

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



**Belfast  
City Council**

7th September, 2021

## **MEETING OF PLANNING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in a hybrid format (both remotely and in person) in the Council Chamber on Tuesday, 14th September, 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 - 36)
- (c) Declarations of Interest

### **2. Committee Site Visits (Pages 37 - 38)**

### **3. Planning Appeals Notified (Pages 39 - 40)**

### **4. Planning Decisions Issued (Pages 41 - 76)**

### **5. Abandonments (Pages 77 - 84)**

### **6. Planning Applications**

- (a) (Reconsidered Item) LA04/2020/0857/F - Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15 No. residential units, office space and ancillary development at Ormeau Centre, 5-11 Verner Street - *Withdrawn from agenda* (Pages 85 - 106)

- (b) (Reconsidered Item) LA04/2020/1360/F - Demolition of existing church hall and construction of 9.no apartments at 491-495 Lisburn Road (Pages 107 - 120)
- (c) (Reconsidered Item) LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally (Pages 121 - 148)
- (d) (Reconsidered Item) LA04/2021/1595/F - Re-placing existing kiosk with upgraded kiosk on Lands in front of Calvert House including covered area at 23 and 17 Castle Place
- (e) (Reconsidered Item) LA04/2020/2280/F - Mixed use development comprising 1 ground floor retail unit and 13 apartments, associated amenity space, landscaping and all other site works at 93-95 Falls Road (Pages 149 - 168)
- (f) LA04/2019/1886/F - 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works at 42-50 Ormeau Road (Pages 169 - 182)
- (g) LA04/2021/0173/F - Alterations and extension to create new consulting and therapy rooms with plant relocated to roof at 193 Belmont Road (Pages 183 - 190)
- (h) LA04/2020/1959/F - parkland (Section 2 Forthmeadow Community Greenway) - foot and cycle pathways, lighting columns, new entrances and street furniture on vacant land bounded by the Forthriver Industrial Park in the east, Springfield Road to the South and Paisley Park & West Circular Road & Crescent to the West. Area also includes links through the Forthriver Industrial Park to Woodvale Avenue, land at Springfield and the Junction of West circular Road & Ballygomartin Road.
- (i) LA04/2020/2307/F - Upgrade to existing park entrances and lighting in Falls Park and is bounded by Falls Road Belfast City Cemetery & property at Divis Drive (Pages 191 - 198)
- (j) LA04/2021/0169/F - Upgrade to existing park entrances and lighting on site bounded by Whiterock Road Whiterock Leisure Centre and by property boundaries at Ardmonagh Gardens Whiterock Grove & Bleach Green Terrace (Pages 199 - 206)
- (k) LA04/2021/1777/F - New glazed entryway and windows, seating area covered by canopy. Integral planting and existing trees retained - Townsend Enterprise Park Limited, 28 Townsend Street (Pages 207 - 212)

## 7. **Miscellaneous Items**

- (a) Response to 'Conservation Principles - Guidance for the sustainable management of the historic environment in Northern Ireland'

- (b) Updated Schedule of Planning Committee Workshops (Pages 213 - 216)

8. **Restricted Items**

- (a) Response to 'Draft Development Practice Note 11- Receipt of Independent Examination Report and Adoption of a Development Plan' (Pages 217 - 234)
- (b) Financial Reporting - Quarter 1 2021 / 2022 (Pages 235 - 242)

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## Planning Committee

Tuesday, 17th August, 2021

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

- Members present: Councillor Maskey (in the Chair);  
Councillors Brooks, Carson, Matt Collins,  
Garrett, Hussey, Hutchinson, McCullough,  
McMullan, Murphy, O'Hara and Whyte.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. E. Baker, Planning Manager  
(Development Management);  
Ms. N. Largey, Divisional Solicitor;  
Mrs. S. Steele, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

#### **Apologies**

Apologies for inability to attend were reported from Councillors Groogan and Hanvey.

#### **Minutes**

The minutes of the meetings of 15th and 24th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

#### **Declarations of Interest**

Councillor McCullough declared an interest in Item 7f – Hillview, in that he had been involved in public and private meetings with residents in respect of the application, and he did not participate in the discussion or vote.

Councillors Brooks and McMullan advised the Committee that, in relation to Item 7m – C. S. Lewis Square, they were Council appointments to the EastSide Partnership but clarified that, as they did not have a pecuniary interest, they remained in the meeting for the duration.

Councillor O'Hara declared an interest in Item 7f – Hillview, in that, a number of years before he had been elected as a Councillor, he had supported PPR Project's campaign for housing at the site in question but that had been before the current planning application had been lodged. Upon seeking legal advice, the Divisional Solicitor clarified that, while it was up to the Member, she was content that, as long as he would consider

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the application with an open mind and without prejudice, he could participate in the discussion and vote on the item.

**Committee Site Visit**

The Committee noted that a site visit had taken place, on 10th August, to the following site:

- 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.

**Quarter 1 Finance Update**

The Members recommended that, in accordance with the Council decision of 4th May, the Chief Executive would exercise her delegated authority to:

- note the report and agree the 2020/21 balances;
- agree to the year-end surplus of £5.4m being made available for re-allocation; and
- retain the annual allocation of £500k for the summer diversionary festival programme with the purpose of running it later in the year.

**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 June and 9th August 2021.

**Vesting Order and Abandonment**

The Members recommended that, in accordance with the Council decision of 4th May, the Chief Executive would exercise her delegated authority to note that:

- NIHE had submitted a notice of application for a Vesting Order of Lands at Block 34g Corrib Avenue, under Local Government Act (NI) 1972 The Housing (NI) Order; and
- DFI Roads was proposing to abandon 1000.476 sq metres of Adam Street, at its junction with Duncairn Gardens to Upper Canning Street Under Article 68 (1) of the Roads (NI) Order 1993.

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**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 three applications had been withdrawn from the agenda:

- (Reconsidered Item) 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;
- LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally; and
- LA04/2021/1595/F - Lands in front of Calvert House – Re-placing existing kiosk with upgraded kiosk which includes covered area at 23 and 17 Castle Place

The Committee also agreed to undertake a pre-emptive site visit in respect of application LA04/2019/0775/F.

**(Reconsidered Item) LA04/2020/2280/F - Mixed  
use development comprising 1 ground floor retail  
unit and 13 apartments, associated amenity space,  
landscaping and all other site works at 93-95 Falls Road**

Before presentation of the application commenced, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.

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

**LA04/2020/1858/F - 18 social housing units  
at Hillview Retail Park**

(Councillor McCullough, having declared an interest, left the meeting at this point in proceedings and did not participate in the vote)

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The Principal Planning officer outlined the key aspects of the application for the erection of 18 social houses comprising two different rows of housing. She explained that the site had an area of 0.41 hectare and was 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 application site was unzoned whiteland within the development limits in BUAP and was located within a proposed district centre designation (BT017/2) in draft BMAP 2004.

The Members were advised of the main issues which had been considered during the assessment of the application, including:

- the principle of the proposal at the location;
- design, layout and impact on the character and appearance of the area;
- impact on residential amenity for existing and prospective residents
- impact on built heritage;
- access, parking, and transport;
- infrastructure capacity; and
- impact on human health.

The Principal Planning officer explained that District Centres were characterised by predominantly retail and commercial uses, acting as key service centres for surrounding communities. She reported that the proposal would result in a loss of space for that use and, therefore, the principle of the proposal was unacceptable on the basis that the site was within a zoned district centre and was also incompatible with adjacent land uses.

She outlined that the proposed residential use was incompatible with the adjacent land use which consisted of the retail units, service yards and the large areas of hardstanding for the car park. As such it was considered that housing at the location was unacceptable.

The Members were also advised that the layout and density proposed would result in overdevelopment of the site and that was contrary to the SPSS and Policy QD 1 of PPS 7 Quality Residential Development. The members were advised that it would result in unacceptable damage to the local character and would create an undesirable living environment for prospective residents by way of the poor layout, overlooking and inadequate amenity provision. She added that the scheme also failed to promote the safety and surveillance for prospective residents due to its location along an interface wall and within a retail park.

The Principal Planning officer outlined that 220 objections had been received in respect of the application, including objections from Mr. William Humphrey MLA, Alderman Kingston and Councillors Verner, Pankhurst and McCullough. The objections related to the use of the retail site for housing, impact on community issues, safety concerns, contrary to wider planning policy, inappropriate layout and impact on the character of the area, poor outlook onto a peace wall, inadequate amenity provision, design and layout create conflict with adjacent land uses, impact on residential amenity, overlooking, particularly at the north western corner of the site, the potential of increased crime and compromised personal safety given the sensitive location of the site and

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inequality amongst provision of housing for different parts of the local community. The Members noted that the issues raised had been addressed within the Case Officer's report.

She advised that a letter of support had been received from a resident of the greater North Belfast area who welcomed much needed housing in the area. She also drew the Members' attention to the Late Items pack, which included correspondence that had been received from John Finucane MP, Gerry Kelly MLA and Carál Ní Chuilín MLA in support of the application. The points raised included that the waiting list for social housing in North Belfast consisted of over 4,500 applicants, demand for housing in the north of the city outstripped supply and the availability of land was one of the key barriers to addressing the housing problem, the proposal represented a positive approach to the supply of housing as it was adjacent to existing housing and would offer a good mix with the existing commercial offerings.

The Chairperson welcomed Ms. Ni Chuilin MLA to the meeting. She advised the Members that:

- she was in support of the application for social housing in North Belfast, where over 4,000 people were on the waiting list;
- she welcomed the fact that planners were concerned about people living beside an interface, however, given the fact of high housing need in North Belfast and that it was a mixed-use development, she would welcome more housing units within it;
- while it was whiteland in both BMAP and BUAP, where there were opportunities to have mixed use sites, they should be taken;
- there should be an ambition to make the site more accessible by green transport measures;
- she felt it was disappointing that applications for housing on that side of the Crumlin Road were met with numerous objections;
- a person's perceived religion, political opinion, gender, nor sexuality should come into the decision process for whether an application was acceptable or not; and
- that North Belfast should be a place where everyone could live, work and shop in.

In response to a Member's question, Ms. Ni Chuilin advised that she had spoken with the Northern Ireland Housing Executive (NIHE) last week in relation to the application and that the NIHE had indicated that it was supportive of the housing scheme. She advised that she was unsure, therefore, as to why the status of the housing had not been confirmed as social housing in writing, either by planning officers or by the applicant.

In response to a further question, she explained that the application had been designed based on the understanding that the site would consist of a retail frontage with housing at the back and that contiguous access to the wider Ardoyne area and the Crumlin Road was required.

A Member asked officers to clarify whether the development was for social housing or not. The Principal Planning officer confirmed that the applicant was not a

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social housing provider and that no evidence had been submitted to illustrate that the units would be taken on by a social housing provider.

The Members were advised that the Historic Environment Division (HED) and NI Water had been consulted and had no objections to the proposal. DFI Roads had advised that the proposals were unacceptable and Environmental Health and Rivers Agency required further information.

The Principal Planning officer explained that DFI Roads had been consulted on the proposal and had advised that the application in its present form was unacceptable. DFI Roads had made a number of comments in relation to the proposal, including that the red line did not contain sufficient areas to deliver the required works, a fully adopted road and footways would need to be delivered to serve the development, adequate visibility splays would need to be provided which might not be achievable due to trees and a wall and that a Travel Plan and a Transport Assessment Form were required.

It was considered that the proposal was contrary to Planning Policy Statement 7: Quality Residential Environments: Policy QD1, in that the applicant had failed to demonstrate an acceptable road layout and parking arrangement in accordance with the guidance contained within 'Creating Places' and it was also contrary to the SPPS and policies AMP 1 and AMP2 of PPS3.

A Member pointed out that DFI Roads had advised that it required additional information in order to make a further assessment of the proposal. The Principal Planning advised the Members that further information was not requested from the applicant, given that the proposal was considered fundamentally unacceptable in principle by officers and to request such information would put the applicant to unnecessary expense. She explained that, in line with the Council's Planning Operating principles, it was deemed appropriate to determine the application based on the information received to date.

Additionally, the Principal Planning officer outlined that the applicant had failed to include a drainage assessment as part of the application and that Rivers Agency had requested further information. Again, as there were fundamental concerns with the proposal, it was considered not to request additional information from the applicant and to proceed with a determination based on the original submission.

Environmental Health had expressed concerns with the proposal relating to contamination, air quality and noise, and set out that the necessary assessments and reports had not been submitted with the application and would be required to make a full assessment of the impacts. Similarly, as there were fundamental concerns with the proposal and, in line with the Council's operating principles, it was considered not to request additional information from the applicant and to proceed with a determination based on the original submission. As such it was considered that the proposal would have an adverse impact on prospective residents and was therefore contrary to the SPPS and PPS 7 Policy QD 1 Criteria (h) in that the proposed development would cause demonstrable harm to interests of acknowledged importance.

A Member stated that he had concerns with the approach taken by officers. He argued that surely the principle of the application was open to interpretation and, if the

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Belfast Urban Area Plan (BUAP), as the extant planning policy, considered the site to be unzoned whiteland, then technically housing was acceptable on the site.

In response, the Principal Planning officer clarified that it was a balance between the designation as whiteland and the fact that it was, as a matter of fact, used for retail and that there were a number of retail approvals on the site as well.

She explained that the applicant had been given an opportunity to submit all of the required information and would have been informed that the application was recommended for refusal but that the applicant had not submitted the information required.

In response to a further Member's question, the Principal Planning officer and the Divisional Solicitor clarified to the Members that zonings within the forthcoming Local Development Plan were not yet a material consideration as the report had not yet been received from the Planning Appeals Commission.

A Member stated that the BUAP was still the extant planning policy and that, therefore, there was nothing wrong with a mixed-use development on the site. He added that, due to the location of the site, at the far corner, once the gates were moved, it would not be 18 social housing units within a retail park. He advised that there were social houses behind the site, at Rosehead, and that the application was therefore not incompatible with the adjacent land uses nor in conflict with the shopping centre. He highlighted the development of 71 units at Brookfield Mill which was currently under construction. He added that the need for social housing should be considered in terms of whether it was compatible or not. He stated that none of the units had inadequate amenity space. For those reasons, he advised that he proposed that the application should be approved, subject to the required reports being submitted.

A further Member requested clarity as to why the site was deemed unsuitable for housing when there was housing on the other side of the interface. In response, the Principal Planning officer explained that each application was considered based on the material circumstances of the individual site. She explained that the quality of the environment at Rosehead was not the same as the site in question, given the road network issues, the shorter gardens, the outlook onto car parking and the amenity space which were not adequate for houses backing onto a 6 metre high peacemall.

A further Member stated that he felt that a site visit would be appropriate in order to visualise the application on site.

Moved by Councillor McMullan  
Seconded by Councillor Brooks,

That the Members agree to recommend that the Chief Executive uses her delegated authority to agree to defer consideration of the application in order that Members would undertake a site visit in order to view the site and consider the application in situ.

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On a vote, four members voted for the amendment and six against, with one no vote, and it was declared lost.

The Planning Manager clarified to the Members that:

- while the weight to be afford to BMAP versus the BUAP was a matter for the Committee Members to determine, officers recommended that significant weight should be given to draft BMAP, given the advanced stage that it had reached;
- notwithstanding the zoning issue, noise assessments had not been submitted and officers had concerns regarding the compatibility of housing within the retail park, such as noise emanating from plant facilities or deliveries at unsociable hours, and cautioned that there could be legal implications and/curtailment requirements for businesses if objections from residents at the site were to be received;
- some of the concerns that DFI Roads had raised concerned land outside of the red line site and could lead to potential risks in terms of highway safety;
- a contaminated land report was also outstanding and officers would have concerns relating to human health.

Moved by Councillor Murphy  
Seconded by Councillor Carson

That the Members agree to recommend that the Chief Executive uses her delegated authority to agree grant approval to the application, on the basis that the principle of housing is acceptable at that location, subject to the outstanding assessments on roads, drainage, contamination, air quality and noise being submitted to, and considered acceptable by, the Committee at a future meeting.

On a vote, eight Members voted for the proposal and three against, and it was declared carried.

**LA04/2020/0493/F - Alteration and extension of existing building  
to provide 4 No one bed apartments at 23 Glandore Avenue  
and 2 Glanworth Gardens**

(Councillor McCullough returned to the meeting at this point)

The Senior Planning officer outlined that permission was sought for the alteration and extension of an existing property, which contained two apartments, to provide four 1 bedroom apartments. She explained that the proposal included internal reconfiguration of the rooms and the demolition and replacement of the rear return.

The Members were advised that the apartments would occupy three floors, with one apartment on the ground floor, two apartments on the first floor and one on the second floor proposed. The rear return would be replaced, allowing bin storage, cycle



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parking and private amenity space to be provided to the rear of the apartments and increasing the separation distance with its neighbour to the south.

The Members were advised that the main issues which had been considered during the assessment included the principle of development, the impact on the character and appearance of the area (including the draft Area of Townscape Character), residential amenity, access, parking and road safety and available infrastructure.

The application had been neighbour notified and was advertised in the local press. The Senior Planning officer explained that a total of 19 letters of objection had been received. The objections raised a number of concerns, including the impact on the Area of Townscape Character, design, impact on amenity, parking provision, accuracy of the parking survey and the structural impact on the adjoining property.

The Members were advised that Environmental Health had been consulted and it was content with the proposal, subject to an informative being attached to the decision. NI Water had been consulted and had offered no objection. DfI Roads had also been consulted and had offered no objection, subject to condition.

The Senior Planning officer detailed that the proposal had been assessed against and was considered to comply with the BUAP, Draft BMAP, PPS3, PPS7, PPS7 Addendum, the SPPS and Creating Places.

The Chairperson welcomed Councillor McAllister to the meeting who wished to speak in objection to the proposal. She advised the Members that:

- part of the original building would be destroyed, which was a direct contradiction to the Council's commitment to preserve heritage within the Belfast Agenda and the forthcoming Local Development Plan;
- under PPS 6 section 7.8, it was recommended that, in Areas of Townscape Character (ATCs), that consultation should be undertaken with the Conservation officer. That consultation had not taken place, and the Conservation officer had confirmed that he had been consulted on similar changes to other applications for new apartments in that area;
- application LA04/2018/2844/F confirmed that "planning authorities must deliver increased housing density without town cramming", however, the Case officer advised that the increased units in the current application, with a smaller square footage, should be approved;
- many of the objections and recommendations within application LA04/2018/2844/F were relevant, such as opposition to Policy HOU 5 – a lack of adequate facilities and inferior dwellings – the even smaller square footage of the current application made that even more stark;
- the North Belfast Housing Strategy highlighted the need for more family households, which the current application did not fulfil;
- two dwellings would be replaced with 4 dwellings which will inevitably lead to parking issues;
- she believed that not all processes had been followed or dealt with appropriately by Planning officers; and

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- she would request that Members would reject the application or defer the application for a site visit in order to understand the issues.

A Member requested that Councillor McAllister would expand on her statement that the correct procedures had not been followed. In response, she outlined that the Case officer's report stated that altered proposals were re-advertised and given to the residents who had objected, however, a number of residents who had submitted written objections were not made aware of the amended plans. She stated that she had had to update residents that she was in contact with about the fact that the application would be considered by the Committee this month, as objectors did not automatically receive correspondence from the Planning Service advising them of such. Additionally, she added that she felt that there was not enough emphasis on the area of townscape character within the assessment of the proposal and she highlighted the fact that the Conservation officer had not been consulted on the proposal was unsatisfactory.

A further Member requested information in relation to the issues raised about the Area of Townscape Character (ATC). Councillor McAllister stated that the area comprised tree-lined avenues with red bricked terraced or semi-detached houses, with some houses dating back to the 1920s. She stated that, by altering or removing part of the roofline or the chimney, she believed that constituted a material consideration for rejecting the proposal.

The Senior Planning officer advised the Members that the site fell within a draft ATC and that PPS6 Addendum did not apply to draft ATCs which had been established through the Planning Appeals Commission (PAC). She added that Planning officers did consult with the Conservation team where full demolition was taking place within a draft ATC or on proposals within adopted ATCs. However, where there were proposals within a draft ATC and which did not involve the full demolition of a building, Planning officers assessed the proposals themselves. She explained that the policy test included examining the existing building with the proposals and considered whether they would change the overall character of the area.

The Chairperson thanked Councillor McAllister for her contribution.

He then welcomed Mr. N. Hughes and Mr. J. Gray, who were objecting to the application.

Together, they advised the Committee that:

- they had had just a few days notice that the application was being considered by the Committee this evening and they would have appreciated written notice;
- the application included partial demolition of the back return of the property of No. 23 Glandore Avenue which was a permanent move which would expose the party wall of the neighbouring property;
- the proposals would erode the look and character of the building, which was built in 1896, and was one of the oldest properties in the street;
- a large number of residents had objected to the overdevelopment of the site;

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- the proposed plans had too many one bedroom apartments units on a corner site which led into a narrow cul-de-sac, with only one way in and out;
- there was already a lack of parking in the area and no parking spaces were proposed as part of the plans;
- the proposal would create intensification and density of the site, parking issues and cramped accommodation which was not in keeping with the residential, family area;
- DFI Roads had acknowledged that there were flaws in the architect's parking survey, including breaches of the highway code and therefore it could not be relied upon;
- they believed the area to be within an ATC and they were surprised that the Conservation officer had not been consulted;
- Mr. Hughes had applied to build a house directly opposite the site and had had to provide two parking spaces and to ensure that the views of the Conservation officer were sought in relation to the proposal;
- the exiting layout comprised 2 substantial apartments, where families could live, whereas the apartments proposed in the plans in front of Members just exceeded the 35 square metre requirements which would mean that they would be populated by a transient population and it would skew the residential nature of Glandore;
- they were not against development but were against the proposed overdevelopment.

