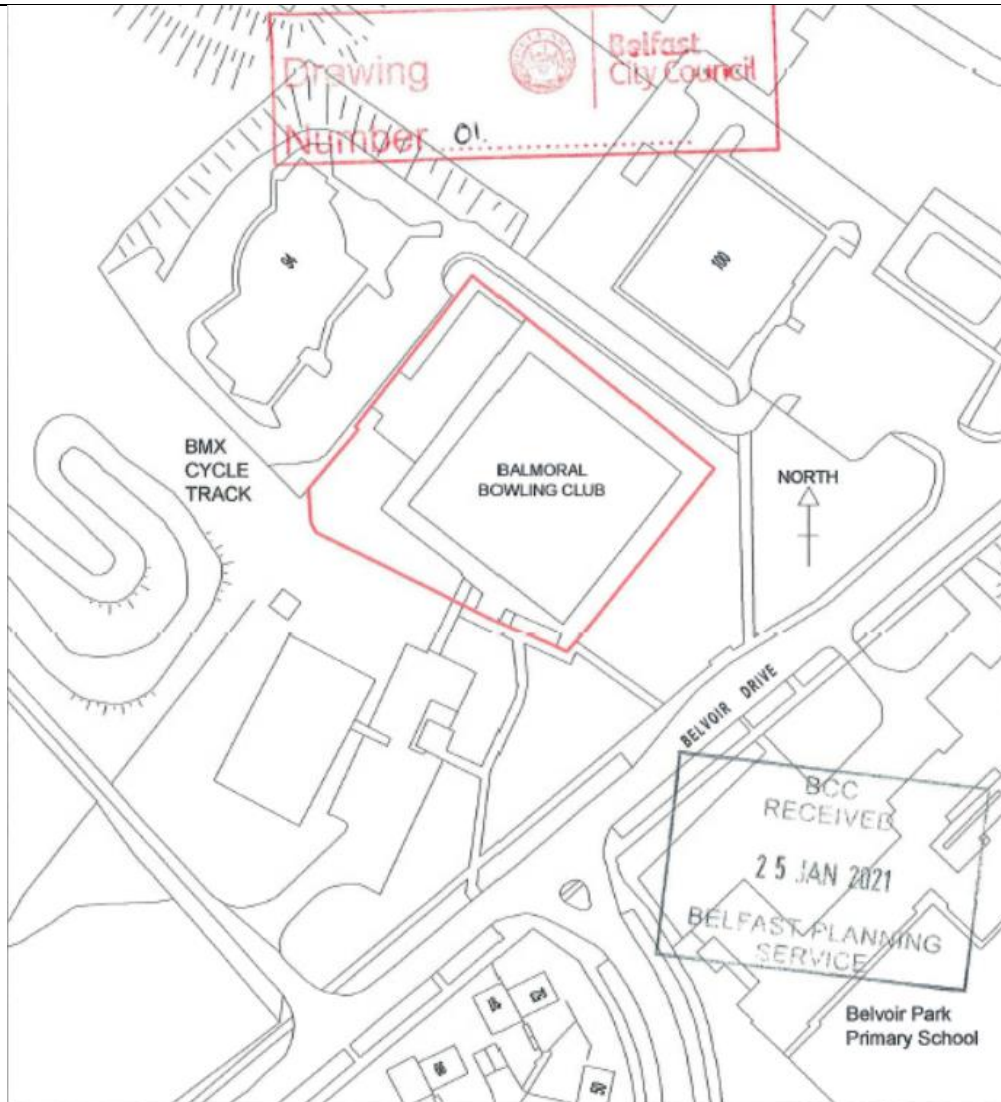
## Development Management Officer Report Committee Application