Mr. L. Bannon, applicant, was welcomed to the meeting. He advised the Members that:

- there was considerable need for apartments for couples who don't require parking spaces and who used public transport;
- planning permission had been granted previously for a much larger scheme at the site, but it had been redesigned after listening to the concerns from some of the nearby residents;
- the planners agreed with him that the design was respectful to the area and it had been designed with that in mind and it was a higher quality design than the extant permission;
- as much of the existing building was being retained as possible and that the party wall would be built up again in accordance with building control standards; and
- a parking survey had been completed and accepted by DFI Roads and that bicycle parking would be provided on site.

Moved by Councillor McCullough  
Seconded by Councillor Brooks and

Resolved - that the Members of the Committee recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive exercises her delegated authority to defer the application in order that the Committee would undertake a site visit to allow the Members to better familiarise themselves with the proposals and the site.

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**LA04/2021/0001/F - Contractor's Temporary Site Compound  
(for proposed development at adjacent Ulster Independent  
Clinic planning ref: LA04/2019/0318/F) to include Contractor's  
buildings, storage, car parking, planted bank, Covid-19  
Marshall Station / Testing Area and associated operational  
development with new, temporary site access on Site at  
junction of Malone Road and Cranmore Park to south of  
14-20 Cranmore Park and east of 75 Cranmore Park**

The Senior Planning officer outlined the principal aspects of the application to the Members. She explained that permission was being sought for a site compound for a temporary period of three years.

The key issues which had been considered in the assessment of the application included the principle of development/loss of open space, impact on a Conservation Area, impact on trees, impact on neighbouring amenity, impact on natural heritage, traffic, parking and a Section 76 Planning Agreement.

She outlined that the site was designated as whiteland in the BUAP and within both versions of draft BMAP as existing open space and a local landscape policy area (LLPA). The Members were advised that the site formed part of sub area F of the Malone Conservation Area.

She drew the Members' attention to the Late Items pack, whereby there was an error in Condition 1 in the Development Management Officer Report, which should have read "*The permission hereby granted shall be for a limited period of 3 years only from the date of the decision notice.*"

The Members were advised that the proposed change of use would result in the temporary loss of open space and would temporarily adversely impact the character and appearance of the Malone Conservation Area and the draft LLPA. They were asked to note that the Council's Conservation Officer had objected to the proposal. However, officers considered that the temporary impacts on the conservation area and loss of open space had to be balanced against the substantial community and public benefits that would derive from an extended hospital which would be of a greater benefit to the wider community. As such it was considered that the presumption against the development could be relaxed in that instance, having regard to Section 104 of the Planning Act, Policy BH12 of PPS6, Policy OS1 of PPS8 and the SPPS.

The Senior Planning officer outlined that the applicant had agreed to enter into a Section 76 Agreement to ensure that the land was restored to its former condition on completion of the works.

She reported that nine objections had been received in respect of the proposal, citing concern with the following:

- increased traffic congestion at Cranmore Park and busy road junction and associated road safety concerns regarding nearby schools;

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- location of the Cranmore site entrance, should be relocated to the Malone Road;
- impact on the surrounding character with inappropriate development;
- impact on wildlife - Badgers within the site;
- removal of trees;
- noise and disturbance associated with the proposed use;
- concern regarding dates of the traffic survey, which had been undertaken during Covid restrictions.

The Senior Planning officer advised that the issues had been addressed within the Case officer's report.

The Members were advised that the Council's Trees and Landscaping Team, Environmental Health, DfI Roads Service and DAERA (Natural Environment Division) had all been consulted and had no objections, subject to conditions.

She outlined that supporting statements had been provided by the applicant to demonstrate why the proposal should be considered an exceptional case, including that the proposal would bring substantial community benefits through supporting the construction of increased hospital facilities to a key healthcare facility and the provision of services to the NHS which would also assist with current waiting lists.

The Members were advised that the proposal involved the removal of an existing tree from the site to accommodate an access point. The Senior Planning officer explained that it was proposed that the tree would be replaced after the site compound was removed and to ensure compliance, it would be subject to a Section 76 Planning Agreement. She advised that any temporary adverse impacts on the LLPA were offset by the substantial community discussed above.

Accordingly, the Chairperson put the officer's recommendation that the Members of the Committee recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to grant a temporary approval of 3 years, with the Director of Planning and Building Control to finalise the conditions and the Section 76 Agreement.

On a vote, ten Members voted in favour of the recommendation and one against and it was declared carried.

**LA04/2020/0754/F - 14 social housing units  
at 197-203 Crumlin Road**

The Senior Planning officer presented the application to the Members. She advised that the 14 social housing units were proposed to be built in three rows.

The Members were advised that the site had an area of 0.15 hectare and was 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 was unzoned in BUAP 2001. The northern half of the site was unzoned in draft BMAP 2004 while the

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southern part of the site was zoned as a shopping/commercial area, along an arterial route.

She detailed the main issues which had been considered during the assessment of the application, which included the principle of the proposal at the location, the design, layout and impact on the character and appearance of the area, impact on amenity, access, parking and transport, infrastructure capacity and impact on human health.

The Members were advised that the site had a history of planning approvals for housing and that the development plan did not preclude housing at that location.

The Senior Planning officer explained that the proposal followed the general pattern of development in the area. The design and layout would not create conflict and was in keeping with the local character and would not impact on environmental quality or residential amenity in accordance with PPS 7.

In terms of prospective residents, the Members were advised that each unit had an adequate outlook to the public street, and that all units were proposed to be built to a size not less than those set out Policy LC1. It was also considered that the design, layout and separation distances proposed were acceptable and would not significantly impact on existing residential amenity by way of overlooking, dominance, loss of light or overshadowing.

The Members were advised that objections had been received from the Lower Oldpark Community Association. They had raised a number of concerns, including: parking and traffic; the proposal was at odds with the Development Plan zoning for a Commercial/Shopping area; the proposal should contain an element of retail/commercial uses; and the proposal did not respect the built context/local character of the area. The Senior Planning officer explained that the issues had been addressed in the Case officer's report.

In respect of the impact on parking and traffic, DfI Roads was content with the parking spaces and access provided. She added that Rivers Agency, NI Water and Environmental Health had offered no objections.

The Members were advised that DfI Roads had offered no fundamental objections to the proposal other than the detailing of the Travel Plan offered by the applicant. DfI Roads had commented that the submitted Travel Plan should be conditioned for three years as opposed to one year. The agent had requested that the Planning officers would consider that one year was appropriate, given financial constraints. The Travel Plan would include one Translink Travel Card per dwelling, the provision of one membership for the Belfast Bike Scheme and a 50% subsidy for one membership to a car club.

The Chairperson welcomed Mr. G. Hughes, Lower Oldpark Community Association (LOCA), to the meeting. He advised the Members that:

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- while LOCA's written submissions also raised issues regarding the requirement for commercial development on the site, given the time constraints, he would focus on the parking issues;
- the proposal only included 14 car parking spaces for 14 units whereas Creating Places (Section 20) guidelines required it to include 21.25 spaces;
- that was an inadequate level of parking provision to meet the needs of residents and visitors;
- the fact that the properties were part of a social housing development did not provide reasonable grounds for so significantly reducing the parking provision from that required by Creating Places;
- images of parking in the area had been submitted to the Planning Department showing the high demand for spaces even during the Covid pandemic;
- occupants of the seven properties fronting onto the Crumlin Road would not be able to park at the front of their homes because there was no in-curtilage or layby parking;
- between 7.00 and 9.30am, they would not be able to park on the main carriageway due to a bus lane;
- Creating Places (Section 20.02) stated that there was a need to provide parking spaces close to and within sight of the dwellings that they intended to serve;
- the proposal would result in competition for spaces and disputes with the residents of the new homes in Century Street and Albertville Drive;
- in failing to provide parking immediately adjacent to the proposed houses fronting onto the Crumlin Road, the plans failed to take account of the specific needs of people with disabilities or mobility problems;
- a significant proportion of the parking provision for the social housing development in the surrounding area was in-curtilage while the remainder was all lay-by parking at the front of properties;
- the parking provision in this development is unassigned grouped hardstanding, something that Creating Places (11.17) sees as potentially being suitable where high densities are required, which isn't the case with this proposed development; and
- there was already a high level of daytime parking in the area and further development in the area, such as the old Carnegie Library Building, would increase demand further.

The Chairperson thanked Mr. Hughes for his contribution.

He then welcomed Ms. D. Lyle, agent, and Mr. D. Erskine, NB Housing, applicant, to the meeting.

Ms. Lyle advised the Members that:

- the site was on a key arterial route, on a brownfield site, in a highly accessible location;

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- the site had been vacant for a number of years and was subject to an extant planning permission for four retail units and 34 apartments;
- the principle of residential use on the site had been established through an extensive history of planning approvals between 2006 and 2014;
- the retail function that could potentially exist on site had been diluted by successive permissions granted;
- the design, scale and massing had been directly informed by the best architectural characteristics of the built form surrounding the site;
- the heights of properties on the Crumlin Road were 2.5 to 3 storeys;
- the design of the current proposal was stronger than that of the approved permission from 2016;
- DFI Roads had approved the Car Parking survey, and had raised a query with the duration of the Travel Plan which had no bearing on the issues raised by LOCA;
- NB Housing was a small scale housing association, where the scheme would be part funded by government grants, and it could not commit to a three year Travel Plan as it would render it unviable and that a one year Travel Plan was being proposed; and
- NB Housing would manage the administration of the travel Plan through its own officers in order to keep costs down, which was deemed acceptable by Planning officers.

Mr. Erskine advised the Members that:

- NB Housing had been established in May 2014 following the merger of two community associations;
- it currently owned and managed 1100 social housing units, the majority of which were in north Belfast; and
- the scheme had NIHE support, as required, and had been specifically designed to meet the waiting list requirements for the area as assessed by NIHE for a number of different applicant types with different needs to help address the housing need within North Belfast.

In response to a Member's question regarding the Travel Plan, Mr Erskine advised the Members that current NB Housing staff would be able to manage the Plan for one year, in-house, as they did not have the finance available to cover the staffing costs for an additional member of staff to manage it over three years, as required, as the salary cost would have to be met on top of the £8,000 outlined in the report.

In relation to a query on the consultation exercise which had been carried out, Mr. Erskine advised that Housing Associations were required to consult the local community on any plans. He confirmed that 250 leaflets were distributed in the local area and that an open evening had been held for local residents on 7th January, 2020, which LOCA had attended.



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The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to grant approval for the application, with the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2020/1360/F - Demolition of existing  
church hall and construction of 9.no apartments  
and 1. retail unit at 491-495 Lisburn Road**

The Principal Planning officer provided the Members with the details of the application.

She outlined the key issues which had been considered during the assessment of the proposed development, including:

- the principle of re-development and use;
- scale, design, massing and layout;
- impact on the Surrounding Character, Area of Townscape Character;
- impact on neighbouring amenity;
- provision of internal and outdoor amenity;
- parking and traffic issues; and
- water and sewage

The Members were advised that eight letters of objection had been received in response to the initial and amended schemes. Seven were from two individuals and the other was from Councillor T. Kelly, who had supported the comments from one of the objectors. Councillor McKeown had also made representation and requested that the application was brought before the Committee for the reasons set out in the objection letters. The Principal Planning officer explained that it was considered that some of the initial issues of concern had been resolved following amendments to the scheme.

The objections referenced inadequate parking provision, overlooking/dominance of neighbouring properties, noise/smell from balconies resulting from talking/smoking, food waste, density, need/economic impact of an additional retail unit, and that the design was contrary to Area of Townscape Character.

The Case officer's response to the points raised were dealt with in report.

The Principal Planning officer explained that the proposal was within the Urban Area and the development limits of Belfast. The proposed uses of retail on the ground floor with residential above was compatible on the site and therefore the principle was acceptable providing the proposal was compliant with all relevant policies and material considerations.

She advised that the proposed design, scale, height, mass and appearance was, on balance, acceptable within the surrounding context. The proposed residential units were of a size and layout which were acceptable with all having access to amenity provision. She highlighted that a reduced standard of amenity was considered

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acceptable as the site sat in a highly accessible location close to local amenities including parks and a contribution would be made towards local park amenities.

The Members were advised that the proposal had been amended during the processing both to ensure that it would not result in an unacceptable impact in terms of dominance and overlooking on neighbouring terraces and to ensure that the design would sit more comfortably both on the Lisburn Road and the residential street.

She reported that DFI Roads, Environmental Health, the Urban Design Officer, NI Water and Rivers Agency had been consulted in respect of the application and had offered no objection to the proposal.

The Members were advised that, as the development proposed fell short in terms of private and shared amenity, the developer had agreed to contribute to local public amenity to offset the reduction.

The Chairperson welcomed Ms. C. Flanagan and Ms. L. Dawson, objectors, to the meeting. Together they advised the Committee Members that:

- they were concerned that the recent amendment to the plans included double doors which opened onto the balconies/terraces;
- there was no precedent for double doors opening onto the street in the area and that they would encourage the use of the balconies for socialising, including anti-social noise and smoking;
- the amended plans showed that the ground floor terrace would be even closer to the front door of 1 Rathcool Street;
- the balconies/terraces would result in overlooking of nos. 1 and 2 Rathcool Street from all levels;
- the bin collection point had been moved and was now outside the front door of 1 Rathcool Street which would be an eyesore;
- residents of Rathcool Street already had outstanding issues in relation to their own bin collection point, beside No. 2 Rathcool Street, including fly tipping, contamination, graffiti and anti-social behaviour;
- another collection point opposite the existing one would compound the issue; and
- there was a severe lack of parking provision in the area already and that a nearby apartment block had underground parking included.

A Member queried why there was no parking included in the development. The Principal Planning officer advised the Members that the Travel Plan had been accepted by DFI Roads. DFI Roads was satisfied that sufficient on-street parking was available in the surrounding area and had requested that green travel measures, in the form of travel cards, be supplied to each apartment and funded for 3 years to encourage the uptake in the use of public transport. The developer had agreed to the measures being implemented.

A further Member requested information on overlooking and the bin collection issues raised. The Principal Planning officer outlined that it was acceptable in urban

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situations where neighbours could see into each other's front gardens in a high density development. The balconies would not intrude into the private amenity space to the rear of properties, which was afforded greater protection.

In relation to the bins, she explained that they were originally to be placed in the entry which was unacceptable to officers. She outlined that they had since been moved in curtilage within the building and that a management plan would ensure that the bins were brought out and back into the storage area.

A number of Members expressed concerns with DFI Roads' assessment which confirmed that there was adequate on street parking available in the area.

Moved by Councillor Whyte

Seconded by Councillor McCullough and

Resolved – that the Members of the Committee agree to recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to defer the application in order that:

- the Committee would undertake a site visit to allow the Members to better familiarise themselves with the proposals and the site at first hand; and
- DFI Roads be requested to attend the next meeting in order to answer Members queries in relation to the parking issues.

**LA04/2019/2778/F - Residential development  
comprising 18 x two-bedroom apartments and  
5 x one-bedroom apartments with associated  
amenity space, cycle & bin storage, landscaping  
and site works (23 units in total) on lands at 159-165  
Holywood Road**

The Senior Planning officer presented the Members with the principal aspects of the application.

The key issues which had been considered by officers in the assessment of the application were:

- the principle of development;
- impact on the character and appearance of the area;
- impact upon the setting of nearby listed building;
- residential amenity;
- provision of parking and access; and
- water infrastructure, drainage and flooding.

The Members were advised that the site was located adjacent to a mixture of commercial, public and residential land uses and was within the development limits identified under the existing Belfast Urban Area Plan (BUAP) and draft Belfast

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Metropolitan Area Plan. In dBMAP (both versions) it was located adjacent to an arterial route and within a Commercial Node/Area of Parking Restraint. The site currently comprised vacant land with previous buildings demolished.

The Senior Planning officer reported that there was a planning history on the site which informed consideration of the current proposal. Application LA4/2015/1160/F permitted 18 apartments on lands at 165-169 Holywood Road, granted in June 2018, and application LA04/2017/1558/F permitted 4 apartments on lands at 159-163 Holywood Road, granted in May 2017. The Members were reminded that both approvals were extant and provided a legitimate fallback position.

She explained that the current application combined both sites and proposed to build and manage it as a single development. She pointed out that the proposal was amended and reduced during the processing of the application and had largely been informed by the extant approvals on the site, presenting four stories with a fifth set back on the corner of the Holywood Road and Dundela Crescent, stepping down to four stories where it adjoined its neighbouring building on the Holywood Road.

The Members were advised that no parking was proposed but that the site was located adjacent to an arterial route which was well served by public transport and was within an area of parking restraint in a commercial node. The Senior Planning officer reported that integral cycle parking was provided. She explained that the applicant had submitted a Residential Framework Travel Plan and Service Management Plan.

The Senior Planning officer pointed out that DfI Roads had objected to the development, requesting that further sustainable travel measures be provided. She highlighted, however, that given the fallback position it was considered unreasonable to insist on additional measures, noting that DfI Roads sought no such measures for the previous two permissions, which could be implemented.

A Grade B2 listed building at Nos. 2 to 4 Belmont Road, occupied by the UUP Headquarter Offices, sat on the opposite side of the Belmont Road from the site. The Members were advised that HED had stated that the proposal, as presented, would have an adverse impact on the listed building and its setting, however, it deferred to the Council in relation to the material consideration afforded to previously approved applications. The Senior Planning explained that officers felt that significant weight should be given to the previous approvals and were satisfied, on balance, that the amended proposals would not have any greater adverse impact on the listed building than what was already approved and could be implemented.

The Members were advised that no third-party representations had been received and Environmental Health, NI Water and Rivers Agency had offered no objection to the proposal.

The Chairperson welcomed Councillor Flynn to the meeting, who was objecting to the proposal. He advised the Members that:

- the HED objection should be given more consideration. The report referred to two extant approvals, however, the 2015 approval

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predated the awarding of grade B2 listed status of 2-4 Belmont Road whereby HED was not consulted, and, similarly for the 2017 approval, HED was not consulted;

- HED have said that while they were not consulted in 2015 or 2017, the impact of the application had not satisfied an understanding of the heritage asset of the Listed Building and was contrary to Paragraph 6.12 of SPPS under listed buildings and Policy BH 11 Planning Policy Statement 6;
- the elevations of the proposal were not in keeping with the surrounding buildings, being multiple stories higher, and, considering the scale, proportion and massing of the listed building, the proposal impacted the setting of it under policy BH 11 and crucially it would draw the eye disproportionately from the nearby heritage asset at multiple angles, but particularly when coming down the Belmont and Holywood Roads;
- consideration should also be given to the historic Strand Cinema building directly across from the site and, while it was not listed currently, it did contribute to an area of special historical context along the stretch of the Holywood Road when taken along with the listed building;
- DfI had also objected to the proposal in relation to lack of suitable measures to encourage active travel. While the extant approvals had no DfI objection, it was 4 years later in a different context, after the Council had declared a Climate Emergency, and two IPCC reports outlining the severe impact of climate chaos; and
- the applicant must do more to encourage a move away from car usage.

The Chairperson then welcomed Mr. P. Stinson, agent, to the meeting. He outlined to the Committee that:

- the site of the former Stormont Inn had been vacant for some time and the proposal presented an opportunity for townscape improvements to a key nodal site;
- the applicant had worked collaboratively with planning officers and made significant reductions to the proposals to arrive at the current scheme which was before Members;
- there had been no third-party objections to the application;
- there was a variety of materials used in the area;
- the proposed building would have no greater impact on the listed building opposite than the extant permissions and the use of materials provided a modern contrast;
- the extant permission were an important consideration and the applicant was committed to providing green transport measures to residents for one year, and that the site was in a highly accessible location with excellent transport links and nearby to amenities in Belmont village.

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The officer's recommendation that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to approve the application was put to the Members.

On a vote, seven members voted in favour of the recommendation and four against and it was declared carried.

**LA04/2021/1645/F - Single and two storey rear extension, rear car parking and turning area at 44 Ravenhill Park**

The Members were advised that the application was being considered by the Committee as the applicant was a member of staff as outlined in the Scheme of Delegation.

The proposal comprised a single and two storey rear extension with a rear car parking and turning area.

The site was whiteland within the BUAP and was within the proposed Ravenhill Park Area of Townscape Character (ATC) as designated within both versions of dBMAP.

The extension was considered sympathetic to the existing dwelling and surrounding area including the proposed ATC and would not have an adverse impact on the amenity of neighbouring residents. No representations had been received.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to approve the application and for the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2021/0773/F - Retention and alteration of shipping container for use as a community facility with domestic kitchen Ulidia playing Fields, Ormeau Road**

The Members were advised that full planning permission was sought for the retention of an existing in-situ storage container to be used as a community facility with domestic kitchen. They were advised that the Council was the landowner.

The Planning officer explained that Environmental Health had confirmed that it was satisfied that the proposal would not have a negative impact on amenity.

No representations had been received and the proposal was considered to comply with planning policy including PPS8 and the SPPS. The officer outlined that it would improve facilities for the local community and would complement the existing sports facility.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated

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authority to approve the application and for the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2021/0791/F - Renewal of planning  
permission LA04/2019/2412/F for temporary  
single storey timber structure at C.S. Lewis Square,  
Newtownards Road**

The Members were advised that the Council was the landowner of the application and were advised that a renewal of planning approval LA04/2019/2412/F was being sought, for a temporary timber structure at CS Lewis Square prior to its expiry on 31st July, 2021.

The Members were advised that the proposal included an addition to the visitor attraction at the Hub and offered shelter to users of C.S Lewis Square. It would not detract from the public space or the surrounding area, including the Connswater Greenway. Rivers Agency had been consulted in relation to the proposal and had no objections to its renewal.