Summary	
<b>Application ID:</b> LA04/2021/0394/F	<b>Date of Committee:</b> 15 <sup>th</sup> June 2020
<b>Proposal:</b> Erection of floodlights (10m high) and ancillary equipment. Installation of scoreboard & water sprinkler system. Replacement paths & fittings around bowling green.	<b>Location:</b> Balmoral Bowling Club Belvoir Drive Belfast Co. Down BT8 7DT
<b>Referral Route:</b> Applicant is Belfast City Council	
<b>Recommendation:</b> Approve subject to conditions	
<b>Applicant Name and Address:</b> Belfast City Council Physical Programmes Department 9 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> Greg Seeley Consulting Ltd. i2 Innovation Centre 73 Charlestown Road Craigavon BT63 5PP
<p><b>Executive Summary:</b> Full planning permission is sought for the erection of 4 no of 10m high floodlights and ancillary equipment, installation of scoreboard &amp; water sprinkler system. Replacement path &amp; fittings around bowling green at Balmoral Bowling Club.</p> <p>The key issues in assessment of the proposed development are:</p> <ul style="list-style-type: none"> <li>• Impact on residential amenity</li> <li>• Impact on the character and appearance of the area</li> <li>• Public safety</li> </ul> <p>The proposal involves the upgrade of an existing facility which would accord with one of the core planning objectives of the SPPS to improve health and well-being. In principle, there is no objection to the erection of the floodlights, score board and sprinkler system and upgrade of pathways. It will provide greater visibility and an improved facility for those using the bowling green, allowing for a safe and secure site. Proposal accords with Policy OS7 of PPS8.</p> <p>Environmental Health are satisfied that the predicted level of light will not be obtrusive. DAERA Natural Environment Division are satisfied the floodlights will not harm bat/ badger activity in the vegetated borders.</p> <p>Northern Ireland Electricity (NIE) advised they had concerns the floodlights may interfere with nearby overhead lines. The applicant has been in discussions with NIE who have since confirmed that the proposal meets the clearance distances. On this basis, no issue is raised.</p> <p>No representations have been received.</p> <p><b>Recommendation – Approval</b></p> <p>Having regard to the development plan, policy context and other material considerations, the proposal is considered acceptable and approval of planning permission is recommended subject to conditions which are included in the report below.</p>	

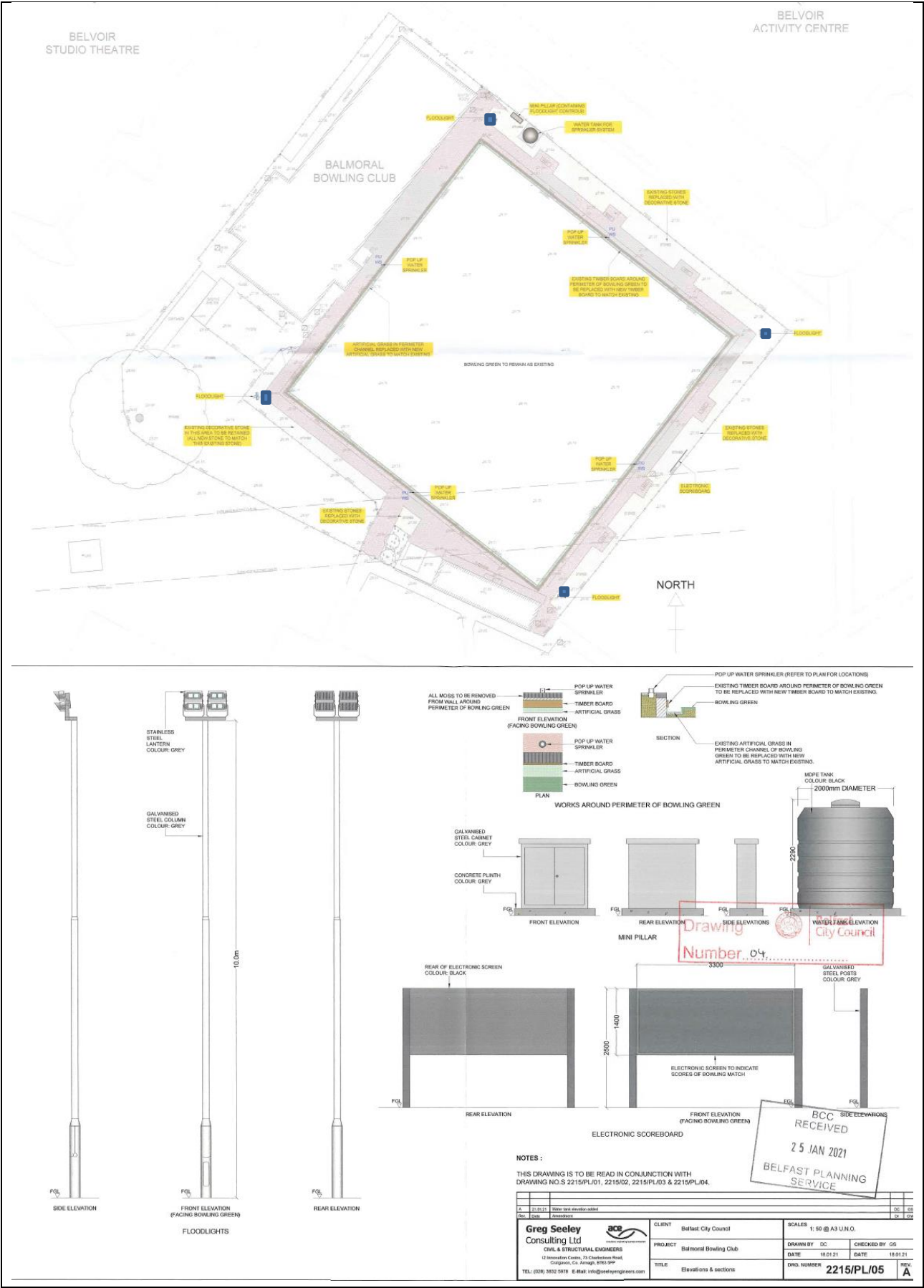
It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.