The application had been neighbour notified and was advertised in the local press, with no representations having been submitted.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to approve the application and for the Director of Planning and Building Control to finalise the wording of conditions.

Chairperson

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# Planning Committee

Thursday, 19th August, 2021

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

- Members present: Councillor O'Hara (In the Chair);  
Councillors Brooks, Carson,  
Garrett, Groogan, Hanvey, Hussey,  
Maskey, McCullough, Murphy and Whyte.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
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.

### **Apologies**

Apologies for inability to attend were reported from Councillors Matt Collins, Hutchinson, McMullan and Whyte.

### **Declarations of Interest**

No declarations of interest were recorded.

### **Pre-emptive Site Visits**

The Members agreed to undertake pre-emptive site visits in respect of the following applications:

- **LA04/2021/0493/F** – Demolition of existing buildings and erection of social-led, mixed tenure residential development comprising of 90 units in 2 no. apartment buildings (maximum height of 4 storeys) containing 75 apartments; and 11 townhouses and 4 apartments (along Sefton Drive); provision of hard and soft landscaping including communal gardens, provision of car parking spaces, tenant/staff hub, cycle parking, substation and associated works at Former Park Avenue Hotel, 158 Holywood Road; and
- **LA04/2020/1959/F** – New parkland (Section 2 Forthmeadow Community Greenway) – foot and cycle pathways, lighting columns, new entrances and street furniture, site to be developed includes vacant land bounded by the Forthriver Industrial Park in the east, Springfield Road to the South and Paisley Park & West Circular Road & Crescent to the West. Area also includes links through the Forthriver Industrial Park to Woodvale Avenue, land at Springfield Dam (Springfield Road), Paisley Park (West

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Circular Road) and the Junction of West Circular Road & Ballygomartin Road.

**Correspondence received**

**PPR Project - Participation and the Practice of Rights**

The Members of the Committee noted correspondence which had been received from Participation and the Practice of Rights (PPR project), inviting Members of the Planning Committee to undertake a walkabout of the former Mackie's site and also inviting them to attend future workshops coordinated by Mr. Hugh Ellis, Policy Director at the Town and Country Planning Association, in respect of developing social housing in Belfast.

The Members agreed to recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to:

- refer the invitation for a walkabout of the former Mackie's site to the City Growth and Regeneration Committee, as it was not considered appropriate for Members of the Planning Committee to accept the invitation given that there was a current planning application lodged within that site; and
- accept the invitation for Members of the Planning Committee to attend future workshops to explore the key issues in developing social housing in Belfast, on themes such as sustainability, planning, financing and contested spaces, given that they were general and not site specific, and that officers would liaise with the PPR Project and would update Members of the Committee with the workshop dates and topics.

**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**

**LA04/2021/0516/F - Erection of a Purpose-Built Managed  
Student Accommodation development comprising 724 no. units,  
courtyards, ancillary accommodation and facilities, cycle and car  
parking and all other associated site and access works.  
(Amendment to planning approval LA04/2015/0609/F)  
at 140 Donegall Street**

The Planning Manager (Development Management) presented the proposed scheme to the Members.

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He explained that the application followed the granting of planning permission at appeal for a scheme of 620 units, with 54 car parking spaces at lower ground floor level (LA04/2015/0609/F). The site was currently a surface level car park.

The Members were advised of the key issues which had been considered by officers during the assessment of the proposed development, including the principle of Student Accommodation at the location; impact on built heritage; scale, massing and design; waste water infrastructure capacity; open space provision; traffic and parking; impact on amenity; air quality; noise; drainage and flooding; developer contributions and pre-application community consultation.

He outlined to the Members that the principle of student accommodation at the site had been established with an extant permission for a 620 bed scheme (LA04/2015/0609/F) which had been allowed at planning appeal.

He explained that the design of the proposed building was considered to be an improvement over the previous permission. Subtle detailing would help break up what could have been an imposing block and had added significantly to the previously approved design. The members were advised that the Historic Environment Division (HED) had welcomed the proposed design changes.

The Members were advised that an additional 104 units were proposed, with basement parking now omitted. He outlined that 15 on-site parking spaces were proposed, compared to 54 spaces in the previously approved scheme. Subject to a robust Travel Plan, the proposed approach to parking was considered acceptable given the highly accessible nature of the site and that it was consistent with other previously approved city centre PBMSA schemes which also had little or no on-site parking.

He advised that DFI Roads, DAERA, Rivers Agency, NI Water, Belfast City Airport, Shared Environmental Services, Environmental Health, Urban Design officer and Building Control had all been consulted in respect of the application and that they were all content, subject to conditions.

The Chairperson welcomed Mr. T. Stokes, agent, to the meeting. He advised the Committee Members that the application:

- site was well connected to the heart of the city centre, and exceptionally close to the new Ulster University campus;
- had come about through the detailed design development stage, and the aspiration from the new promoter, Lotus Group, to deliver a much higher quality proposal from that which was previously granted;
- would deliver additional student beds within a building which was the same in terms of overall height, scale, massing and building footprint as the current approval;
- incorporated newly proposed communal courtyard spaces and secure cycle spaces;
- design was a massive improvement in the quality and fenestration over the current approval;

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- comprised a number of green travel measures, including a £75,000 contribution to Travel cards and other sustainable transport modes, which did not form part of the previous approval;
- included an agreement to improve the width and capacity of the pedestrian junction at Donegall Street and Royal Avenue intersection, again over and above any requirement under the current permission;
- included a Section S76 Planning Agreement which would secure an employability and skills plan to secure local jobs and apprenticeships through the necessary interventions with the main appointed contractor;
- it represented a significant investment and firm proposal of £55m from the private sector. Subject to approval, construction works were programmed to commence on site before year end in order to complement the completion and opening of the Belfast Ulster University Campus; and
- would generate around 500 local jobs and apprenticeships.

The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to approve the application, subject to conditions with power delegated to the Director of Planning and Building Control to finalise the wording, and enter into the Section 76 Planning Agreement, subject to no new substantive planning issues being raised and to resolve any issues arising from any outstanding consultation responses.

**LA04/2021/0303/F - Redevelopment, refurbishment, and partial change of use of building at 35-39 Queen St & demolition of building and redevelopment of site at 31-33 Queen St. Provision of ground floor offices/professional services units (use class B1/A2), cafe and retail unit and offices above (use class B1)**

(Councillors Murphy and Garrett left the meeting at this point in proceedings)

The Senior Planning officer outlined the principal aspects of the application to the Members. It sought the retention of a 5-storey warehouse at Nos. 35-39 Queen Street and the addition of a two-storey glazed rooftop extension. She explained that it further sought the demolition of Nos. 31-33 Queen Street, to be replaced with a 5-storey infill building which would also benefit, in part, from the rooftop extension at upper floors.

The Members were advised of the following issues which had been considered during the assessment:

- the principle of offices and ground floor uses at the location;
- the principle of demolition of 31-33 Queen Street;
- the consideration of economic benefits;
- the impact on built heritage and the principle of demolition in the conservation area;

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- the scale, height, massing and design of the extension and new build;
- the impact on traffic and parking;
- the impact on amenity;
- site drainage;
- waste management;
- the impact on human health;
- the impact on the amenity of adjacent land users; and
- the consideration of developer contributions.

The Senior Planning officer reported that the site was located within the City Centre, City Centre Conservation Area, Area of Parking Restraint, Primary Retail Core, Airport Height Restriction, Old City Character Area and that it was proximate to listed buildings.

She confirmed that DFI Roads, Environmental Health, NIEA, NIE, Rivers Agency, HED and NI Water had all been consulted in addition to the Urban Design Officer, the Economic Development Team and the Environmental Health team within the Council. Their responses were detailed in the Case officer's report.

No third party objections had been received.

The Members were advised that, having regard to the submitted information and reports, consultee responses and representations, officers considered that the conversion and extension of the current building and proposed replacement building were acceptable. It was reported that the Conservation Officer noted that the current building at 31-33 Queen Street did not reflect the architectural or historical interest of the wider conservation area and did not make a material contribution that merited retention. The Senior Planning officer outlined that demolition in the conservation area met the policy test for demolition as set out in PPS6. She explained that the Urban Design Officer, Conservation Officer and Historic Environment Division considered that the extension to 35-39 Queen Street was appropriate to the context of the host building and locale. Officers considered that the proposed scheme would contribute positively to the local environment by enhancing the character and appearance of the conservation area and that the proposed scheme would make a positive contribution to the economy. The proposal met the policy tests outlined in the SPPS and Planning Policy Statement 6.

The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to grant approval to the application, subject to conditions, with power delegated to the Director of Planning and Building Control to finalise the Section 76 Planning Agreement and the wording of conditions subject to no new substantive planning issues being raised by third parties.

**LA04/2021/0244/F - Demolition of existing building and erection of 8-storey building with retail/coffee shop at ground floor and 45No serviced apartments for both long- and short-term occupancy on the floors above at 52-54 Dublin Road**

**Meeting of Planning Committee,  
Thursday, 19th August, 2021**

The Principal Planning officer outlined the details of the application, which was located within the development limits of Belfast city centre, to the Members.

He explained the key issues which had been considered during the assessment of the proposal, including the principle of use on the site, demolition, access, movement and parking, design and layout, open space and landscaping, flood risk, waste water treatment, impact on natural heritage and developer contributions.

The proposal had been assessed against and was 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 (PPS) 2, PPS 3, PPS 8, PPS 13, PPS 15, PPS 16, Parking Standards, The Belfast Agenda (Community Plan), Developer Contribution Framework, and Creating Places.

The Members were advised that Environmental Health, NI Water, DFI Roads Service, DFI Rivers Agency, DAERA Water Management Unit, DAERA Regulation Unit and DAERA Natural Environment Division had raised no objections subject to conditions and that the proposal was considered acceptable.

The Members noted that the application had been neighbour notified and advertised in the local press. It was reported that additional information and amendments had been received during the processing of the application in response to requests for clarification from consultees and that re-notification of objectors and neighbours had been undertaken following receipt of such. The Principal Planning officer explained that two objections had been received from local residents, raising the following issues:

- lack of parking;
- noise during construction and parking obstructions;
- noise from prospective residents;
- loss of light;
- loss of privacy; and
- height and density disproportionate to the area

The issues had been addressed within the Case officer's report.

He outlined that, whilst the proposal did not fall under the category of Major Development, Pre-Application Community Consultation had been carried out, as it was initially proposed to comprise more than 50 apartments. The Members were advised that the feedback given had been generally positive.

The Principal Planning officer reported that 35 of the apartments would have a balcony and, together with the amenity space on the third floor and the rooftop terrace, the level of private open space was comparable with other developments in the area. He explained that, overall, an average of 6.87 sqm of amenity provision per unit was proposed which, whilst below the recommended minimum standard of 10 sqm, it was comparable to other developments within the city centre and, on balance, was considered acceptable.

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A Member stated that they had some concerns with the proposal, namely:

- the relationship of the proposal with Salisbury Lane, particularly in relation to the risk of overlooking;
- the height of the proposal in relation to its immediate neighbours, both the residential neighbours to the rear, and the restaurant beside it;
- whether there an area-based policy for the Dublin Road;
- the suitability of the site for residential use, given the lively nighttime economy and its close proximity to a bar.

In response, the Principal Planning officer presented further images of the site and its context within the Dublin Road. He advised the Committee that:

- the height differential between the proposal and the ridge height of the restaurant immediately beside it would be approximately 8.7metres and that step up was something that already existed along the Dublin Road which was not out of keeping with its context;
- there were a number of different building heights established along the Dublin Road and that was the context in which they had considered the application;
- the design of the rear return and the angled windows was as such to protect the amenity of residential properties to the rear of the site;
- the site was located within BMAP's designated Shaftesbury Square Character Area, where the building heights ranged from five to seven storeys fronting the Dublin Road, and that officers felt that the proposal was acceptable given that the eighth storey was set back, and that it was in keeping with the context of other taller buildings along the Dublin Road; and
- he did not believe that the proposal would result in the hemming in of, or substantially impact upon, the adjacent residential areas;
- in respect of the suitability of the site for residential use, he explained that there were a number of residential properties surrounding the site, it was a mixed-use area and that Environmental Health had no objections to the proposal, subject to conditions relating to noise proofing and fenestration.

A Member asked for further clarification in relation to Policy OS2 of PPS8, whereby an exception was allowed for apartments within the city centre. The Principal Planning officer outlined that most recent approval for the site opposite had been for a mixed-use 10 storey building comprising 85 apartments, which would provide an average of 5.59 square metres per unit while the current application would provide 8 square metres. He explained that the level of private open space was therefore comparable with other developments in the area and was also in close proximity to existing areas of open space within reasonable walking distance, including Botanic Gardens.

Accordingly, the Chairperson put the officer's recommendation that the Members of the Committee recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to grant approval to the application, subject to conditions, with power delegated to the Director of Planning and

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Building Control to finalise the Section 76 Planning Agreement and the wording of conditions subject to no new substantive planning issues being raised by third parties.

On a vote, five Members voted in favour of the recommendation and two against and it was declared carried.

**LA04/2021/0629/F - Residential development of 72no. apartments in 3no. blocks with associated car parking, landscaping and road widening works to Stockmans Way on lands north east of 43 Stockmans Way and south west of 49 Stockmans Way**

The Planning Manager (Development Management) provided the principal aspects to the application to the Members.

He outlined the main issues which had been considered during the assessment of the application, including the principle of development, the planning history of the site, impact on the character of the area, impact on amenity, access, parking and sustainable transport and various environmental considerations.

The Members were advised that part of the site was zoned for housing, part whiteland and part zoned as existing employment within draft BMAP 2015. He explained that the part zoned as existing employment comprised the access road along Stockman's Way and was part of a larger adjacent existing employment zoning (Ref: BT005/12). He advised the Members that permission had previously been granted, in November 2018, for the "Demolition of existing buildings and erection of residential development comprising of 96 units and associated car parking and landscaping" (Ref: LA04/2015/0668/F) on the application site. He explained that the permission was live and implementable. The Members were also advised that a subsequent application was received for the 'Erection of mixed-use development consisting of a 25no. bed hotel and 88no. apartments with associated car parking and landscaping' on the site. The Members noted that it was resolved to approve that application in June 2020 and a decision to approve was pending.

One representation had been received regarding the proposal, raising issues regarding increased traffic impact and over capacity within the sewerage system. The issues had been addressed within the Case officer's report.

Consultees had no objections with the proposal subject to conditions.

The Planning Manager explained that a Section 76 Planning Agreement was proposed to secure the following developer obligations:

- Contribution of £72,000 towards the delivery of open space provision/play equipment or improvement of Public Open Space at Musgrave Park;
- Access link to Public Open Space at Musgrave Park;
- Management of Open Space Areas within the site;
- Residential Travel Plan;
- Travel Cards for each unit for 3 years; and



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Thursday, 19th August, 2021**

- Car Club spaces and discounted membership of a car club for 3 years for each unit.

The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to grant approval to the application, subject to conditions, with power delegated to the Director of Planning and Building Control to finalise the Section 76 Planning Agreement and the wording of conditions subject to no new substantive planning issues being raised by third parties.

**LA04/2020/1158/F - Demolition of existing  
building and erection of 65No Apartments  
including 20% social housing at 1-5 Redcar Street**

The Senior Planning officer outlined the details of the application for outline permission for 65 apartments on the current site of a factory. She presented the plan for the apartments, which would be split over 4 blocks. Between the two terraces of Block A there were private gardens for the larger ground floor units, and a central private alleyway which could be used for residents bringing bins to the main bin store. A large area of communal open space sat to the rear of Blocks B and C.

The main issues which had been considered during the assessment of the proposal included the principle of housing at the location, the design and layout, the impact on traffic and road safety, the impact on amenity of nearby residents and businesses, the impact on Built Heritage and Archaeological interests, waste management, human health, parking provision and access, drainage and flooding and the consideration of developer contributions.

The Senior Planning officer advised the Members that the site was located within the development limits of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP) and was unzoned, white land under dBMAP. She explained that, as the site was 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 the site was acceptable, subject to prevailing policy considerations.

The Members noted that consultees, including DfI Roads, NI Environment Agency, the Northern Ireland Housing Executive, Historic Environment Division and NI Water had no objection to the proposal, subject to conditions.

The Northern Ireland Housing Executive had indicated there was social housing need in the vicinity and that they welcomed the scheme which would include 20% social housing.

The Senior Planning officer outlined that officers considered that the proposed scheme would create a quality residential environment, contribute positively to the local environment by creating a more sympathetic use adjacent to the school and other residential streets and would meet the requirements of PPS 3, PPS 4, PPS 7, PPS 8, PPS 12 and PPS 15.

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She reported that 11 objections had been received, one of which was received in response to the most recently amended scheme. All objections had been considered within the case officer's report.

The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to grant approval to the application, subject to conditions, with power delegated to the Director of Planning and Building Control to finalise the Section 76 Planning Agreement and the wording of conditions subject to no new substantive planning issues being raised by third parties.

**LA04/2021/1358/F - Section 54 application seeking amendments to condition Nos 2 (access), 7, 13, 20 (CEMP), 8, 9, 10, 15, 16, 19 (ground conditions), 12 (noise/vibration), 17 (piling risk), 21 (drainage), 27 (landscaping) to enable a phased approach to the Construction of the permitted film studios complex Approved under planning permission LA04/2020/0474/F on lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park)**

The Members were advised that permission was sought, under Section 54 of the Planning Act (Northern Ireland) 2011, to vary several conditions to allow for a phased construction of Planning Application approval LA04/2020/0474/F.

The site was un-zoned "white land" within the Belfast Area Urban Plan (BUAP) 2001 and located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP) with a number of relevant zonings.

The Members noted that NIEA, Environmental Health, DfI Roads and Rivers Agency had been consulted in relation to the amended wording of conditions. All consultees were content with the phased approach as detailed within the report.

The Members were advised that the proposed development was estimated to represent an investment of £45m, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs and it was considered that the variation of conditions to assist the investment was acceptable.

The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to grant approval to the application, subject to conditions, with power delegated to the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2021/0789/F - Application under Section 54 to vary conditions applied to approval LA04/2020/191100/F to facilitate development of this proposal. Relevant conditions which require to be amended are: -Condition 2 (Landscaping, Condition 5 (public realm),**

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**Condition 25 (retail plant and associated equipment),  
Condition 26 (verification report for noise), Condition 28  
(odour technologies). Condition to be deleted Conditions 17  
(verification report for contamination), this is a duplication  
of Condition 15 at 721-739 Lisburn Road**

The Members noted that permission was sought for the variation of five planning conditions and the removal of one condition attached to planning permission LA04/2019/1100/F. The approved apartment building was a substantial development and the proposed changes to the wording of the conditions would enable occupation of the development before the entire building was completed.

Environmental Health had no objections to the revised approach to the development and the gradual approval and verification of ground floor plant and equipment. The Members noted that amended wording of the conditions had been requested and the revisions were considered acceptable. The planting/ public realm condition had also been reworded to ensure a more enforceable approach and that an acceptable streetscape was created as soon as possible after completion of the development.

No third party objections were received in respect of the application.

The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4<sup>th</sup> May 2021, the Chief Executive would exercise her delegated authority to grant approval to the application, subject to conditions, with power delegated to the Director of Planning and Building Control to finalise the wording of conditions.

**Change to October Committee Date**

The Committee Members were advised that an Investment Conference was due to take place in the City Hall at the same time as the Planning Committee on Tuesday, 19th October, 2021.

At the request of the Director of Planning and Building Control, the Members agreed to change the date of their monthly meeting in October from Tuesday 19th October to Thursday 21st October.

Chairperson

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## Planning Committee

Thursday, 2nd September, 2021

### PLANNING COMMITTEE SITE VISITS – NOTE OF MEETINGS

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

#### **LA04/2020/1360/F - Demolition of existing church hall and construction of 9.no apartments at 491-495 Lisburn Road**

Members Present: Councillors Carson, Groogan,  
McCullough and O'Hara.

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

The Members and the Principal Planning officer convened at the site at 12.30 p.m. for the purpose of undertaking a site visit in respect of the application to allow the Members to acquaint themselves with the location and the proposals at first hand.

The Committee viewed the site with the proposed plans.

The visit concluded at 12.50 p.m.

#### **LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally**

Members Present: Councillors Carson, Groogan,  
O'Hara and Whyte.

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

The Members and the Principal Planning officer convened at the site at 1.05 p.m. for the purpose of undertaking a site visit in respect of the application to allow the Members to acquaint themselves with the location and the proposals at first hand.

The Committee viewed the site with the proposed plans.

The visit concluded at 1.30 p.m.

#### **LA04/2021/0493/F – Demolition of existing buildings and erection of social-led, mixed tenure residential development comprising of 90 units in 2 no. apartment buildings (maximum height of 4 storeys) containing 75 apartments; and 11 townhouses and 4 apartments (along Sefton Drive); provision of hard and soft landscaping including communal gardens, provision of car parking spaces, tenant/staff hub, cycle parking, substation and associated works at Former Park Avenue Hotel, 158 Holywood Road**

Members Present: Councillors Carson, Groogan,  
O'Hara and Whyte.

Officer in Attendance: Mr. P. Fitzsimons, Principal Planning officer.

The Members and the Principal Planning officer convened at the site at 1.45 p.m. for the purpose of undertaking a site visit in respect of the application to allow the Members to acquaint themselves with the location and the proposals at first hand.

The Committee viewed the site with the proposed plans. A Member queried if there was a Tree Preservation Order (TPO) on the site and the Principal Planning officer undertook to check and advise the Committee at its next meeting.

The Principal Planning officer pointed out the junction of Sefton Drive and Park Avenue to the Members and explained that DFI Roads had expressed concerns about there being insufficient sightlines at the location.

The visit concluded at 2.10 p.m.

Chairperson

## Agenda Item 3

## PLANNING COMMITTEE – 14 SEPTEMBER 2021

## APPEALS NOTIFIED

**COUNCIL: BELFAST**

ITEM NO 1 PAC REF: 2021/A0086

PLANNING REF: LA04/2020/1106/O

APPLICANT: David Croft

LOCATION: Adjacent to 18 Massey Park, Belfast

PROPOSAL: New dwelling

PROCEDURE:

ITEM NO 2 PAC REF: 2021/A0093

PLANNING REF: LA04/2019/1833/F

APPLICANT: Ms Emma Regard

LOCATION: 11 Ashley Park, Dunmurry, Belfast

PROPOSAL: New dwelling to replace previous dwelling on site, with connection to all existing services to the site and use of existing vehicular access into the site

PROCEDURE:

**PLANNING COMMITTEE – 14 SEPTEMBER 2021**

## APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2020/A0100

PLANNING REF: LA04/2020/0374/A

RESULT OF APPEAL: DISMISSED

APPLICANT: Mr Gavin Clements

LOCATION: 187 Shore Road, Belfast

PROPOSAL: Consent to display paper advertising panel

## **PLANNING COMMITTEE – 14 SEPTEMBER 2021**

### **APPEAL DECISIONS NOTIFIED (CONTINUED)**

ITEM NO	2	PAC REF:	2020/A0100
PLANNING REF:	LA04/2020/0374/A		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Mr Peter Teague		
LOCATION:	Site to rear of 54 Stranmillis Park, Belfast		
PROPOSAL:	Demolition of existing garage and erection of new dwelling including alterations to fenestration of existing HMO		

ITEM NO	3	PAC REF:	2019/A0261
PLANNING REF:	LA04/2019/2249/F		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Mark Rainey		
LOCATION:	Units 12, 13 and 14 Upper Springfield development trust - 688 Springfield Road, Belfast, BT12 7FP		
PROPOSAL:	Change of use of units 12, 13 and 14 from dress making business to a commercial gymnasium		



### Planning applications Decisions Issued between 10 August and 6 September 2021 - 169

Reference Number	Location	Proposal	Application Status
LA04/2019/2778/F	Lands at 159-165 Holywood Road Belfast BT4 3BE	Proposed erection of a residential development comprising 18 no. two bedroom apartments and 5 no. one bedroom apartments with associated amenity space, cycle & bin storage, landscaping and site works (23 units in total). Amended Description and Amended Plans.	PERMISSION GRANTED
LA04/2019/2922/DC	Robinson Leisure Centre Montgomery Road Belfast BT6 9HS.	Discharge of condition 28 of LA04/2016/2560/F relating to samples of external materials	CONDITION DISCHARGED
LA04/2020/0191/F	Minnowburn Beeches Carpark Edenderry Road Belfast BT8 8LE.	Improvement works to existing car parking facilities (amended proposal)	PERMISSION GRANTED
LA04/2020/0383/DC	Land at existing DRD surface car park at Frederick Street Belfast BT1 2LW	Discharge of Condition no.9 - Z/2012/1034/F	CONDITION NOT DISCHARGED

Reference Number	Location	Proposal	Application Status
LA04/2020/0532/F	Opposite 395-401 Shankhill Road on the footpath at the north-west junction with Lanark Way and Shankill Road Belfast BT13 3BH	The installation of a 20metre Apollo street pole with 6No. antennas (3no. enclosed within a shroud) 2no. equipment cabinets, 1no. metre cabinet and ancillary apparatus/works. (AMENDED SITE ADDRESS)	PERMISSION REFUSED
LA04/2020/0672/F	295 Newtownards Road Belfast BT4 1AG	change of use of building to 2 residential flats, including the erection of an external stairwell, roof terrace and car parking (amended description)	PERMISSION GRANTED
LA04/2020/0756/DC	Robinson Leisure Centre Montgomery Road Belfast BT6 9HS	Discharge of condition no.11 - LA04/2016/2560/F relating to details of boundary walls, fencing and means of enclosure	CONDITION DISCHARGED
LA04/2020/0969/F	5-6 Lower Crescent Belfast Co Antrim BT7 1NR.	Change of use from Bar/Night club to 9 No. Apartments, the front facade will be retained in its entirety with access via the right hand door. Changes to the rear include; new openings with Gray Aluminium windows and existing openings built up with brick work to match existing where required, two new dormer windows and a zinc clad kitchen living space to 3rd floor (Amended Drawings / Additional information)	PERMISSION GRANTED
LA04/2020/1593/F	Marrowbone Millennium Park Oldpark Road Belfast BT14 6QS.	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 SLIPS road/waterland wildlife area; landscape interventions including	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/1634/LDP	Fintru House 1 Cromac Avenue Belfast BT7 2JA	Proposal to install 45no. 265wp solar modules/panels, installed as two sub-arrays to the South and West facing elevations of the roof. The modules are fixed to the slate roof using renusol VS+ roof mounting system	PERMITTED DEVELOPMENT
LA04/2020/1654/F	860 Crumlin Road Belfast BT14 8AE.	Change of use from tanning salon to hot food bar (Retrospective Application) (amended description)	PERMISSION REFUSED
LA04/2020/1742/F	197 Falls Roads Belfast BT12 6FB (1st & 2nd Floors)	Proposed change of use from vacant offices to 2no apartments with door and external staircase to rear	PERMISSION REFUSED
LA04/2020/1803/F	60 Springfield Road Belfast BT12 7AB	Change of use from single dwelling to house in multiple occupancy HMO	PERMISSION GRANTED
LA04/2020/1832/NMC	Lands: To The East Of The Westlink (A12); South Of (Nos.127-9) And Including Grosvenor Road; At Intersection Of Grosvenor Road And Stanley Street; At The Intersection Of Durham Street And Grosvenor Road; At The Intersection Of Fisherwick	Non material Change LA04/2017/1388/F	NON MATERIAL CHANGE GRANTED

Reference Number	Location	Proposal	Application Status
	At The Intersection Of Fishierwick Place And Howard Street; At Great Victoria Street (between Nos. 1-3 To 27-45); At Glengall St (between Nos. 3-21); At The Junction Of Hope Street Bruce Street And Great Victoria Street; At The Junction Of		
LA04/2020/2039/DC	721-739 Lisburn Road Belfast BT9 7GU.	Discharge of conditions no's 14 & 15 of LA04/2019/1100/F (verification report)	CONDITION DISCHARGED
LA04/2020/2078/F	Garden to westerly side of 93 Clowney Street Belfast BT12 7LZ.	2no.. x 2 storey dwellings with roof accommodation (AMENDED SCHEME)	PERMISSION GRANTED
LA04/2020/2278/DC	Lands bounded by Bedford Street (N) building McClintock Street and Franklin Street Belfast.	Discharge of condition no.6 - LA04/2015/0264/F and LA04/2015/0094/LBC	CONDITION DISCHARGED
LA04/2020/2415/LDP	25 Palmerston Road Belfast BT4 1QB	Proposed construction of 6no apartments and all associated infrastructure under Z/2015/0291/f	PERMITTED DEVELOPMENT

Reference Number	Location	Proposal	Application Status
LA04/2020/2505/F	6 Richmond Park Belfast BT9 5EF	Demolition of existing single storey rear extensions and construction of new single storey rear extension and 1st floor rear extension. Removal of glazed entrance lobby and garage. New wall and gate to side elevation of dwelling. Elevational alterations and rooflights. (Amended description)	PERMISSION GRANTED
LA04/2021/0050/LDE	60 Somerton Road Belfast BT15 3LG	Proposed rear infill extension	APPLICATION REQUIRED
LA04/2021/0108/F	Lands between Durham Street and Grosvenor Rd to the south and west of the BT Exchange and lands to the east of Durham Street and south of Glengall Street Belfast BT2.	Proposed covered walkway with colonnade leading from the west side of Durham Street to the recently approved Belfast Transport Hub building and a proposed walkway and hoarding leading from the east side of Durham Street to the rear of the Great Northern Car Park within the current bus yard area.	PERMISSION GRANTED
LA04/2021/0112/DCA	65 Bawnmore Road Belfast BT9 6LD.	Attached garage to left hand side of dwelling and existing flat roof rear return to be demolished	PERMISSION GRANTED
LA04/2021/0171/F	37 Bingnian Drive Belfast Ballydownfine BT11 8JA	Erection of wooden shed	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0172/F	65 Bawnmore Road Belfast BT9 6LD	AMENDED DESCRIPTION (1st floor side extension removed) ground floor extension to side and rear with 1st floor rear extension	PERMISSION GRANTED
LA04/2021/0187/DC	Lands at Kings Hall Complex Lisburn Road Balmoral Belfast BT9 6GW	Discharge of condition no. 2 of LA04/2019/1254/F (samples)	CONDITION NOT DISCHARGED
LA04/2021/0210/F	43 Kensington Road Belfast BT5 6NJ	Proposed single storey extension to rear of dwelling with 5no. roof lights. (Amended Scheme)	PERMISSION GRANTED
LA04/2021/0282/F	Kings Road 25m south of 10 Sperrin Park Belfast BT5 7RX	The installation of a 20 metre Apollo street pole with 6no. antennas (3no enclosed within a shroud) 2no. equipment cabinets, 1no. meter cabinet and ancillary apparatus/works.	PERMISSION GRANTED
LA04/2021/0321/F	At Alanbrooke West SWs - Alanbrooke Road Adjacent to the East side of 38 Montgomery Road Belfast County Down. BT6 9HL. (NGR: 148814E 527222N).	The installation of a 20 metre Apollo street pole with 6no. antennas (3no enclosed within a shroud), 2no. equipment cabinets, 1no. meter cabinet and ancillary apparatus/works.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0340/LDE	88 Wellesley Avenue Belfast BT9 6DH	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0403/LBC	Central Building Stranmillis University College Stranmillis Road Belfast Co. Antrim BT9 5DY	Installation of access and safety equipment for safe access to roof areas for maintenance	PERMISSION GRANTED
LA04/2021/0452/DCA	8 Osborne Drive Belfast BT9 6LG.	Demolition of garage. Demolition of part gable wall on ground floor from kitchen. Demolition of ground floor sloped roof above dining area. Demolition of part of rear wall on first floor from master bedroom. Demolition of sloped roof on first floor above hallway. Removal of existing window on first floor hallway. Demolition of part of the rear wall. (amended description)	PERMISSION GRANTED
LA04/2021/0453/F	8 Osborne Drive Belfast BT9 6GL.	Single storey side extension and a first floor rear extension. Reopening original opening from rear garden to alleyway behind the property.	PERMISSION GRANTED
LA04/2021/0490/F	47 Middle Braniel Road Belfast BT5 7TU	Proposed replacement dwelling, associated hard and soft landscaping with unaltered vehicular access	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0530/F	32 Rosemary Park Belfast BT9 6RG.	Single storey front and rear extension, garage to side of dwelling and replacement garage in rear garden. (Amended Plans)	PERMISSION GRANTED
LA04/2021/0538/F	34 Clonaver Park Belfast BT4 2EZ	Single storey side/ rear extension. First floor rear extension.	PERMISSION GRANTED
LA04/2021/0615/F	Flat 1 14 Kinnaird Street Antrim Road Belfast BT14 6BE	Change of use from Flat to hot food takeaway	PERMISSION REFUSED
LA04/2021/0657/F	409 Upper Newtownards Road Belfast BT4 3LH	Material change of use to provide sit in restaurant, new services installed and connected to existing, water and foul	PERMISSION GRANTED
LA04/2021/0692/F	489 Lisburn Road Belfast BT9 7EX	Change of use from office to restaurant and hot food takeaway, including installation of extract duct to rear.	PERMISSION GRANTED



Reference Number	Location	Proposal	Application Status
LA04/2021/0721/LDE	30 Stranmillis Street Belfast BT9 2EQ	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0789/F	721-739 Lisburn Road Belfast BT9 7GU	Application under Section 54 to vary conditions applied to approval LA04/202019/1100/F to facilitate development of this proposal. Relevant conditions which require to be amended are:-Condition 2 (Landscaping, Condition 5 (public realm), Condition 25 (retail plant and associated equipment), Condition 26 (verification report for noise), Condition 28 (odour technologies). Condition to be deleted Conditions 17 (verification report for contamination), this is a duplication of Condition 15.	PERMISSION GRANTED
LA04/2021/0797/F	25 Stockmans Way Musgrave Park Belfast BT9 7JX.	Ground floor extension to storage/distribution warehouse to provide adequate mess room facilities for staff.	PERMISSION GRANTED
LA04/2021/0801/DC	The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North East of Balmoral Golf Club	Discharge of conditions nos 24, 28, 29 and 30 of planning approval LA04/2020/0747/f	CONDITION DISCHARGED
LA04/2021/0802/DC	The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North East of Balmoral Golf Club	Discharge of conditions nos 4, 9, 10 and 11 of planning approval LA04/2018/0048/lbc	CONDITION DISCHARGED

Reference Number	Location	Proposal	Application Status
LA04/2021/0803/DC	The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North East of Balmoral Golf Club	Discharge of conditions nos 24, 28, 29 and 30 of planning approval LA04/2018/0040/f	CONDITION DISCHARGED
LA04/2021/0811/F	31 Duffield Park Belfast Co.Antrim BT13 3QN	Single and two storey side extension and dormer window to the rear elevation	PERMISSION GRANTED
LA04/2021/0816/F	60 Marlborough Park North Belfast BT9 6HJ	Roofspace conversion with a velux window to front and dormer to rear	PERMISSION GRANTED
LA04/2021/0825/F	Adjacent number 9A Glenside Road Belfast BT17 0LH.	New dwelling.	PERMISSION GRANTED
LA04/2021/0834/F	30 Kensington Gardens South Belfast BT5 6NN	Alterations and two storey extension to rear and side of dwelling	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0847/A	Unit 17 Boucher Retail Park Boucher Crescent Belfast BT12 6HU	1No. Internally LED illuminated flexface boxes complete with digitally printed blackout PVC skins.(text, border and pink stitch detail to illuminate only)2No. Internally LED illuminated folded powder coated aluminium tray signs with 80mm returns, (text to illuminate)	PERMISSION GRANTED
LA04/2021/0850/F	116a Upper Lisburn Road Finaghy Belfast BT10 0BD	Removal of existing attached garage to the side and rear and replaced with a new free standing garage (retrospective)	PERMISSION GRANTED
LA04/2021/0856/F	57 Ponsonby Avenue Belfast BT15 2LS	Change of Use from Residential to House in Multiple Occupancy (HMO)	PERMISSION GRANTED
LA04/2021/0870/F	12 Florenceville Drive Belfast BT7 3GY.	First floor rear extension.	PERMISSION GRANTED
LA04/2021/0876/F	22 Loopland Park Belfast BT6 9DY	Single storey rear extension for new kitchen. Retrospective Application (Amended Description)	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0888/F	36 Cheltenham Park Belfast BT6 0HR.	Renewal of planning application LA04/2016/0468/F for a two storey rear and side extension.	PERMISSION GRANTED
LA04/2021/0896/F	31 Marlborough Park Central Belfast BT9 6HN.	Partial demolition of side and rear walls to provide two storey side and rear extension with elevation changes.	PERMISSION GRANTED
LA04/2021/0897/DCA	31 Marlborough Park Central Belfast BT9 6HN.	Partial demolition of side and rear walls.	PERMISSION GRANTED
LA04/2021/0906/DCA	60 Marlborough Park North Belfast BT9 6HJ	Partial demolition of rear and front roof structure.	PERMISSION GRANTED
LA04/2021/0925/F	15 Castlehill Manor Belfast BT4 3QH.	Two storey rear extension and raised patio seating area to rear.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0930/F	27 Downshire Park North Belfast BT6 9JS.	Loft conversion with rear dormer window and new internal access stairs.	PERMISSION GRANTED
LA04/2021/0935/F	6 Cameronian Drive Belfast BT5 6AW	Proposed alterations including a single and two storey rear extension.	PERMISSION GRANTED
LA04/2021/0936/F	21 Park Avenue Belfast BT4 1PU	Roofspace conversion with dormer window to rear.	PERMISSION GRANTED
LA04/2021/0937/F	4 Clonlee Drive Belfast.	Two storey rear extension, single storey side extension and roof space conversion.	PERMISSION GRANTED
LA04/2021/0947/F	58 Dunmurry Lane Dunmurry BT17 9JR.	Single storey extension to the rear with external flue. Two dormer windows to the front, new front porch, chimney stack to side and alterations to elevations.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/0965/F	24 Cairnburn Road Belfast BT4 2HS	Single storey rear and side extensions to a dwelling	PERMISSION GRANTED
LA04/2021/0970/LDE	Flat 1 (ground floor) 17 Cromwell Road Belfast BT7 1JW	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/0974/F	Unit 2 376-378 Upper Newtownards Road Belfast BT4 3FB	Installation of air exchange vents on rear elevation of building	PERMISSION GRANTED
LA04/2021/0996/F	4 Delhi Street Belfast BT73AG	Single storey rear extensions.	PERMISSION GRANTED
LA04/2021/0997/F	10 Fairway Avenue Belfast BT9 5NL	Raising of roof, two front dormers, porch extension to front, two storey and single storey rear and side extensions	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1002/F	89 Knutsford Drive Belfast BT14 6NA	Proposed demolition of existing conservatory and erection of two storey rear extension. First floor side extension on top of existing porch. (Amended Proposal)	PERMISSION GRANTED
LA04/2021/1008/LDE	18 St Albans Gardens Belfast BT9 5DR	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2021/1017/F	34 Vandyck Crescent Belfast BT36 7HF	Proposed alterations to dwelling including single storey extension to rear, dormer window to rear and elevation changes to dwelling	PERMISSION GRANTED
LA04/2021/1030/F	9 Rosetta Road East Belfast BT6 0LP.	Proposed new single storey rear extension. Including replacement flat roof over existing kitchen.	PERMISSION GRANTED
LA04/2021/1032/DCA	120 Marlborough Park Central Belfast BT9 6HP.	Demolition of external wall & garage door to front portion of garage. Existing external window & door in garage facing Patio/ Yard to be removed. Removing existing double door & window facing Patio & demolish remaining wall to create large opening. Door leading to Garage from Living area to be removed. Kitchen window facing driveway to be removed. 2no. of rooflights above kitchen to be removed. New opening formed between dining & kitchen.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1033/F	120 Marlborough Park Central Belfast BT9 6HP.	Single storey garage extension. Elevational changes including raised patio.	PERMISSION GRANTED
LA04/2021/1035/F	151 Mount Eagles Avenue Belfast BT17 0GN.	Proposed single storey extension to rear of dwelling with associated dormer window to rear. Proposed single storey extension to existing office outbuilding.(amended plans)	PERMISSION GRANTED
LA04/2021/1039/LDE	39 Colenso Parade Belfast BT9 5AN.	HMO	PERMITTED DEVELOPMENT
LA04/2021/1042/F	21 Glencolin Manor Belfast BT11 8QN	Retrospective change of materials to render on rear extension (previously approved). Detached outbuilding to side, bay window and porch to front elevation with render to ground floor level.	PERMISSION GRANTED
LA04/2021/1081/A	23 Cregagh Road Belfast BT6 8PX.	Shop Signage with Projecting Static LED Light.	PERMISSION GRANTED



Reference Number	Location	Proposal	Application Status
LA04/2021/1082/F	23 Cregagh Road Belfast BT6 8PX.	Retrospective: Change of Use from Travel Agents to Coffee Shop with Internal Alterations.	PERMISSION GRANTED
LA04/2021/1083/LDP	27 Vauxhall Park Belfast BT9 5GZ.	Single storey side and rear extension.	PERMITTED DEVELOPMENT
LA04/2021/1086/F	"Land south of McKenna's Bar 29 Garmoyle Street Belfast BT15 1DY"	External beer garden, to include toilets and bar servery.	PERMISSION REFUSED
LA04/2021/1089/LDP	Belfast Wastewater Treatment Works (WWTW) Duncrue Street Belfast BT3 9JB	Proposed Temporary Oxygen and Hydrogen Demonstrator Project for Wastewater Works.	PERMITTED DEVELOPMENT
LA04/2021/1092/F	Wave Trauma Centre 5 Chichester Park South Belfast BT15 5DW.	Replacement of Glazing and Roof of Existing Conservatory with Addition of Access Ramp.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1107/LBC	Wave Trauma Centre 5 Chichester Park South Belfast BT15 5DW	Demolition of Existing Glazing System Including Glass Roof of Conservatory and Replacement with New Glazing, Timber Cladding, Slate Finish Roof and Accessible Ramp.	PERMISSION GRANTED
LA04/2021/1120/F	5 Downshire Road Belfast BT6 9JL	Alterations to existing roof including construction of new dormer window to rear and minor amendments to front elevation.	PERMISSION GRANTED
LA04/2021/1131/F	81 Lagmore Meadows Dunmurry Belfast BT17 0TE	Two storey extension to side and rear of dwelling	PERMISSION GRANTED
LA04/2021/1136/F	15 Glen Ebor Park Belfast BT4 2JJ	Two storey extension to rear	PERMISSION GRANTED
LA04/2021/1147/F	58 Osborne Park Belfast BT9 6JP.	Demolition of existing rear and side single storey sunroom. Provision of enlarged rear and side single, storey sunroom & gym.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1148/DCA	58 Osborne Park Belfast BT9 6JP.	Demolition of existing single storey sunroom to the rear and formation of openings to the rear elevation to accommodate extension.	PERMISSION GRANTED
LA04/2021/1159/F	43 Isoline Street Belfast BT5 5GE.	Two-storey rear extension.	PERMISSION GRANTED
LA04/2021/1195/F	24 Hill Street Belfast BT1.	Proposed replacement fence with new gates to existing carpark	PERMISSION GRANTED
LA04/2021/1196/DCA	24 Hill Street Belfast BT1.	Removal of existing part boundary steel fence.	PERMISSION GRANTED
LA04/2021/1197/DC	11 Adelaide Park Belfast BT9 6FX.	Discharge of condition 5 LA04/2020/1884/LBC.	CONDITION DISCHARGED