## Case Officer Report

### Site Location Plan



EASTING, NORTHING: 333800, 3690500



Characteristics of the Site and Area	
<b>1.0</b>	<p><b>Description of Proposed Development</b></p> <p>The application is seeking full planning permission for the erection of floodlights (10m high) and ancillary equipment, along with the installation of a scoreboard &amp; water sprinkler system and replacement paths &amp; fittings around the bowling green.</p> <p>There are 4 no. poles proposed on which the floodlights are to be attached, one in each corner of the bowling green. 2no. lights on each pole will be mounted at a height of 10m. The new electric score board is to be located on the south east side of the green at a height of 2.5m. Existing timber board around the perimeter of the bowling green is to be replaced with new timber board and sections of the perimeter path is to be replaced/ upgraded with similar paving.</p>
<b>2.0</b>	<p><b>Description of Site</b></p> <p>The Bowling Club is located on the north edge of Belvoir estate adjacent to Belvoir Studio Theatre, Belvoir Activity Centre, Forestside Church and a playground. The site is on the edge of Lagan Valley Regional Park, forest and greenery set the backdrop to the club. The nearest residential property is to the south of the club on the opposite side of Belvoir Road at a distance of 65m from the bowling club.</p> <p>Within the club curtilage, the bowling clubhouse is located to the north west of a sunken square bowling green; a store is located in the southwest corner. A neat paved path meanders around the perimeter of the green.</p>
Planning Assessment of Policy and other Material Considerations	
<b>3.0</b>	<p><b>Site History</b></p> <p><b>Y/2002/0138/F</b> - Balmoral Bowling Club, Belvoir Drive, Belvoir Park, Belfast. Alteration and extension to existing covered storage area and store to provide changing rooms and store - Permission granted 02.05.2002.</p> <p><b>Y/1997/0082/F</b> Balmoral Bowling Club, Belvoir Drive, Belvoir Park, Belfast. Renewal of permission for temporary bowling club. Permission granted</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Regional Development Strategy RDS 2035
4.2	Strategic Planning Policy Statement NI 2015
4.4	Belfast Urban Area Plan 2001
4.5	Draft Belfast Metropolitan Area Plan 2004
4.6	Draft Belfast Metropolitan Area Plan 2015
	4.6.1 Policy COU 10 – Development proposals outside the Metropolitan Development Limit and Settlement Development Limits and in Lagan Valley Regional Park
4.7	Planning Policy Statement (PPS) 2 Natural Heritage
4.8	<p>Planning Policy Statement (PPS) 8 Open Space, Sport and Outdoor Recreation.</p> <p>Policy OS7 The Floodlighting of Sports and Outdoor Recreational Facilities - <i>The Department will only permit the development of floodlighting associated with sports and outdoor recreational facilities where all the following criteria are met: (i) there is no unacceptable impact on the amenities of people living nearby; (ii) there is no adverse impact on the visual amenity or character of the locality; and (iii) public safety is not prejudiced.</i></p>
4.9	<p>Planning Policy Statement (PPS) 21 Sustainable Development in the Countryside Policy CTY1 Development in the Countryside - <i>There are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Details of these are set out below. Other types of development will only be permitted</i></p>