Reference Number	Location	Proposal	Application Status
LA04/2021/1202/F	99 Falls Road Belfast BT12 4PE	Proposed change of use from retail shop unit to cafe/sandwich bar/ice cream parlour.	PERMISSION GRANTED
LA04/2021/1204/F	3 Schomberg Park Belfast BT4 2HH	Removal of existing garage and construction of 2 storey side extension to dwelling with garage on the ground floor	PERMISSION GRANTED
LA04/2021/1205/F	4 Castle Avenue Belfast BT15 4GE	Single storey rear extension. Raised patio to rear.	PERMISSION GRANTED
LA04/2021/1208/F	24 Windsor Road Malone Lower Belfast BT9 7FQ	Renewal of Planning Application LA04/2016/0617/F for proposed alterations and two storey extension to rear	PERMISSION GRANTED
LA04/2021/1213/LDE	30 St Albans Gardens Stranmillis Belfast BT9 5DR	House of multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Location	Proposal	Application Status
LA04/2021/1214/F	4 Harberton Drive Belfast BT9 6PE	Two storey extension to rear of dwelling, new window at first floor level on side elevation, change of window type to a bay on front elevation.	PERMISSION GRANTED
LA04/2021/1218/F	48 Ravenhill Park Belfast BT6 0DG	Attic conversion and dormer to rear with Juliette balcony	PERMISSION GRANTED
LA04/2021/1222/F	51 Wynchurch Road Belfast BT6 0JH	Single storey extension to side and rear, existing gable wall built up and hipped roof changed to pitched roof with rear dormer, roof lights to front elevation and raised patio to rear.	PERMISSION GRANTED
LA04/2021/1230/LDE	6 Sandymount Street Belfast.	House in Multiple Occupation.	PERMITTED DEVELOPMENT
LA04/2021/1253/LDE	14 Camden Street Belfast BT9 6AU	House in multiple occupation HMO	PERMITTED DEVELOPMENT

Reference Number	Location	Proposal	Application Status
LA04/2021/1259/F	17 Oakhurst Avenue Dunmurry Belfast	Proposed single storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2021/1264/F	20 Linen Grove Belfast BT14 8PP	Single storey rear extension. Ramped access to front.	PERMISSION GRANTED
LA04/2021/1279/DC	Lands adjoining & north of 55 & 57 Ballylesson Road & south of 9 Ballynahatty Road Belfast.	Discharge of condition 6, 7 and 8 LA04/2019/0355/O.	CONDITION DISCHARGED
LA04/2021/1281/F	78 Belmont Church Road Belfast BT4 3FG.	Demolition of existing ground floor extension and stores and construction of single storey rear extension.	PERMISSION GRANTED
LA04/2021/1306/DCA	4 Harberton Drive Belfast BT9 6PE	Demolition of existing single storey rear return to dwelling	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1311/F	17 Prince Edward Gardens Stranmillis Belfast BT9 5 GD.	Two storey side and rear extension and single storey rear extension.	PERMISSION GRANTED
LA04/2021/1313/F	22 Queensberry Park Belfast BT6 OHN.	Single storey side extension with 4no. rooflights and internal refurbishment to existing dwelling.	PERMISSION GRANTED
LA04/2021/1315/F	31 Somerton Road Belfast BT15 3LG.	Proposed 2 storey extension to rear of dwelling.	PERMISSION GRANTED
LA04/2021/1316/F	7 Cloghan Park Belfast BT5 7HH	Single storey rear extension with ramp to front of house and widening of entrance door; and associated works.	PERMISSION GRANTED
LA04/2021/1320/F	41 Upper Green Dunmurry Belfast BT17 0EL.	Single storey rear extension, first floor side extension and rear patio area.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1327/F	Retail Store Unit 3 Kennedy Shopping Centre 600 Falls Road Belfast BT11 9AE	Proposed Elevation and Roof Changes and Associated Site Works to Existing Retail Store to Accommodate Occupation by New Tenant.	PERMISSION GRANTED
LA04/2021/1329/F	98 Sandhurst Drive Belfast	Conversion of roofspace, dormer window to the rear and front velux windows	PERMISSION GRANTED
LA04/2021/1332/A	Lands at King's Hall and RUAS Site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north east of Balmoral Golf Club Belfast BT9 6GW	Erection of 2 no. PPC aluminium totem signs located to the front and rear of the extension to the King's Hall	PERMISSION GRANTED
LA04/2021/1333/A	Lands at King's Hall and RUAS Site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north east of Balmoral Golf Club Belfast BT9 6GW	1 no. metal single lettering sign on an entrance gate to the King's Hall accessed off the Upper Lisburn Road (Retrospective)	PERMISSION GRANTED
LA04/2021/1334/A	Lands at King's Hall and RUAS Site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north east of Balmoral Golf Club Belfast BT9 6GW	Erection of 1 no. LED internally illuminated PPC aluminium sign located to the front of the extension to the King's Hall and 2 no. non-illuminated PPC aluminium signs located to the rear and side of the extension to the King's Hall	PERMISSION GRANTED



Reference Number	Location	Proposal	Application Status
LA04/2021/1344/F	3 Callan Way Belfast BT6 0EW	Single storey rear extension	PERMISSION GRANTED
LA04/2021/1366/F	14 Woodlands Grange Belfast BT11 9QT	Rear single storey extension	PERMISSION GRANTED
LA04/2021/1369/LDE	Flat 2 31 Agincourt Avenue Belfast BT7 1QA	House in multiple occupation	PERMITTED DEVELOPMENT
LA04/2021/1370/LDE	Flat2 33 Agincourt Avenue Belfast BT7 1QA	House in multiple occupation	PERMITTED DEVELOPMENT
LA04/2021/1401/F	15A Beechlands Belfast BT9 5HU.	Single storey rear and side extension.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1431/LDE	13 Hatfield Street Belfast BT7 2FB	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/1459/F	4 Gransha Gardens Belfast BT11 SAP	Extension to rear and gable of dwelling to allow extended kitchen, family room, dining room, bathroom and bedroom	PERMISSION GRANTED
LA04/2021/1460/F	5 Beechmount Park Finaghy Belfast BT10 0GZ	Single storey rear extension with parapet wall. Conversion of garage to habitable space with parapet wall and external alterations	PERMISSION GRANTED
LA04/2021/1464/F	21 Gransha Drive Belfast BT11 8AL	Roof space conversion with dormer to the rear	PERMISSION GRANTED
LA04/2021/1470/F	2 Ardoyne Walk Belfast BT14 7PP	Single storey side extension.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1471/F	86 Ladybrook Park Belfast BT11 9EN	Single storey extension to rear with elevational changes.	PERMISSION GRANTED
LA04/2021/1473/F	9 Galwally Avenue Belfast BT8 7AJ	2 storey extension to side of dwelling and garden studio shed to rear	PERMISSION GRANTED
LA04/2021/1474/F	42 Salisbury Avenue Belfast BT15 5DZ	Single storey rear extension and patio	PERMISSION GRANTED
LA04/2021/1491/LDE	46 Ashley Avenue Belfast BT9 7BT	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/1493/DC	Land at 27 Medway Street Belfast BT4 1GP.	Discharge of condition 7 LA04/2020/1720/F.	CONDITION DISCHARGED

Reference Number	Location	Proposal	Application Status
LA04/2021/1501/LBC	Union Theological College 108 Botanic Avenue Belfast BT7 1JT	Remedial strengthening of existing lath and plaster ceiling	PERMISSION GRANTED
LA04/2021/1505/F	375 Cregagh Road Belfast BT6 0LE.	Single storey rear extension to provide enlarged kitchen I dining area.	PERMISSION GRANTED
LA04/2021/1513/F	68 Pommern Parade Belfast BT6 9FY	Single storey extension to rear, with covered yard and reduction in size of garage to create store	PERMISSION GRANTED
LA04/2021/1535/F	149 Old Westland Road Belfast BT14 6TE	Demolition of existing garage and utility area, construction of a new single storey rear extension, first floor rear extension and raised patios to side and rear	PERMISSION GRANTED
LA04/2021/1536/F	95 Priory Park Belfast BT10 0AG	Single storey and two storey side and rear extension along with internal layout modifications	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1544/F	19 Ormiston Crescent BELFAST BT4 3JP	Single storey extension to side and rear	PERMISSION GRANTED
LA04/2021/1548/LDE	23 Riverview Street Belfast BT9 5FD	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/1550/DC	64 Andersonstown Road Belfast BT11 8GZ.	Discharge of conditions 11 & 12 LA04/2020/2077/F.	CONDITION NOT DISCHARGED
LA04/2021/1610/F	61 Kilcoole Gardens Belfast Co Antrim BT14 8LF.	One and a half storey rear extension with rooflights. Construction of detached rear garage.	PERMISSION GRANTED
LA04/2021/1616/CON	70 North Road Belfast BT5 5NJ.	20% Crown reduction and 2.5m reduction of extended limbs over the North Road of Beech and Chestnut trees. Removal of 3 leylandiis, topping by approx. 3m and facing by approx. 1.5 m of remaining leylandii row. Topping (2m) and facing (1m) of Pittosporum.	WORKS TO TREES IN CA - AGREED

Reference Number	Location	Proposal	Application Status
LA04/2021/1619/F	28 Ormiston Crescent Belfast BT4 3JP	Garage conversion to utility and study with elevational changes to replace garage door with window	PERMISSION GRANTED
LA04/2021/1621/F	52 Marmount Gardens Belfast. BT14 6NW	Proposed new single storey kitchen/dining room extension to rear of existing dwelling.	PERMISSION GRANTED
LA04/2021/1631/F	593 Oldpark Road Belfast	Single storey rear extension	PERMISSION GRANTED
LA04/2021/1642/F	17 Mount Eden Park Belfast BT9 6RA.	Demolition of existing single storey extension and garage and erection of new single storey extension.	PERMISSION GRANTED
LA04/2021/1645/F	44 Ravenhill Park Belfast BT6 0DG.	Single and two storey rear extension, rear car parking and turning area.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1646/F	17 Diamond Gardens Finaghy Belfast BT10 0HD	Single storey extension to rear. New porch to front and associated site works	PERMISSION GRANTED
LA04/2021/1647/F	14 Trigo Parade Belfast BT6 9GA.	Garden room to rear of existing dwelling.	PERMISSION GRANTED
LA04/2021/1670/F	41 Malone Hill Park Belfast BT9 6RE.	Renewal of LA04/2016/0690/F - Single storey side and rear extension, with a raised patio. Alterations to driveway. New entrance gates.	PERMISSION GRANTED
LA04/2021/1674/F	1 Larkfield Manor Belfast.	Single storey extension to side.	PERMISSION GRANTED
LA04/2021/1676/F	25 Circular Road Belfast BT4 2FE.	Single storey extension to rear and side.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2021/1696/LDE	8 University Avenue Belfast BT7 1GY	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/1699/LDE	Flat 1 13 Lawrence Street Belfast BT7 1LE	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/1713/NMC	25 Cabin Hill Gardens Belfast BT5 7AP.	Non material Change LA04/2019/2532/F.	NON MATERIAL CHANGE REFUSED
LA04/2021/1717/LDE	86 Cromwell Road Belfast BT7 1JY.	House in multiple occupancy HMO	PERMITTED DEVELOPMENT
LA04/2021/1732/LDE	13 Fitzroy Avenue Belfast BT7 1HS.	House in multiple occupancy HMO	PERMITTED DEVELOPMENT



Reference Number	Location	Proposal	Application Status
LA04/2021/1734/F	58 Pretoria Street Belfast BT9 5AQ.	Dormer window to rear pitch of main roof.	PERMISSION GRANTED
LA04/2021/1768/LDE	18 Westminster Street Belfast BT7 1LA.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/1790/DC	277 Woodstock Road Belfast BT6 8PR.	Discharge of condition 2 LA04/2018/0297/F.	CONDITION DISCHARGED
LA04/2021/1801/NMC	92-108 North Queen Street Belfast.	Non material change LA04/2020/0461/F.	NON MATERIAL CHANGE GRANTED
LA04/2021/1827/PAN	Lands at 53-57 Shore Road Belfast BT15 3QG	Demolition of existing building on lands at 53-57 Shore Road and replace with proposed mixed use building over 3 floors. Building to consist of community creche, media suite, match control rooms, reception, community man's shed and relocation of existing hot food unit, toilets and provision for new turnstiles into Crusaders football ground located along Shore Road entrance.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE

Reference Number	Location	Proposal	Application Status
LA04/2021/1846/CON	Back garden of 3 Somerton Drive Belfast BT15 3LP.	Removal of 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2021/1886/PAN	Units E-F Westwood Centre Kennedy Way Belfast BT11 9BQ.	Change of use from indoor trampoline park (sui generis use) to retail (Class A1); and minor elevational changes associated with change of use.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE
LA04/2021/1971/PAN	Lands to east of West Link (A12) and south of Grosvenor Road; Lands at Grosvenor Road and intersection of Grosvenor Road and Durham Street; Lands to the east of Durham Street and north of Glengall Street; Lands at Glengall Street; Lands between	Proposed mixed use regeneration development comprising office, residential, retail, open space, commercial, and active travel uses, on lands surrounding the new Belfast Transport Hub to the east and west of Durham St and south of Grosvenor Rd.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE
LA04/2021/1981/PAN	Unit 1 Lesley Retail Park Boucher Road Belfast BT12 6HH	Section 54 application to vary Condition 04 of Planning Permission Z/96/0985 to allow for the sale of convenience goods, non bulky comparison goods and bulky comparison goods.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE
LA04/2021/1986/CON	Marlborough Lodge 78A Marlborough Park North Belfast BT9 6HJ.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED

Reference Number	Location	Proposal	Application Status
LA04/2021/2002/CON	17 Beechlands Belfast BT9 5HU.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED

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## STATUTORY RULES OF NORTHERN IRELAND

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**2021 No.**

### **ROADS**

#### **The Footway to the rear of Quadrant Place, near Albert Street, Belfast (Abandonment) Order (Northern Ireland) 2021**

*Made* - - - - - 2021

*Coming into operation* 2021

The Department for Infrastructure<sup>(a)</sup> makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993<sup>(b)</sup> and now vested in it<sup>(c)</sup>.

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

(Here will follow, where appropriate, recitals of the fact of any objections received or inquiry held and of the outcome thereof).

#### **Citation and commencement**

1. This Order may be cited as The Footway to the rear of Quadrant Place, near Albert Street, Belfast (Abandonment) Order (Northern Ireland) 2021 and shall come into operation on 2021.

#### **Application**

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

Sealed with the Official Seal of the Department for Infrastructure on 2021

(L.S.)

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(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))

(b) S.I. 1993/3160 (N.I. 15)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

## **SCHEDULE**

Article 2

### **AREA OF ROAD TO BE ABANDONED**

An area of 19.537 square metres of footway on the western side of the Westlink to the rear of Nos. 10 and 11 Quadrant Place, Belfast, more particularly delineated and shown hatched and coloured red on map number IN1/21/591428.

A copy of the map has been deposited at the Department's Headquarters, Room 301, Clarence Court, 10-18 Adelaide Street, Belfast and at DfI Roads Eastern Division, Annex 7, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast.

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order abandons the area of road described in the Schedule.

## DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/21/591428 referred to in “The Footway to the rear of Quadrant Place, near Albert Street, Belfast (Abandonment)  
Order (Northern Ireland) 2021” made by the Department on 2021 and coming into operation on 2021.

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SCALE 1:1250

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proceedings

Notes:



Area = 19.537 Sq.m.

Map Ref :-13113SW & 13113SE

NO.	REVISION	DATE
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Project:

Abandonment of Lands

Title:

Westlink Backpath  
Further Abandonment

FILE NO.	DESIGNED	LL	Date: 20/07/20
DRAWN	CHECKED	INIT	Date: 00/00/00
TRACED	APPROVED	INIT	Date: 00/00/00

Dwg. No.

Dwg No.

Revision

0

Scales: Scale 1:1250

**transportni**

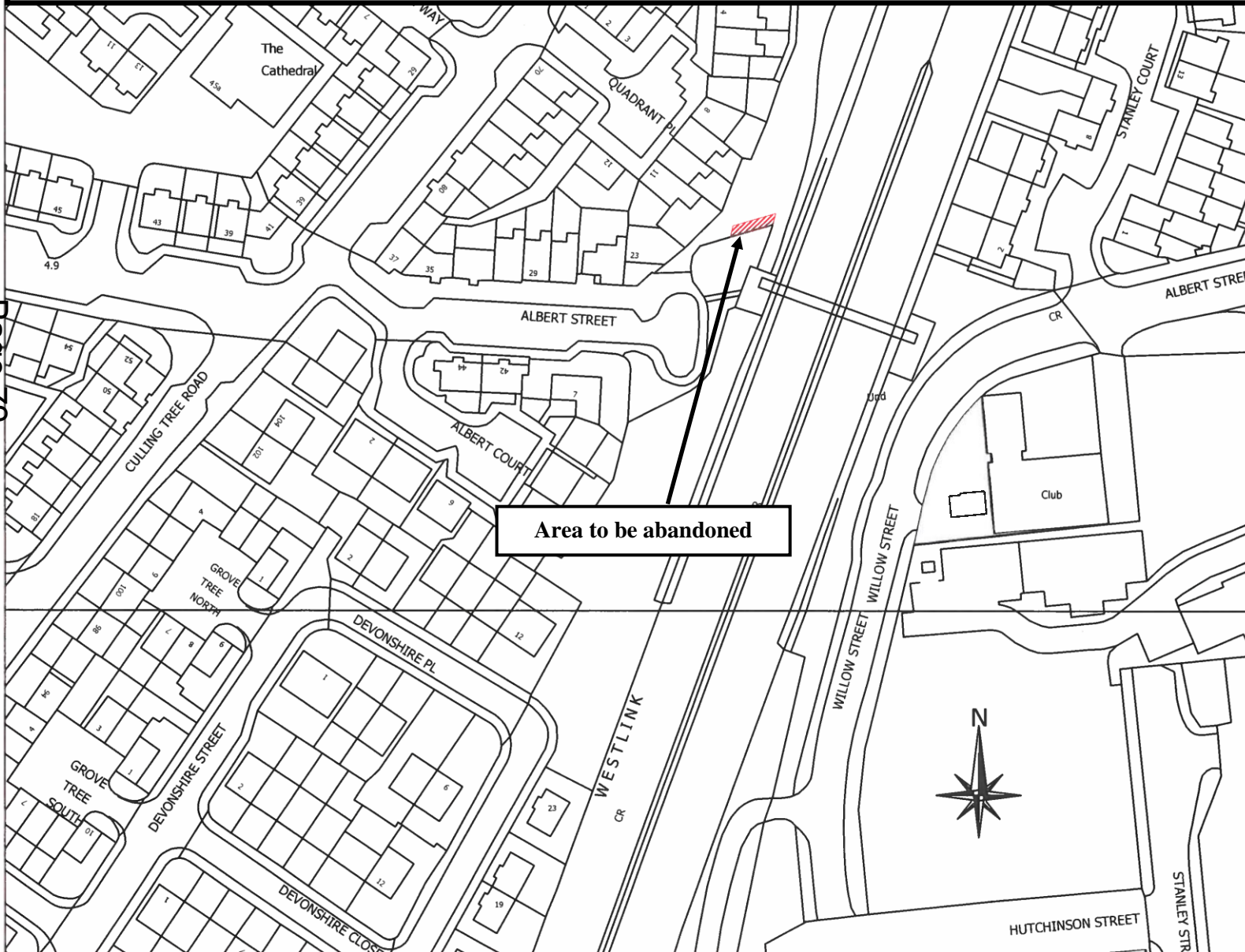
**Eastern Division**

Annex 7  
Castle Buildings  
Stormont Estate  
Belfast BT4 3SQ

Telephone: 028 9025 3000  
Fax: 028 9025 3220

Department for  
Infrastructure  
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Area to be abandoned

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## **ABANDONMENT – QUADRANT PLACE, NEAR ALBERT STREET, BELFAST**

The Department for Infrastructure (DfI) being of the opinion that the road is not necessary proposes to make an Order under Article 68 of the Roads (Northern Ireland) Order 1993, the effect of which would be to abandon an area of 19.537 square metres of footway on the western side of the Westlink to the rear of Nos. 10 and 11 Quadrant Place, Belfast.

The area of road proposed to be abandoned is delineated on a map which, together with a copy of a draft order, may be inspected free of charge during office hours within the period from 8th September 2021 to 18th October 2021 at DfI Roads Eastern Division, Annex 7, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast or viewed online at [www.infrastructure-ni.gov.uk/consultations](http://www.infrastructure-ni.gov.uk/consultations)

During the current Covid-19 restrictions, access to this building is limited and inspection of the draft Order is by appointment only which can be arranged either by e-mail using the e-mail address below or by telephone during office hours (Mon to Fri 9.00 a.m. to 5.00 p.m.) on 0300 200 7899.

Any person may, within the period above, object to the proposal by writing to DfI Roads Eastern Division, Annex 7, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast, BT4 3SQ or by emailing [lands.eastern@infrastructure-ni.gov.uk](mailto:lands.eastern@infrastructure-ni.gov.uk) stating the grounds of the objection.

The information you provide in your response to this consultation, excluding personal information, may be published or disclosed in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR). If you want the information that you provide to be treated as confidential, please tell us why, but be aware that, under FOI/EIR, we cannot guarantee confidentiality.

For information regarding the Departmental Privacy Notice following the introduction of GDPR please go to the following link <https://www.infrastructure-ni.gov.uk/dfi-privacy> or phone the Data Protection Office on – 028 90540540. For further details on confidentiality, the FOIA and the EIR please refer to [www.ico.org.uk](http://www.ico.org.uk)

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**Belfast City Council**

The Chief Executive  
Belfast City Council  
City Hall  
Donegall Square  
BELFAST  
BT1 5GS

[generalenquiries@belfastcity.gov.uk](mailto:generalenquiries@belfastcity.gov.uk)

Chief Executive  
[wylies@belfastcity.gov.uk](mailto:wylies@belfastcity.gov.uk)

Room 301  
Clarence Court  
10-18 Adelaide Street  
Belfast  
BT2 8GB

Tel: (028) 90540510  
Email: [blathnaid.mcalorum@infrastructure-ni.gov.uk](mailto:blathnaid.mcalorum@infrastructure-ni.gov.uk)  
Your reference:  
Our reference: IN1-21-14234

20th August 2021

Dear Sir/Madam

**The Footway to the rear of Quadrant Place, near Albert Street, Belfast  
(Abandonment) Order (Northern Ireland) 2021**

In accordance with the provision of Schedule 8 to the Roads (Northern Ireland) Order 1993, I enclose a copy of the above mentioned draft order and related map together with a copy of the statutory notice which will be published in the Belfast Gazette on 10th September 2021, the Irish News, News Letter and Belfast Telegraph on 8th and 15th September 2021. Objection period ends 18th October 2021.

Yours faithfully

*Blathnaid McAlorum*

Blathnaid McAlorum  
Transport Legislation Branch

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## Committee Application – Addendum report

Development Management Report	
<b>Application ID:</b> LA04/2020/0857/F	<b>Date of Committee:</b> 14 September 2021
<b>Proposal:</b> Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15No. Residential units, office space and ancillary development.	<b>Location:</b> Ormeau Centre 5-11 Verner Street Belfast
<b>Referral Route:</b> Objection received - Proposal is for over 12 residential units	
<b>Recommendation:</b> APPROVAL	
<b>Applicant Name and Address:</b> Habinteg Housing Association Alex Moira House 22 Hibernia Street Holywood	<b>Agent Name and Address:</b> Les Ross Planning 9a Clare Lane Cookstown BT80 8RJ
<p><b><u>ADDENDUM REPORT</u></b></p> <p>This full application was previously listed for Planning Committee on 16<sup>th</sup> March 2021 with a recommendation to approve. The application was withdrawn from the agenda and the Committee agreed to hold a pre-emptive site visit. The site visit took place on 8<sup>th</sup> April. The application was presented to Planning Committee on 20<sup>th</sup> April, with a recommendation to approve. At this meeting, the Committee agreed to defer consideration of the application to allow further engagement to take place between the developer and local residents.</p> <p><u>Representations:</u> One additional objection has been received in relation to the proposed development. The objection is from Councillor John Gormley. The issues raised include:</p> <ul style="list-style-type: none"> <li>• Size and Density of the proposed apartments.</li> <li>• Lack of amenity space.</li> <li>• Overshadowing of lower apartments during the day.</li> <li>• Concerns raised about fire safety arrangements.</li> <li>• Inadequate local consultation on the proposal.</li> </ul> <p><u>Consideration of issues raised:</u></p> <ul style="list-style-type: none"> <li>• Size and Density of the proposed apartments: As per para 8.14 of the March 2021 Planning Committee case officer report, concerns are noted regarding the height of the proposed building (approx. 13.8 m to parapet). It is considered that the surrounding context and comments from HED in relation to nearby listed buildings deal with these concerns.</li> </ul> <p>The proposed density equates to approximately 267 dwellings per Hectare. The application site is located within Belfast City Centre. As per para 6.137, the SPPS aims to promote high density housing developments in city centres.</p>	

In relation to apartment sizes, 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. However, it is noted that all of the proposed apartments comply with the published space standards.

- Lack of amenity space:

As per the April 2021 Planning Committee Addendum case officer report, the proposal includes approximately 53 sq metres of external communal amenity space within the first floor courtyard. Previous objections raised the issue of the ground floor office rooflight reducing the usability of the amenity space. The rooflight covers approximately 8 sq metres, thereby reducing the available usable amenity space to 45 sq metres. As previously set out in Para 8.19 of the original committee report, it is acknowledged that the amenity space provision does not comply fully with the standards as set out in 'Creating Places', however it is considered that the city centre location and relative proximity to the River Lagan towpath (approx. 300 m) and City Hall gardens (approx. 450 m) offset these concerns. In addition, as previously noted, the rooflight provides an efficient buffer to the 1<sup>st</sup> floor central apartment to mitigate potential overlooking.

During the processing of the application, the Council advised the applicant and agent that additional amenity space could be provided on the roof of the building to make up the shortfall. However, this would have resulted in further built form being added at roof level to facilitate both stair and lift access to the amenity space. It was considered that the extension at roof level would have impacted detrimentally on the character of the area and potentially, the adjacent listed buildings.

- Overshadowing of lower apartments during the day:

Shadow and daylight assessments were submitted in support of the proposal. Whilst it is acknowledged that the courtyard and central apartments will be in shadow for a portion of the day, this is balanced against a number of factors; The courtyard and apartments are south facing and receive direct sunlight in the middle part of the day, with the exception of winter (this is not considered unusual, especially in the context of a city centre location). The 21<sup>st</sup> March shadow assessment shows part of the courtyard in sunlight at 9 am, whilst the 3 pm elevation shows the courtyard in full shadow. It is however noted that the length of shadow at 3pm shows that the courtyard has only just been obscured by shadow, therefore it is reasonable to conclude that at least part of the courtyard remains in sunlight for 6 hours per day at this time of year. In relation to the apartments, the 1<sup>st</sup> floor apartment is most affected by shadow. The 21<sup>st</sup> March Shadow assessment shows the apartment windows in shadow at 9 am and 3pm, however the apartment is in full sunlight at 12 pm. Based on the images, it is reasonable to conclude that the apartment will experience approximately 4-5.5 hours of sunlight per day at this time of year. The daylight assessment shows that each room in the first floor central apartment will experience adequate daylight levels at 10 am and 3 pm on the Spring and Autumn Solstice (with exception of the internal hall and bathroom assuming doors are closed). In addition to this, a daylight assessment for the winter solstice has also been provided. Although it is clear the amount of light has reduced significantly, the assessment shows that the 3 rooms with windows will experience adequate daylight levels at this time of year at 10 am and 3 pm. On balance, whilst there are slight concerns regarding shadow, the results of daylight assessment and the city centre location outweigh these concerns. Consequently, it is considered that the adverse affect created by potential overshadowing is not so significant to justify a recommendation of refusal.

- Fire safety arrangements:

Northern Ireland Fire and Rescue Service are not listed as a statutory consultee, in accordance with the provisions of Part 1, Schedule 3 of the Planning (General Development Procedure) Order (NI) 2015. Fire safety regulations are within the remit of the Council's

Building control team. In the event this planning application is granted, the applicant will have to apply for building control approval.

- Inadequate local consultation on the proposal:  
As previously noted, at the April 2021 Planning Committee meeting, the Committee agreed to defer consideration of the application to allow ongoing engagement to continue between the developer and local residents.

The planning agent provided a summary of calls / meetings that have taken place since the April Planning Committee:

- 19<sup>th</sup> April 2021 – Zoom call with Markets Development Association (MDA)
- 2<sup>nd</sup> June 2021 – Meeting with MDA at Markets Community Centre, lasting approximately 2 hours. Planning agent / developer explained the rationale for the design and received feedback.
- 16<sup>th</sup> June 2021 - Meeting with MDA and others at Markets Community Centre, followed by site meeting with all attendees lasting approximately 2 hours. Design issues were explored in more detail. MDA and others confirmed that they could not support the current proposal and asked for radical changes.
- 23<sup>rd</sup> June 2021 – Meeting cancelled due to covid issues.
- 16<sup>th</sup> July 2021 – site meeting with developer and MDA. MDA confirmed they had appointed an architect to prepare an aspirational design solution.
- Planning agent advised that the process has not concluded formally, however a further meeting is scheduled for 7<sup>th</sup> September 2021.

Despite the protracted delay in this case, the applicant's agent seeks at least a further 3 months to allow for further discussions. Officers consider that deferral through committee is not the forum to delay consideration of an application in excess of 9 months. Having allowed an additional 5 months within the process to resolve any local issues, the Authority consider that this application should be re-presented to draw it to a conclusion.

### **Recommendation**

As per Section 9 of the original committee report and the previous Addendum report, on balance, the proposed development is considered to comply with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is requested that final wording of conditions is delegated to the Director of Planning and Building Control.

## Committee Application – Addendum report

<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2020/0857/F	<b>Date of Committee:</b> 20 April 2021
<b>Proposal:</b> Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15No. Residential units, office space and ancillary development.	<b>Location:</b> Ormeau Centre 5-11 Verner Street Belfast
<b>Referral Route:</b> Objection received - Proposal is for over 12 residential units	
<b>Recommendation:</b> <b>APPROVAL</b>	
<b>Applicant Name and Address:</b> Habinteg Housing Association Alex Moira House 22 Hibernia Street Holywood	<b>Agent Name and Address:</b> Les Ross Planning 9a Clare Lane Cookstown BT80 8RJ
<b><u>ADDENDUM REPORT</u></b>  <b><u>Representations</u></b>  An additional 3 objections have been received in relation to this proposal, from Markets Development Association, Ulster Architectural Heritage and Pragma Planning. The issues raised include: <ul style="list-style-type: none"> <li>Developer's lack of consultation with the local community.</li> <li>Proposal represents overdevelopment of the site.</li> <li>Proposal is contrary to the Policy QD1(h) of PPS 7 as lower apartments will experience overshadowing for virtually the full year.</li> <li>Inner 3 No. apartments will be in shade and shadow for majority of the day and year, leading to dark, inhospitable living spaces.</li> <li>Proposal is contrary to the Policy QD1(c) of PPS 7 due to inadequate amenity space provision. Upstand of the roof glazing reduces the usability and accessibility of the amenity space.</li> <li>Overlooking from amenity space towards adjacent living room and bedrooms.</li> <li>Proposal does not conform with the emerging Local Development Plan.</li> <li>Inadequate floor to ceiling heights.</li> <li>Concern regarding the possible demolition of adjacent stable building and redevelopment of that site, resulting in further amenity impacts.</li> <li>Proposal results in apartments that are wholly in the rear of the building. Based on this, the Council's assessment is inconsistent in comparison with an application previously listed at the March committee meeting – LA04/2020/1022/F – No. 1 and 1a Canada Street, Belfast.</li> <li>Grenfell Tower Inquiry recommends that the Fire authority are a statutory consultee on planning applications. There appears to be insufficient space to allow fire tender to access Market Street at the rear of the site. The objection asks if the three apartments at the rear can be accessed at all for firefighting purposes and fire strategy has been prepared.</li> </ul>	



- Planning officers should have been stronger in assessment of viability assessment regarding the suggested façade retention.
- Conservation area officer should have been consulted on the proposal, as the site is located within the Victoria St / Oxford St Area of townscape character, as designated in dBMAP.
- Proposed development is contrary to Policy ATC 1 of PPS 6 Addendum as there is a presumption in favour of retaining any buildings which make a positive contribution to the character of the ATC.
- Proposed development has not been properly assessed against planning policy, specifically PPS 6 Addendum and the SPPS in relation to ATCs.
- Proposal is contrary to PPS 6 in relation to 'Development affecting the setting of a listed building'.
- Proposed building is higher than the listed building and overshadows No. 83 May Street.

### **Consideration of issues raised**

- Community Consultation  
The proposed development is classified as a 'Local' development, in accordance with Regulation 2(2) of the Planning (Development Management) Regulations (NI) 2015. It is considered that prior engagement with the public and local communities adds value to the planning process, however in the case of a 'local' development, there is no legal requirement on the applicant to engage with the public prior to submission of a planning application.
- Residential Amenity  
Paras 8.20 – 8.25 of the original committee report provided context and further assessment of residential amenity issues. The objection letters raised issue of shadow, natural light and overlooking.

#### Shadow / Natural light

There were concerns regarding shadow and daylight, particularly the impact on the 3 central apartments. Shadow and daylight assessments were submitted in support of the proposal. Whilst it is acknowledged that the courtyard and central apartments will be in shadow for a portion of the day, this is balanced against a number of factors. The courtyard and apartments are south facing and receive direct sunlight in the middle part of the day, with the exception of winter (this is not considered unusual, especially in the context of a city centre location). The 21<sup>st</sup> March shadow assessment shows part of the courtyard in sunlight at 9 am, whilst the 3 pm elevation shows the courtyard in full shadow. It is however noted that the length of shadow at 3pm shows that the courtyard has only just been obscured by shadow, therefore it is reasonable to conclude that at least part of the courtyard remains in sunlight for 6 hours at this time of year. In relation to the apartments, the 1<sup>st</sup> floor apartment is most affected by shadow. The 21<sup>st</sup> March Shadow assessment shows the apartment windows in shadow at 9 am and 3pm, however the apartment is in full sunlight at 12 pm. Based on the images, it is reasonable to conclude that the apartment will experience approximately 4-5.5 hours of sunlight per day at this time of year. The daylight assessment shows that each room in the first floor central apartment will experience adequate daylight levels at 10 am and 3 pm on the Spring and Autumn Solstice (with exception of the internal hall and bathroom assuming doors are closed). In addition to this, a daylight assessment for the winter solstice has also been provided. Although it is clear the amount of light has reduced significantly, the assessment shows that the 3 rooms with windows will experience adequate daylight levels at this time of year at 10 am and 3 pm. On balance, whilst there are slight concerns regarding shadow, the results of daylight assessment and the city centre location outweigh these concerns. Consequently, it is considered that the adverse affect created by potential overshadowing is not so significant to justify a recommendation of refusal.

#### Overlooking

It is acknowledged that there is potential for overlooking into 3 apartments on the 1<sup>st</sup> floor from the amenity area, particularly the central apartment. This potential overlooking issue is informally mitigated by the existence of the proposed office atrium window on the ground, which creates separation between users of the space and the windows of this apartment. It is considered that the adverse affect created by overlooking is not so significant to justify a recommendation of refusal.

- Amenity Space

The proposal includes approximately 53 sq metres of external communal amenity space within the first floor courtyard. The objection letters raise the issue of the ground floor office rooflight reducing the usability of the amenity space. The rooflight covers approximately 8 sq metres, thereby reducing the available usable amenity space to 45 sq metres. As previously set out in Para 8.19 of the original committee report, it is acknowledged that the amenity space provision does not comply fully with the standards as set out in 'Creating Places', however it is considered that the city centre location and relative proximity to the River Lagan towpath (approx. 300 m) and City Hall gardens (approx. 450 m) offset these concerns. In addition, as previously noted, the rooflight provides an efficient buffer to the 1<sup>st</sup> floor central apartment to mitigate potential overlooking.

During the processing of the application, the Council advised the applicant and agent that additional amenity space could be provided on the roof of the building to make up the shortfall. However, this would have resulted in further built form being added at roof level to facilitate both stair and lift access to the amenity space. It was considered that the extension at roof level would have impacted detrimentally on the character of the area and potentially, the adjacent listed buildings.

- Apartments wholly in rear

Whilst the proposal does include apartments at the rear of the proposed building, this is not unacceptable development. These apartments are accessed via the building entrance at Verner Street.

Policy LC 2 of PPS 7 Addendum states that Planning permission for conversion of existing buildings to apartments / flats will only be permitted where the development does not contain any flat or apartment which is wholly in the rear of the property and without access to the public street. This policy is not applicable to this proposed development, however it is noted that all apartments have access to the public street.

- Façade Retention / ATC

The Council considers that the building makes a material contribution to the distinctive character of the area. Consequently, the Council advised the applicant that a proposal involving retention of the façade would be encouraged. Information was submitted by the applicant which showed that façade retention would compromise the proposed design and significantly increase construction costs, thereby ultimately impacting the viability of the scheme.

The site is located within the Victoria Street / Oxford Street ATC, as designated within dBMAP. Similarly to the SPPS, there is a presumption against the demolition of any building which makes a positive contribution to the character of the ATC within PPS 6 Addendum. As noted previously, it is considered that the existing building makes a positive contribution to the character of the ATC. However, the Victoria Street / Oxford Street ATC is not adopted and reverted to a draft ATC after the quashing of BMAP. During the BMAP PAC Inquiry, there was one objection to the designation of this ATC. The PAC recommended that the strategic policy on ATCs (Policy UE3) should be deleted and a detailed character analysis undertaken and design guide produced for each individual ATC. The objection 811/2 specifically related to policy UE3 and how it affects the draft Victoria Street / Oxford Street ATC, therefore the

PAC were unable to assess the objection further at this stage. It is noted that the Victoria Street / Oxford Street ATC was included within the subsequently adopted version of BMAP. It is also noted that the application site / building is not specifically mentioned within the key features of this ATC in Part 4 Volume 2 of dBMAP.

The Planning Appeals Commission has established that PPS 6 Addendum cannot be applied to draft ATCs (See appeal ref. 2017/A0126). As it is not known how any lawfully adopted BMAP will describe the overall character of the area to be designated, it is therefore not possible to assess the impact of the proposed development on that character.

Notwithstanding this, it is accepted that demolition of buildings within a draft ATC is a material consideration in the assessment of a proposal as existing buildings inform the local area's character. The impact of demolition cannot be assessed in isolation and divorced from the merits of the redevelopment scheme. Consequently, it is considered that the test to be applied is whether the proposed development will result in unacceptable damage to the character of the ATC.

- Listed building  
The application site is located in proximity to a number of listed buildings. The Council consulted with HED, who advised that they are content with the proposal in accordance with the SPPS and PPS 6, subject to a condition relating to the proposed materials.
- Fire Authority  
Northern Ireland Fire and Rescue Service are not listed as a statutory consultee, in accordance with the provisions of Part 1, Schedule 3 of the Planning (General Development Procedure) Order (NI) 2015. Fire safety regulations are within the remit of the Council's Building control team. In the event this planning application is granted, the applicant will have to apply for building control approval.
- Local Development Plan  
The Belfast Local Development Plan (LDP) Plan Strategy has been launched, with the PAC's Independent examination hearing sessions having recently concluded. The PAC has not yet finalised its report to DFI, therefore the process is still ongoing. In light of this, it is not considered that any weight can be attributed to the LDP at this stage.
- Adjacent site  
All planning applications are dealt with on their own merits. At present, no planning application has been submitted in relation to the adjacent site.

### **Consultations**

NI Water have responded to the consultation request, advising of no objections to the proposed development, subject to the following conditions:

- Commencement of the construction of the proposed development would not proceed beyond sub floor level until a solution to the lack of foul and storm drainage capacity has been proposed by the developer and agreed by NI Water.
- The occupation of the development cannot occur until the agreed solution has been implemented by the developer.

### **Recommendation**

As per Section 9 of the original committee report, on balance, the proposed development is considered to comply with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is requested that final wording of conditions is delegated to the Director of Planning and Building Control.

## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2020/0857/F	<b>Date of Committee:</b> 16 March 2021
<b>Proposal:</b> Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15No. Residential units, office space and ancillary development.	<b>Location:</b> Ormeau Centre 5-11 Verner Street Belfast
<b>Referral Route:</b> Objection received - Proposal is for over 12 residential units	
<b>Recommendation:</b> APPROVAL	
<b>Applicant Name and Address:</b> Habinteg Housing Association Alex Moira House 22 Hibernia Street Holywood	<b>Agent Name and Address:</b> Les Ross Planning 9a Clare Lane Cookstown BT80 8RJ
<b>Executive Summary:</b>  <p>The proposal is for 'Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15 No. residential units, office space and ancillary development'.</p> <p>The keys issues to consider are:</p> <ul style="list-style-type: none"> <li>Principle of Demolition</li> <li>Impact on character of the area and nearby listed buildings</li> <li>Impact on residential amenity</li> <li>Impact on sewage infrastructure</li> <li>Adequacy of proposed amenity space</li> <li>Social Housing need in the area</li> </ul> <p>The site is not zoned for a use within BUAP or draft BMAP, however the site is located within the Victoria Street / Oxford Street Area of Townscape Character (ATC), as designated within dBMAP.</p> <p>As the application site lies within a draft ATC, it is considered that the test to be applied to assess demolition is whether the proposed development will result in unacceptable damage to the character of the ATC.</p> <p>It is considered that the proposed redevelopment of the site maintains the overall character and respects the built form of the local area. The proposal is respectful of the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance. It is also noted that the proposed building incorporates some of the interesting features of the existing building. It is considered that the proposed development of the site does not result in a net detriment to the character of the ATC, therefore the proposed demolition is acceptable.</p> <p>The proposed development is readily accessible and an acceptable movement pattern is provided, with the needs of pedestrians, cyclists and people with mobility issues taken account of.</p>	

Although the proposed amenity space is below the threshold advised in Creating Places, the application site is located within the city centre and in close proximity to local amenities, such as City Hall Gardens and River Lagan. On balance, it is considered that there will be no unacceptable adverse impact on residential amenity for potential residents, with appropriate mitigation offered by way of condition.