	<p><i>where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. All proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental.</i></p> <p><i>Non-Residential Development</i></p> <p><i>Planning permission will be granted for non-residential development in the countryside in the following cases:</i></p> <ul style="list-style-type: none"> <li><i>• farm diversification proposals in accordance with Policy CTY 11;</i></li> <li><i>• agricultural and forestry development in accordance with Policy CTY 12;</i></li> <li><i>• the reuse of an existing building in accordance with Policy CTY 4;</i></li> <li><i>• tourism development in accordance with the TOU Policies of PSRNI;</i></li> <li><i>• industry and business use in accordance with PPS 4 (currently under review);</i></li> <li><i>• minerals development in accordance with the MIN Policies of PSRNI;</i></li> <li><i>• <b>outdoor sport and recreational uses in accordance with PPS 8;</b></i></li> <li><i>• renewable energy projects in accordance with PPS 18; or</i></li> <li><i>• a necessary community facility to serve the local rural population.</i></li> </ul> <p><i>There are a range of other types of non-residential development that may be acceptable in principle in the countryside, e.g. certain utilities or telecommunications development. Proposals for such development will continue to be considered in accordance with existing published planning policies.</i></p>
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	<p>DAERA Natural Environment Division (NED) – No objection subject to condition. Bats are nocturnal species and are highly sensitive to artificial lighting in their environments. This can have a significant adverse effect on their natural behaviour such as foraging or commuting, causing disturbance and/or displacement and affecting their ability to survive. Illumination of a bat roost can also prevent or delay emergence from the roost, reducing the time available for foraging and potentially leading to starvation and/or abandonment of the roost. Artificial illumination of trees, hedgerows and waterways can have a particularly negative impact. Badgers are also highly sensitive to artificial lighting in their environments. NED note the mature tree located in the western corner of the site and the vegetated borders to south-east and north-east of the Bowling Green which may support protected species such as bats and badgers. NED recommend that light spill of less than 1 LUX is cast upon the mature tree and onsite vegetation.</p>
5.2	<p>DAERA Water Management Unit and Inland Fisheries raised no objection and advised the applicant to familiarise themselves with standing advice regarding surface water at the site - If there is an intention to discharge any effluent (i.e. surface water) from the proposed development via a Northern Ireland Water (NIW) or privately owned surface water drain, the surface water drain may discharge directly to a watercourse. Discharge Consent under the terms of the Water (NI) Order 1999 may be required.</p> <p>Upgrading the water sprinkler system is not likely to account for an increase in volume of water/effluent discharged from the bowling green.</p>
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	<p>BCC Environmental Health (EH)</p> <p>EH is satisfied that the proposed level of lighting complies with the Institute of Lighting (ILP) guidance in relation to the control of obtrusive lighting due to separation distances between the proposed lighting and residential receptors.</p>
6.2	<p>NIE</p> <p>Objection, noted the bowling green has 'Extra High Voltage' (EHV) overhead lines and associated equipment in the area of the proposal. NIE is concerned that the proposal may (during</p>



	construction and/or following completion) infringe on safety clearances required between its equipment and any building or structure.
<b>7.0</b>	<b>Representations</b> The application has been neighbour notified and advertised in the local press. No comments have been received.
<b>8.0</b>	<b>Other Material Considerations</b> Belfast Agenda
<b>9.0</b>	<b>Assessment</b>
	<b>Principle of Development</b>
9.1	The site is located within the development limit and Lagan Valley Regional Park in the Belfast Urban Area Plan (BUAP) 2001. It is just outside the City's development limits within an Area of Outstanding Natural Beauty (AONB) and Lagan Valley Regional Park in both draft Belfast Metropolitan Area Plans 2004 & 2015.
9.2	Upgrading the bowling clubs' facilities is in keeping with the development plan designations, particularly policy COU10 in dBMAP – in that it is related to an existing use and will not adversely affect the character of the Park, the landscape quality features or visual amenity.
9.3	As the proposal is within the countryside, the proposal should be considered within the parameters of PPS21 Sustainable Development in the Countryside. PPS21 allows for non-residential development for outdoor sports and recreational uses in accordance with PPS8 - Open Space, Sport and Outdoor Recreation.
	<b>Impact on Residential Amenity</b>
9.4	There is a significant separation distance between the bowling club and residential properties. EH are satisfied that residents will not be impacted by light pollution as there would be a minimum separation distance of 65m from the most southerly floodlight and the nearest residential properties at 96 Belvoir Drive and 52 Grays Park. Residential amenity will not be negatively affected by this upgrade. In line with Policy OS7 of PPS 8 - there is no unacceptable impact on the amenities of people living nearby.
	<b>Impact on the character and appearance of the area.</b>
9.5	The Bowling Club is set with the Lagan Valley Regional Park as its backdrop. The 10m high floodlight columns will be well set in from the road and will be read against the existing vegetation and clubhouse buildings which will ensure they will not appear unduly prominent in the landscape. The submitted light spillage plan indicates that the majority of light spill is contained within the site itself. In addition, the floodlighting is subject to a timing condition. Other improvement works are proposed – replacing timber perimeter boarding and upgrading pathways which will improve the appearance of the club. The character and appearance of the area will be maintained. The proposal will therefore accord with Policy OS7 of PPS8 and Policy NH2 of PPS8 as it will have no adverse impact on the visual amenity or character of the locality.
	<b>Natural Heritage</b>
9.6	Consultees are satisfied that the upgraded floodlighting and associated works will not harm wildlife of the wider regional park. However, they raised concern with regard to a specific tree and hedging along the boundary of the site and have imposed a condition regarding the maximum brightness which the floodlight can emit to protect bats and badgers should they be living in or passing through the bowling facility. On this basis, the proposal is considered to accord with Policy NH2 of PPS2.