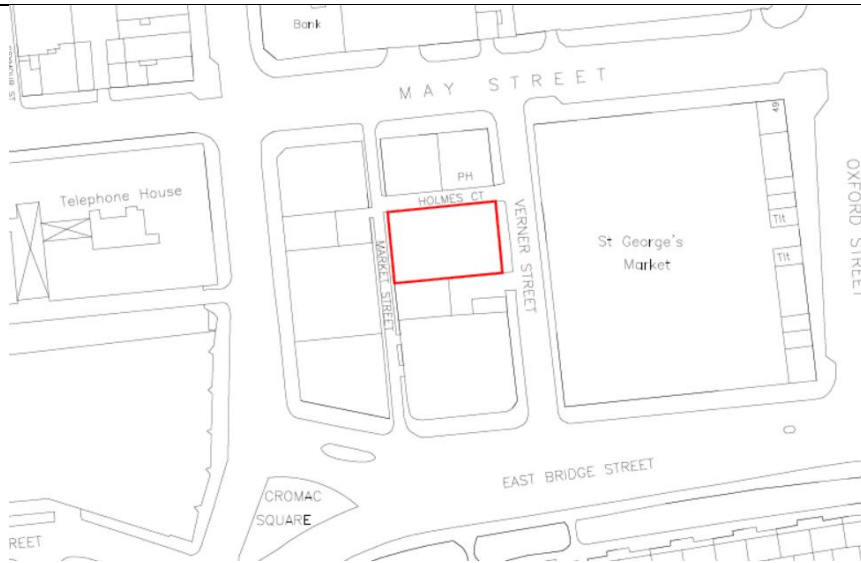
NIHE are supportive of the proposed residential scheme and advise that the proposal will help to address unmet social housing need in the catchment area.

There are still outstanding issues to be addressed regarding sewage infrastructure. The Council is currently awaiting further comments from NIW, however the agent advises that informal agreement has been reached with NIW regarding a potential solution.

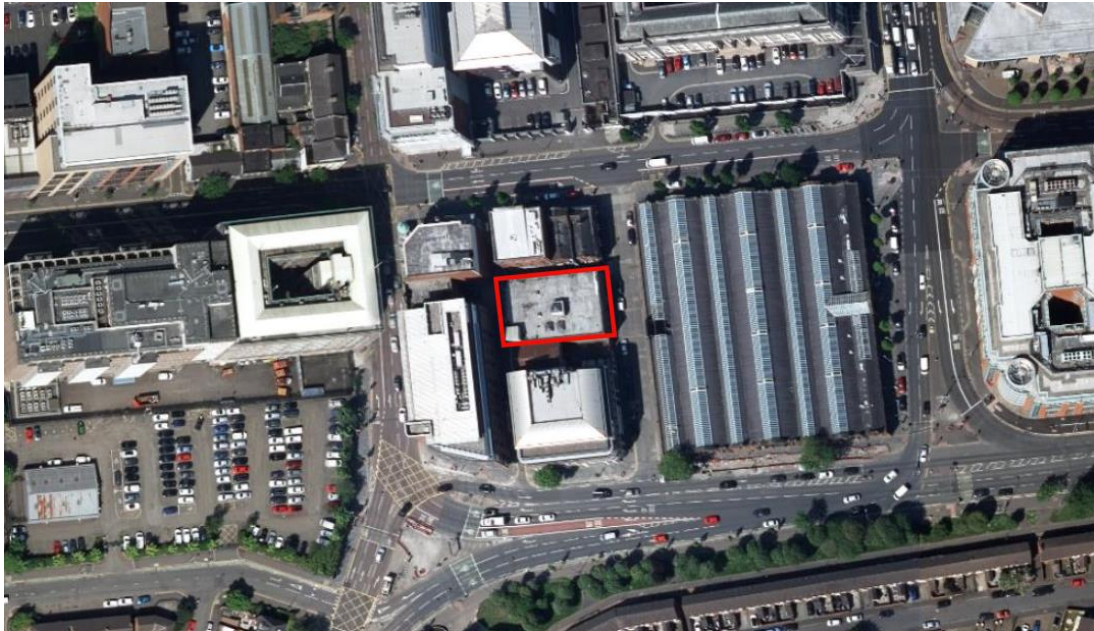
On balance, the proposed development is considered to comply with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions and agreement with NI Water.

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The proposal is for 'Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15 No. residential units, office space and ancillary development'.
1.2	The proposed building is 4 storeys, with a parapet height of approximately 13.8 m. The second storey is set back slightly, with the 3 <sup>rd</sup> storey set back by approximately 1.7 m.
1.3	The proposed office is located on the ground floor, with the 15 residential units on the upper floors. The ground floor footprint covers the full extent of the site, with the upper floors laid out in a 'U' shape, which creates an internal courtyard for communal amenity space.
1.4	The proposed building is finished in a mix of red brick, grey brick and render banding. The two apartments on the third floor facing Verner Street include an external amenity area which is bounded by a glass balustrade. The front of these proposed apartments are finished in aluminium framed curtain walling.
<b>2.0</b>	<b>Description of Site</b>
2.1	The application site is located within Belfast City Centre. There is an existing 2 storey red bricked building located on the site. The existing building has a distinctive parapet and green banding above the windows on each level. The building fronts directly on to Verner Street, with the rear elevation directly facing Market Street. The building is not currently in use, however it appears the last use was as a hostel. The application site is directly opposite St George's Market, a grade B1 listed building. There are a number of other listed buildings in proximity to the site, including the grade A Royal Courts of Justice.
2.2	The surrounding area is characterised by a mix of uses, mainly commercial in nature, with retail and office uses prevalent. The site is located in close proximity to a public house and bookmakers, both 'sui generis' land uses.
2.3	<u>Site location plan</u>

2.4



Aerial Photograph of site



### Planning Assessment of Policy and other Material Considerations

#### 3.0 Site History

- 3.1 Z/1993/2775 - Change of use to a shelter for the homeless of existing 2 storey building – Permission Granted
- 3.2 Z/1988/3156 - Change of use to office premises – Permission Granted
- 3.3 There have been a number of recent Pre-Application Discussions in relation to the application site:
- LA04/2019/2580/PAD - Redevelopment of site for social housing units  
 LA04/2016/0646/PAD - Retention of existing facade on Verner Street and construction of a new 4 storey purpose built centre for homeless people



	LA04/2015/0426/PAD - Demolition of existing two storey building and construction of a new purpose built 4 storey centre for homeless people.
<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 3 Access, Movement and Parking PPS 6 Planning, Archaeology and the Built Heritage PPS 6 Addendum Areas of Townscape Character PPS 7 Quality Residential Environments PPS 7 Addendum - Safeguarding the character of established residential areas PPS 12 Housing in Settlements PPS 15 Planning and Flood Risk
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection, subject to conditions.
5.2	NIEA – No objection, subject to conditions.
5.3	Historic Environment Division (HED) – No objections, subject to condition.
5.4	NI Water – Awaiting response
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objection, subject to condition
6.2	NI Housing Executive (NIHE) – Supportive of proposal
6.3	Rivers Agency – No objection
<b>7.0</b>	<b>Representations</b>
7.1	One objection has been received in respect of the proposal. The issues raised include: <ul style="list-style-type: none"> <li>• Proposal should retain as much built heritage as possible, rather than demolition of the building.</li> <li>• Size of the proposed residential units. Concern that the proposed units will not be fit for families.</li> </ul>
<b>8.0</b>	<b>Assessment</b>
8.1	<u>Development Plan context</u> Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan

	unless material considerations indicate otherwise. The application site is located within Belfast City Centre. 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.
8.2	The site is not zoned for a use within BUAP or draft BMAP, however the site is located within the Victoria Street / Oxford Street Area of Townscape Character (ATC), as designated within dBMAP.
8.3	<u>SPPS</u> The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.
8.4	The SPPS states that demolition of an unlisted building within an ATC should only be permitted where the building makes no material contribution to the distinctive character of the area and subject to appropriate redevelopment proposals. New development will only be acceptable where it will maintain or enhance the overall character of the area and respect its built form.
8.5	The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. The SPPS advises that the use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings.
8.6	The SPPS aims to promote economic development and facilitate job creation by ensuring provision of a generous supply of land suitable for economic development. The SPPS advises that proposals for Class B1 Business uses in city centres should be permitted.
8.7	<u>Principle of Demolition</u> The site is located within the Victoria Street / Oxford Street ATC, as designated within dBMAP. Similarly to the SPPS, there is a presumption against the demolition of any building which makes a positive contribution to the character of the ATC within PPS 6 Addendum. It is considered that the existing building makes a positive contribution to the character of the ATC, however it is important to note that the ATC is not adopted and reverted to a draft ATC after the quashing of BMAP. Furthermore, the application site / building is not specifically mentioned within the key features of this ATC in Part 4 Volume 2 of dBMAP.
8.8	The Planning Appeals Commission has established that PPS 6 Addendum cannot be applied to draft ATCs. Notwithstanding this, it is accepted that demolition of buildings within a draft ATC is a material consideration in the assessment of a proposal as existing buildings inform the local area's character. The impact of demolition cannot be assessed in isolation and divorced from the merits of the redevelopment scheme. Consequently, it is considered that the test to be applied is whether the proposed development will result in unacceptable damage to the character of the ATC.

8.9	The merits of the proposed development will be discussed later in the report. It is considered that proposed demolition would be acceptable in principle if the redevelopment does not result in a net detriment to the character of the ATC.
8.10	<p><u>Façade Retention</u></p> <p>As noted previously, the existing building makes a positive contribution to the character of the draft ATC and the proposed development should not result in unacceptable damage to the character of the ATC. Consequently, the Council advised that a proposal involving retention of the façade would be encouraged. Information was submitted by the applicant which showed that façade retention would compromise the proposed design and significantly increase construction costs, thereby ultimately impacting the viability of the scheme. The proposal is for 15 No. social housing units, supported by NIHE. Information in relation to housing need is contained later in the report.</p>
8.11	<p><u>Proposed use</u></p> <p>The proposal includes office accommodation at ground floor level in addition to 15 No. residential units on the upper floors. Both proposed uses are acceptable in principle in this city centre location.</p>
8.12	<p><u>Character, Design and Built Heritage</u></p> <p>The proposed application site is located on Verner Street, with the rear of the site directly facing Market Street. St. George's Market, a grade B1 listed building, is located immediately to the east of the site, on the opposite side of Verner Street. Immediately to the north of the site is another listed building, Ucatt House (grade B2). This building is an existing public house and is two storeys in height, similar to the application building. There is a 4 storey building located beside Ucatt House, which is also immediately to the north of the application site. To the south of the application site is a 4 storey building on the corner of Verner Street and East Bridge Street. Similarly to the proposal, this building is set back at 2<sup>nd</sup> and 3<sup>rd</sup> floor level. At the rear of the site (on the opposite side Market Street) is a large building six storeys in height. The front of this building faces on to Victoria Street.</p>
8.13	HED have been consulted due to the close proximity of listed buildings. In addition to St. George's Market, Ucatt House and the Royal Courts of Justice, the site is in proximity to Mays Chambers (73 May Street) and Former Northern Bank (108-110 Victoria Street). HED advise that they are content with the proposal in accordance with the SPPS and PPS 6, subject to a condition relating to the proposed materials.
8.14	There is some concern regarding the height of the proposed building (approx. 13.8 m to parapet). The parapet height of St. George's Market is approx. 6.4 m, however there is an archway directly opposite the application site, approx. 8.3 m in height. Furthermore, the neighbouring listed building Ucatt House is 2 storey in height (Approx. 8.4 m parapet height, 10.5 m overall height). However, as per the above description of the surrounding buildings, there is quite a diversity in terms of height within the local area. The building located to the south of the site (and also directly adjacent St. George's Market) is approximately 17.1 m in height, whilst the 6 storey building immediately to the west of the site is considerably taller again. As noted previously, the building located beside Ucatt House on May Street is a 4 storey building. Furthermore, the comments from HED assist in alleviating concerns regarding the proposed height.
8.15	The proposed building is set back by approx. 0.35 m at second floor level and approx. 1.8 m at third floor level. In addition to this, the proposed building is finished in red brick for the two lower levels. The second floor is finished in grey brick, with

	the third floor finished in aluminium framed curtain walling on the Verner Street side and grey brick on the remaining elevations. In addition to the red brick at ground and first floor levels, the proposed front elevation replicates the four existing red brick columns and the render banding of the existing building. Furthermore, the proposed set back of the second floor results in a parapet at similar height to the existing building. Whilst the proposal is undoubtedly modern in design and appearance, many of the details take their cues from the existing building.
8.16	On balance, it is considered that the proposed redevelopment of the site maintains the overall character and respects the built form of the local area. The proposal is respectful of the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.
8.17	<u>Access / Parking</u> The proposal relies primarily on on-street parking, however there is one car parking space accessible from Market Street. Covered cycle parking is also accessible from Market Street. Two separate pedestrian accesses are located on the Verner St elevation, one for the office on the ground floor and one for the apartments. DFI Roads have no objection to the proposal in terms of access or parking, subject to conditions.
8.18	<u>Movement Pattern / local facilities</u> An acceptable movement pattern is provided supporting walking, cycling and access to public transport. Internal lifts are provided, therefore meeting the needs of people with impaired mobility. As previously noted, the site is located within the city centre therefore access to local facilities is convenient.
8.19	<u>Amenity space / Landscaping</u> The proposal includes approximately 53 sq metres of external communal amenity space within the first floor courtyard. Furthermore, 2 of the proposed apartments on the 3 <sup>rd</sup> floor have private balconies. The amenity space provision does not comply fully with the standards as set out in 'Creating Places', however it is considered that the city centre location and relative proximity to the River Lagan towpath (approx. 300 m) and City Hall gardens (approx. 450 m) offset these concerns.
8.20	<u>Residential amenity</u> The proposed development is located within the city centre in close proximity to a public house and St George's Market, therefore potentially giving rise to detrimental amenity impacts. Additional information was submitted in support of the proposed development, including a Noise impact assessment, Odour impact assessment and Air quality impact assessment.
8.21	BCC Environmental Health (EHO) provided comment on the proposal. With regard to noise, EHO have no objections to the proposal, subject to conditions. However, they note that the 3 <sup>rd</sup> floor balconies will give rise to high daytime noise levels, which at times are expected to be in excess of the upper guideline noise limit. British Standard BS8233:2014 guidance advises that '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'. Although noise levels on the external balconies will occasionally be excessive, potential occupiers will also have access to the communal amenity area. On balance, given the city centre location of the proposal in addition to the option of a communal amenity area, this arrangement is considered acceptable.

8.22	Further additional information was submitted in relation to odour control from the neighbouring public house / restaurant. EHO were content with the submitted information, subject to conditions.
8.23	With regard to air quality, there will be no centralised heating system, therefore each apartment and the office will have their own individual condensing boiler. EHO have no objection to this arrangement, subject to condition.
8.24	The proposed building is a 'U' shape, with the courtyard orientated in a southerly direction, thereby benefiting from enhanced sunlight. However, due to the proposed building footprint and design, there were some concerns regarding light and shadow on the 3 central apartments. These 3 apartments are the only proposed apartments within the overall development to only have windows on one wall (living room and two bedrooms each have one window), although it is acknowledged that these windows are orientated in a southerly direction. A Shadow and daylight assessment was submitted in support of the proposal. Following analysis of same, it is considered that there will be no unacceptable adverse impact on terms of loss of light or overshadowing.
8.25	The proposed communal amenity space in the courtyard benefits from passive surveillance from the surrounding apartments. It is considered that there is potential for overlooking into apartments, particularly the central apartment. This potential overlooking issue is informally mitigated by the existence of the proposed office atrium window on the ground, which creates separation between users of the space and the windows of this apartment. One of the apartments has been designed specifically for a wheel chair user, and this apartment benefits from direct access to the amenity space.
8.26	<u>Boundary treatments</u> The proposed building covers the full extent of the application site, therefore no walls, fences etc. are required. The building is fully secured from the public street, therefore enhancing safety and discouraging crime.
8.27	<u>Drainage / Sewage infrastructure</u> NI Water (NIW) confirmed in their response dated 29 <sup>th</sup> January 2021 that 'Waste water treatment capacity is not available at present for the proposed development'. NIW advised that the applicant should contact NIW to discuss alternative interim options. The agent has confirmed that the applicant's team has recently met with NIW to discuss potential solutions for the site. The agent advised that both parties have informally agreed to a negative condition relating to storm water and sewage infrastructure, in the event of permission being granted. The Council re-consulted with NI Water on 25 <sup>th</sup> February 2021 for formal confirmation of this agreement. At the time of publication, no response has yet been received.
8.28	<u>Ecology</u> A preliminary ecological appraisal was submitted in support of the proposed development. NIEA considered the impact of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, offered no objection.
8.29	<u>Contamination</u> A Generic Quantitative risk assessment was submitted in support of the proposed development. The assessment concluded that the site does not pose a risk to

8.30	<p>human health and that no special gas protection measures are required, therefore EHO and NIEA did not offer any objection.</p> <p><u>Housing Need</u></p> <p>Northern Ireland Housing Executive (NIHE) have confirmed that they support the proposed housing mix. 12 No. of the 15 No. proposed apartments have 2 bedrooms, with the remaining 3 No. units single bedroom apartments. NIHE have confirmed there were no allocations to families in the year to March 2020 in this area and the proposal will help to address unmet social housing need in the catchment area.</p>
9.0	<p><b>Summary of Recommendation: APPROVAL</b></p> <p>9.1 With regard to the proposed demolition, as noted in Para 8.7, it is considered that the test to be applied is whether the proposed development will result in unacceptable damage to the character of the ATC. Para 8.8 indicated that demolition would be acceptable in principle if the redevelopment does not result in a net detriment to the character of the ATC.</p> <p>On balance, it is considered that the proposed redevelopment of the site maintains the overall character and respects the built form of the local area. The proposal is respectful of the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance. It is considered that the proposed development of the site does not result in a net detriment to the character of the ATC, therefore the proposed demolition is acceptable.</p> <p>The proposed development is readily accessible and an acceptable movement pattern is provided, with the needs of pedestrians, cyclists and people with mobility issues taken account of.</p> <p>Although the proposed amenity space is below the threshold advised in Creating Places, the application site is located within the city centre and in close proximity to local amenities, such as City Hall Gardens and River Lagan.</p> <p>On balance, it is considered that there will be no unacceptable adverse impact on residential amenity for potential residents, with appropriate mitigation offered by way of condition.</p> <p>NIHE are supportive of the proposed residential scheme and advise that the proposal will help to address unmet social housing need in the catchment area.</p> <p>As noted in Para 8.27, there are still outstanding issues to be addressed regarding sewage infrastructure.</p> <p>On balance, the proposed development is considered to comply with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions and agreement with NI Water.</p>
10.0	<p><b>Conditions</b></p> <p>10.1 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>

10.2	<p>The individual or combined NOx emission rate for the proposed gas boilers installed at the hereby permitted development shall not exceed 5mg/sec unless the applicant submits an Air Quality Impact Assessment to the Planning Authority for approval in writing.</p> <p>Reason: Protection of human health.</p>
10.3	<p>Prior to occupation of the hereby permitted development, the applicant shall submit a Noise Verification Report to the planning authority for review and approval writing. The Verification Report shall demonstrate the following:</p> <p>(a) that the external masonry walls of the hereby permitted building have been constructed in line with the recommendation on page 7 of the Acoustic Designs report entitled 'Environmental Noise Assessment. Mixed Commercial and Residential Development. 5-11 Verner Street, Belfast', (dated August 2020) to provide an overall minimum rated sound reduction performance of 59 dB RW;</p> <p>(b) that the roof to the hereby permitted development has been constructed as per the recommendation outlined on page 8 of the Acoustic Designs report entitled 'Environmental Noise Assessment. Mixed Commercial and Residential Development. 5-11 Verner Street, Belfast', and dated August 2020;</p> <p>(c) that all glazing installed within the hereby permitted residential element of the development meets a minimum rated sound reduction performance of 49 dBRW (with a minimum overall thickness of 44mm being achieved), as per the recommendation on page 8 of the Acoustic Designs report entitled 'Environmental Noise Assessment. Mixed Commercial and Residential Development. 5-11 Verner Street, Belfast', dated August 2020;</p> <p>(d) that the proposed Nuair Mechanical Ventilation and Heat Recovery System (MRXBOXECO2) has been installed throughout the development along with the acoustic attenuation measures to the system (Q-Aire) and associated ducting (Domus) installed in the manner referenced in the letter from RMI architects dated 10th December 2020 to deliver adequate ventilation and thermal comfort with windows shut and ensuring control of noise from the system itself;</p> <p>(e) that the internal noise level in habitable rooms does not exceed the following targets:</p> <ul style="list-style-type: none"> <li>- 35dB LAeq,16 hr between 07.00hrs and 23.00hrs within any habitable room, with the windows closed and the alternative means of ventilation operating;</li> <li>- 30 dB LAeq,8hr within bedrooms between 23.00hrs and 07.00hrs, with the windows closed and the alternative means of ventilation operating;</li> <li>- 45dB LAFmax, by more than 10 single sound events in any proposed bedrooms with the windows closed and alternative means of ventilation operating.</li> </ul> <ul style="list-style-type: none"> <li>- No passive or trickle vents are to be incorporated into the window system/s of the hereby permitted development.</li> <li>- Air inlet and outlet points shall be located as per the indicative drawing no: 1997-1SD-ZZ-01 -DR-M-5702 provided by 1SD;</li> <li>- No air intake points are to be located on the Holmes Court facade.</li> </ul> <p>Reason: Protection of residential amenity.</p>

10.4	<p>If during the development works, new contamination and risks to the water environment are encountered which has not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.5	<p>After completing any remediation works required under Condition 4, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.6	<p>The development hereby permitted shall not commence until all fuel storage tanks (and associated infrastructure) are fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) as necessary. The quality of surrounding soils and groundwater should be verified and if any additional contamination be identified during this process, Conditions 4 and 5 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.7	<p>The external materials shall be constructed in accordance with the approved Drawing No's 07A and 08A uploaded to the Planning Portal on 25th November 2020. .</p> <p>Reason: To ensure the use of the sympathetic and high quality materials in the setting of a listed building and in the interests of the character and appearance of the area.</p>
10.8	<p>No development shall take place until samples of all 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>
10.9	<p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved drawings. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p>
10.10	



10.11	<p>The vehicular access shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
10.12	<p>The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
	<p>Means of ventilation for the hereby approved development shall be carried out in accordance with the information on the planning portal, including the letter from ISD dated 14th August 2020 and uploaded to the Planning portal on 7th January 2021, data sheet for Rigid duct attenuator uploaded to the Planning portal on 22nd January 2021, data sheet for Q-Aire acoustic enclosure for proposed Nuaire MVHR system uploaded to the Planning portal on 22nd January 2021 and Holmes Court Elevation - Ventilation details uploaded to the Planning portal on 7th January 2021.</p> <p>Reason: To protect residential amenity.</p>
<p><b>Notification to Department (if relevant)</b></p>	
<p><b>Representations from Elected members:</b></p> <p>N/A</p>	

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## Addendum Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> Tuesday 14 <sup>th</sup> Sept 2021	
<b>Application ID:</b> LA04/2020/1360/F	
<b>Proposal:</b> Proposed demolition of existing church hall building and construction of 9.no apartments and 1no. retail unit.	<b>Location:</b> 491-495 Lisburn Road Belfast BT9 7EZ
<b>Referral Route:</b> At the request of Cllr McKeown	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Kirk Bryson & Co Ltd c/o Osborne King The Metro Building 6-9 Donegall Square South Belfast	<b>Agent Name and Address:</b> Coogan and Co Architects Ltd1 Montgomery 122 Upper Lisburn Road Finaghy Belfast
<p><b><u>ADDENDUM REPORT</u></b></p> <p>This full application was previously listed for Planning Committee on 17<sup>th</sup> August 2021. The application was deferred for a site visit to be undertaken to allow the Committee to acquaint itself with the location and to consider points of objection. Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>A site visit for elected members took place on Thursday 2<sup>nd</sup> September 2021.</p> <p>Members familiarised themselves with the site and surroundings, assessed overlooking from proposed balconies and discussed parking provision within the street location and associated with neighbouring development.</p> <p>By way of clarification the Planning History for the neighbouring site at 497-505 Lisburn Road is Planning approval reference Z/2007/0197/F which granted permission for four retail units, 10 apartments and basement car parking.</p> <p><b>Additional Information</b> No new information has been submitted for further consideration; the original report remains unaltered with a recommendation to approve.</p> <p><b><u>Assessment</u></b> The proposal has been considered and assessed in accordance with the relevant prevailing planning policies and development plan.</p> <p><b><u>Summary</u></b></p> <ul style="list-style-type: none"> <li>• The site visit by members has taken place.</li> <li>• No new amendments or information has been received for further consideration and the recommendation remains unchanged.</li> </ul> <p>In conclusion, the recommendation remains as set out in the case officer's report and this addendum.</p>	

**Recommendation**

The proposal is recommended for approval. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording.