9.7	<p><b>Public Safety</b></p> <p>Policy OS7 of PPS8 allows planning permission to be granted for development of floodlighting associated with sports and outdoor recreational facilities where public safety is not prejudiced. NIE advised they had concerns that the 10m high floodlights may interfere with nearby overhead power lines. The applicant advised that these matters have already been discussed with NIE engineering department. Correspondence from NIE has since confirmed that the proposal meets the clearance distances. On this basis, the proposal is considered acceptable.</p>
10.0	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions. It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>
10.1	<p><b>Summary of Recommendation: Approval</b></p>
11.0	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>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>The levels of illumination / light spill of the floodlighting is to be agreed in writing with the Planning Authority in relation to the tree located in the west corner of the site and the vegetated border to the south east and north west of the bowling green.  Reason: To protect Bats and Badgers.</li> <li>The flood lights shall not be operational beyond 10pm Monday to Sunday.  Reason: In the interests of visual amenity.</li> </ol> <p><b>Informatives</b></p> <ol style="list-style-type: none"> <li>The operation of all external lighting to the hereby permitted development should be designed, installed and maintained so that vertical lux limits both before and after 11pm at nearby sensitive premises are not exceeded as specified the relevant industry guidance produced by the Institute of Lighting Professional in 2011: 'Guidance notes for the reduction of Obtrusive Light'.</li> <li>The applicant's attention is drawn to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence: <ol style="list-style-type: none"> <li>Deliberately to capture, injure or kill a wild animal of a European protected species, which includes all species of bat;</li> <li>Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;</li> <li>Deliberately to disturb such an animal in such a way as to be likely to - <ol style="list-style-type: none"> <li>affect the local distribution or abundance of the species to which it belongs;</li> <li>Impair its ability to survive, breed or reproduce, or rear or care for its young; or</li> <li>Impair its ability to hibernate or migrate;</li> </ol> </li> <li>Deliberately to obstruct access to a breeding site or resting place of such an animal; or</li> <li>To damage or destroy a breeding site or resting place of such an animal.</li> </ol> <p>If there is evidence of bat activity / roosts on the site, all works should cease</p> </li> </ol>

immediately and further advice sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel. 028 9056 9558 or 028 9056 9557

3. The applicant's attention is drawn to Article 10 of the Wildlife (Northern Ireland) Order 1985 (amended) under which it is an offence to intentionally or recklessly:

- ☐ kill, injure or take any wild animal included in Schedule 5 of this Order, which includes the badger;
- ☐ damage or destroy, or obstruct access to, any structure or place which badgers use for shelter or protection;
- ☐ damage or destroy anything which conceals or protects any such structure;
- ☐ disturb a badger while it is occupying a structure or place which it uses for shelter or protection.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

If there is evidence of badger on the site, all works should cease immediately and further advice sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel. 028 9056 9558 or 028 9056 9557.

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

**Representations from Elected members: None**

<b>ANNEX</b>	
<b>Date Valid</b>	29th January 2021
<b>Date First Advertised</b>	5th March 2021
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, Belvoir Activity Centre, 100 Belvoir Drive, Belfast, Down, BT8 7DT The Owner/Occupier, Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, Down, BT8 7FR	
<b>Date of Last Neighbour Notification</b>	29th March 2021
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No