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> Tuesday 17 August 2021	
<b>Application ID:</b> LA04/2020/1360/F	
<b>Proposal:</b> Proposed demolition of existing church hall building and construction of 9.no apartments and 1no. retail unit.	<b>Location:</b> 491-495 Lisburn Road Belfast BT9 7EZ
<b>Referral Route:</b> Requested to be presented to the Planning Committee by elected member	
<b>Recommendation: Approval Subject to Conditions</b>	
<b>Applicant Name and Address:</b> Kirk Bryson & Co Ltd c/o Osborne King The Metro Building 6-9 Donegall Square South Belfast	<b>Agent Name and Address:</b> Coogan and Co Architects Ltd 122 Upper Lisburn Road Finaghy Belfast
<b>Executive Summary:</b>  <p>The application seeks full planning permission for the demolition of the existing Church Hall on site and the replacement with nine apartments, one retail unit and associated site works</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>Principle of re development and Use</li> <li>Scale, Design, Massing &amp; Layout</li> <li>Impact on Surrounding Character, ATC</li> <li>Impact on Neighbouring Amenity</li> <li>Provision of internal and outdoor amenity</li> <li>Parking and traffic issues</li> <li>Water and Sewage</li> <li>Other Environmental Matters</li> </ul> <p>A total of 8 letters of objection have been received following the initial and amended scheme. Seven of the letters are from two individuals and the other is from Cllr. Tracy Kelly supporting the comments from one of the objectors. Cllr. McKeown also made representations and requested that the application is brought before the Committee for the reasons set out in the objection letters. Six of the letters were received before the final amended scheme was notified. It is considered that some of the initial issues of concern have been resolved following amendments to the scheme.</p> <p>The issues of concern expressed include:</p> <ul style="list-style-type: none"> <li>Inadequate Parking provision,</li> <li>Overlooking/dominance of neighbouring properties,</li> <li>Noise/smell from balconies resulting from talking/smoking</li> <li>Food waste - additional bins to serve the development</li> <li>Density - 10 apartments</li> <li>Need/economic impact - need for an additional retail unit</li> <li>Design contrary to Area of Townscape Character</li> </ul>	

Response to the points raised are dealt with in the case officer report below.

The proposal is within the urban area and within the development limits of Belfast. The proposed uses of retail on the ground floor with residential above is compatible on the site and in the area and therefore the principle is acceptable providing the proposal is compliant with all relevant policies and material considerations.

The proposed design, scale, height, mass and appearance is on balance acceptable within the surrounding context. The proposed residential units are of a size and layout which are acceptable with all having access to amenity provision, a reduced standard of amenity is considered acceptable as the site sits in a highly accessible location close to local amenities including parks and a contribution will be made towards local park amenities.

The proposal has been amended during the processing both to ensure it will not result in an unacceptable impact in terms of dominance and overlooking on neighbouring terraces; and to ensure the design will sit more comfortably both on the Lisburn Road and the residential street. It is considered that the proposal will not have a significant detrimental impact on neighbouring residential amenity.

All consultees, DFI Roads, Environmental Health, Urban Design Officer, NIW and Rivers Agency offer no objection to the proposal.

#### Section 76 Agreement

- The development proposed falls short in terms of private and shared amenity and therefore the developer will provide a contribution to local public amenity to offset this reduction.
  - The development does not provide parking, DFI Roads are satisfied that sufficient on-street parking is available and have requested green travel measures in the form of travel cards, that each of the apartments is supplied with a travel card funded for 3 years to encourage the uptake in the use of public transport.
- The developer has agreed to enter into a Section 76 agreement to secure these measures.

#### Recommendation

Having had regard to the extant development plan, the draft development plan, relevant planning policies, and all other material considerations the proposed development is considered on balance to be acceptable.

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

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

1.0	<b>Description of Proposed Development</b>
1.1	Full planning permission is sought for the proposed demolition of existing church hall building and construction of 9.no apartments and 1no. retail unit.
2.0	<b>Description of Site.</b>
2.1	The site is an existing Church Building of no particular design merits, being constructed with a mono pitched roof and constructed with red, yellow, and brown brickwork. The building occupies a corner plot at the Lisburn Road, a busy commercial frontage, and Rathcool Street a residential street of two storey terrace dwellings. The site sits opposite to the Lisburn Road Police Station and adjoins a single storey high row of commercial/retail units. To the opposite corner of Rathcool Street is a modern four storey building consisting of ground floor retail and apartments above.

### Planning Assessment of Policy and other Material Considerations

3.0	<b>Planning History</b>
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	LA04/2020/1359/F - Proposed change of use from existing church hall to a restaurant (includes demolition of existing mezzanine level)
<b>4.0</b>	<b>Policy Framework</b>
4.1	<p><u>Planning policy framework and guidance included:</u></p> <ul style="list-style-type: none"> <li>- Belfast Urban Area Plan (BUAP)</li> <li>- Draft Belfast Metropolitan Area Plan (dBMAP) 2004</li> </ul> <p>The extant development plan is the BUAP. However, given the stage at which the Draft BMAP has 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 for NI (SPPS)</p> <ul style="list-style-type: none"> <li>- Planning Policy Statement 3 (PPS 3) Access, Movement &amp; Parking</li> <li>- Addendum to Planning Policy Statement 6 Areas of Townscape Character</li> <li>- Planning Policy Statement 7 Quality Residential Environments</li> <li>- Addendum to Planning Policy Statement &amp; Safeguarding the Character of Established Residential Areas</li> <li>- Planning Policy Statement 12 Housing in Settlements</li> <li>- Development Control Advise Note 8</li> <li>- Creating Places Achieving Quality in Residential Developments</li> <li>- Belfast Agenda</li> </ul>
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	<p>Rivers Agency – no objection</p> <p>NI Water – no objection</p> <p>DfI Roads Service – no objection</p>
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
	<p>BCC Environmental Health – no objection</p> <p>BCC Urban Design Officer</p>
<b>7.0</b>	<b>Representations</b>
7.1	The proposal was advertised in the local press and 17 neighbouring properties notified, to date the Council has received 8 letters objecting from two neighbouring residents and one from Cllr. Tracy Kelly who is supporting one of the objecting neighbours. Cllr. McKeown also requested that the application is brought before the Committee supporting the objection reasons.
7.2	<p><u>Issues raised include:</u></p> <ul style="list-style-type: none"> <li>• Inadequate Parking provision,</li> <li>• Overlooking/dominance of neighbouring properties,</li> <li>• Noise/smell from balconies resulting from talking/smoking</li> <li>• Food waste - additional bins to serve the development</li> <li>• Design contrary to Area of Townscape Character</li> </ul>
7.3	<p><u>Response to concerns:</u></p> <ul style="list-style-type: none"> <li>• DfI Roads Service consulted response indicates no significant impact on the road network - sufficient parking within the wider area. Proposal to provide adequate cycle parking and supply funded travel cards for three year to encourage sustainable methods of transport</li> <li>• Environmental Health Service has commented on the issue of anti-social behaviour regarding potential noise impact from balconies and advised that The Clean Neighbourhood &amp; Environment Act (NI) 2011 and the Noise Act 1996 allows for legal action regarding unacceptable nuisance. Regarding smells the objectors refer to people smoking on the balconies and the resulting smell impacting their</li> </ul>



	<p>property. Officers are of the opinion that the separation distance and normal outdoor environmental conditions would prevent by products of smoking from affecting neighbouring properties.</p> <ul style="list-style-type: none"> <li>The objector referred to waste and refers to addition bin storage/collection being a concern. Officers consider that sufficient space has been provided on site for the storage of waste containers. It is proposed that the waste capacity requirement calculated at 730Lts will require 1 euro-bin and one wheelie bin providing 840Lts will be collected on a two weekly bases. Dry recyclable waste need is calculated at 570Lts method of storage and collection will be 10no. 55Lts boxes and 1no. 240Lts Blue wheelie bin a total provision of 790Lts to be collect on a weekly basis. Organic waste needs are calculated at 104Lts weekly, the provision for storage being is 1no. 140Lts brown bin for weekly collection. Officers opinion is sufficient waste storage is supplied and the number of bins and collection periods will not result in a significant impact on the surrounding area.</li> <li>All other matters including ATC considered below in report.</li> </ul>
<b>8.0</b>	<b>Other Material Considerations</b>
	<p>DCAN 15 <b>Vehicular Access Standards</b></p> <p>DOE Parking Standards</p>
<b>9.0</b>	<b>Assessment</b>
9.1	<p>The key issues to consider in the assessment of this application are as follows:</p> <ul style="list-style-type: none"> <li>Principle of re development and Use</li> <li>Scale, Design, Massing &amp; Layout</li> <li>Impact on Surrounding Character, ATC</li> <li>Impact on Neighbouring Amenity</li> <li>Provision of internal and outdoor amenity</li> <li>Parking and traffic issues</li> <li>Water and Sewage</li> <li>Other Environmental Matters</li> </ul>
9.2	<p><u>Principle of Development</u></p> <p>The site is located within the settlement limits for the city within BUAP and the 2004 and 2015 dBMAP. The site is further designated within the Lisburn Road draft Area of Townscape Character (ATC). It is also shown to be adjacent to an existing commercial frontage and on an arterial route. The area is mixed use with commercial frontage with living above the shop a common feature and terraced residential streets run behind. The SPPS sets out that planning permission ought to be granted for sustainable development that accords with the Local Development Plan and causes no harm to areas of acknowledged importance. There is no policy to the contrary therefore, in principle redevelopment of this site for retail and residential is a considered compatible and acceptable.</p>
9.3	<p><u>Scale, Design and Massing:</u></p> <p>In terms of the scale, of the proposal, it is for a four-storey apartment and retail development consisting of nine apartments and one retail unit. The proposed development is to occupy a corner plot at the junction of the Lisburn Road and Rathcool Street. The location is considered to have the benefit of allowing a larger and higher scale building to be accommodated, giving a strong presence to the frontage. The proposal will be paired with an existing apartment and retail development on the opposite street corner of similar scale, massing, dimensions and styling. The neighbouring apartment block at no</p>

	<p>505 Lisburn Road provides a context for the scale, design and massing and proportions for this scheme. The use of a mixed palette of materials prevents the building from having a monolithic appearance. Whilst the building is larger than the existing and its immediate neighbours the appearance of dominance is reduced as the proposal, given its design will have differing heights to the roof, the levels being 7.0m at the rear to Rathcool Street and stepping up to 12.65m when fronting the Lisburn Road and a roof mono-pitched canopy of 13m.</p>
9.4	<p>The Lisburn Road frontage will have an overall roof height that is the same as that found at 505 Lisburn Road. The proposal will be approximately 19.3m from front to back along the Rathcool Street frontage, the same proportion as to be found at 505 Lisburn Road. The proposal in terms of height and massing along Rathcool Street will reflect that found within the street.</p>
9.5	<p>The remainder of the terrace is single storey at 489 Lisburn Road – whilst the proposed relationship is not comfortable as it will result in a 3 storey height difference, the area has other examples of height changes for example no 465 Lisburn Road and junction of Adelaide Avenue which is 2.0m higher than the proposal. The frontage of Lisburn road has been in somewhat of a transition for a number of years which is evidenced by single and two storey terraced frontage being replaced by larger scale buildings.</p>
9.6	<p>Design amendments to the proposal have been received and have reduced the impact of the proposal on the neighbouring terrace in terms of dominance with heights of the development being reduced to reflect those of the neighbouring terrace. The height of apartments adjacent to Rathcoole Street terrace being 7.13m approximately 0.65 below the ridge height of the terrace.</p>
9.7	<p><u>Surrounding Character ATC</u> The site is located within a draft ATC as designated within the dBMAP. Whilst in draft the policies within the addendum to PPS 6 do not apply. However, it has been established through planning appeals that the character of the draft ATC remains a material consideration when assessing both demolition and development. Demolition of buildings that make a positive contribution is a material consideration and any replacement should not result in a negative impact. The proposal calls for the demolition of the existing modern building that is considered by officers to be of no historic merit, the building being modern and a utility building designed as a Church Hall with no particular design features of note and makes no significant contribution within the surrounding context.</p>
9.8	<p>The proposed retail and apartment development have been designed to take design clues from the surrounding built environment. Although some surrounding designs are questionable, they are nonetheless the elements that make up the draft ATC. Officers considered that the proposal will not significantly impact on the surrounding character which is dominated by commercial and residential uses; commercial to the road frontage and residential to the streets leading from the frontage.</p>
9.9	<p><u>Impact on neighbouring amenity:</u> The proposed site is within a mixed area of residential and commercial land uses, the proposal is to replace an existing single storey mono pitched roofed hall with a multi-storey apartment block. The introduction of this increased scale and massing of a new apartment block introduces new impacts on the surrounding neighbouring land uses. The original design of the proposal, which included ten apartments, was considered to have a negative impact on the neighbouring terrace dwelling (Rathcool Street) in terms of dominance and shadowing. The design was amended in response to these concerns resulting in the rear section of the building being stepped back and stepped down to lessen the impact on the</p>

	<p>terrace. It was considered important that this element of the development should take reference from the ridge height of the terrace. The result of these changes was a reduction in dominance and potential over shadowing of the nearest neighbouring terrace dwelling. It also resulted in a reduction in the number of apartments by one reducing the scheme to nine apartments overall. The final design also includes obscure glazed windows to the rear elevation to protect the rear amenity space of the terrace, these windows being either secondary windows to habitable rooms or serving stairwells therefore resulting in no loss of amenity to the future occupiers.</p>
9.10	<p>Officers also sought changes to the bin storage area, bringing it within the confines of the site and away from the gable of the neighbouring terrace.</p>
9.11	<p><u>Impact on surrounding context:</u></p> <p>The proposal is for a modern designed apartment block finished in a variety of materials including traditional red brick, stone, and zinc cladding. These materials are reflective of the surrounding area as demonstrated at the existing apartment block to the opposite corner of Rathcool Street. The red brick is the traditional material for the surrounding area and the proposed elevations will be primarily finished in brick. The height of the proposal can be seen to be reflective of the other apartments that are located along this section of the Lisburn Road.</p> <p>As part of the design a section of the ground floor area is proposed as retail/commercial use, the Lisburn Road frontage is heavily used for retail and commercial uses and therefore this element of the proposal will sit comfortably with and is compatible in this location on an Arterial Route.</p>
9.12	<p><u>Layout</u></p> <p>Whilst the addendum to PPS7 does not apply to arterial routes. The internal space provided to each unit, is designed to comply with the space standards The one-bedroom units arranging from 39sqm to 50sqm and the two-bedroom units being 60sqm, the published space standards setting out for a one bedroom unit 35/40sqm and for a two bedroom unit 60/65sqm. The internal space provision and layout is acceptable. The layouts are such that each unit will have sufficient light and a quality living environment.</p>
9.13	<p><u>Amenity Space</u></p> <p>The amenity space provision for the apartments is 59sqm and consists mainly of balconies which have an outlook onto the Lisburn Road and Rathcool Street. Balconies by their nature can result in an element of overlooking of neighbouring properties especially in locations where there are height differences between buildings. The outlook from the balconies towards the Lisburn Road will be of a busy thoroughfare, commercial outlets, and a Police station beyond. Officers consider there to be no significant overlooking concerns with this element of the proposal. The Rathcoole Street outlook will be towards the relatively new apartment block on the opposite street corner, which relies on bay windows and Juliette balconies to several units for amenity. The outlook onto the remaining area of the Rathcool Street is towards the front of the dwellings forming the street. It is considered that the street fronting aspect of these dwellings ensures there will not be no significant overlooking of the private amenity enjoyed by the existing residents.</p>
9.14	<p>Seven of the nine apartments will have a balcony for outdoor amenity space, the balconies range from 3sqm to 7sqm of space. Three units will have access to the terrace outdoor space of 19sqm, 4.4sqm and 3.4sqm. In total therefore, there is a shortfall of 41sqm amenity provided which should be at least 100sqm (10sqm per unit). The applicant has offered to make a contribution towards the amenities at the local park. The details of the</p>

	<p>developer contribution / works will be finalised in conjunction with BCC Parks Department and finalised by the Director of Planning and Building Control and delegated authority is requested from Committee.</p>
9.15	<p>In addition it is considered the shortfall in external amenity space can be overcome to a great extent by the site's location on a busy thoroughfare which offers a high level of outdoor amenity such as coffee shops, bars and restaurants along with ease of access to a public park which is within 200m of the site.</p>
9.16	<p><u>Parking and traffic issues:</u></p> <p>There is no parking provided with the scheme. DfI Roads Service have assessed the parking survey and travel plans submitted with the proposal; they are content that there is sufficient on-street parking available. The building is designed with an acceptable cycle parking area for 8 number bikes that meets DfI standards. It is also proposed within the residential travel plan that each of the apartments is supplied with a travel card funded for 3 years to encourage the uptake in the use of public transport. It is considered that the provision of on-street parking, cycle parking and resident travel cards that the proposal has no outstanding travel and parking issues.</p>
9.17	<p><u>Environmental issues:</u></p> <p>BCC Environmental Health was consulted on the proposal, following seeking additional information on points around contamination, air quality, noise management they indicate that there are no significant environmental issues with the proposal. Environmental Health has offered conditions for the control of several the above points relating to contamination should any additional contaminants be found during construction works, internal and external noise control and the control of dust during construction. Taking account of Environmental Health comments, it is considered there are no significant environment issues regarding the proposal.</p>
9.18	<p><u>Water and sewage:</u></p> <p>NI Water was consulted their response indicates that there are no significant issues with the proposal in terms of water and sewage requirements. NIW in their response to consultation provided a copy of the Pre-Development Enquiry that the developer had agreed with NIW regarding water and sewage connections.</p>
9.19	<p>It is for the developer and NIW to finalise an acceptable solution to any outstanding water supply/sewage connections issues and given this is a developed site these connections already exist within the site and its surroundings. It is considered that the proposal will not have any significant impact on the water/sewage network once agreement is achieved between the developer and NIW.</p>
9.20	<p><u>Section 76 Agreement</u></p> <ul style="list-style-type: none"> <li>- The development proposed falls short in terms of private and shared amenity and therefore the developer will provide a contribution to local public amenity to offset this reduction. The applicant has offered to make a contribution and or works towards the amenities at a local park. The details of the developer contribution / works will be finalised in conjunction with BCC Parks Department and by the Director of Planning and Building Control with delegated authority requested from Committee.</li> <li>- The development does not provide parking, DfI Roads are satisfied that sufficient on-street parking is available and have requested green travel measures in the</li> </ul>

	<p>form of travel cards, that each of the apartments is supplied with a travel card funded for 3 years to encourage the uptake in the use of public transport.</p> <p>The developer has agreed to enter into a Section 76 Agreement under the Act to secure these measures.</p>
<b>10.0</b>	<b>Summary of Recommendation: Approval Subject to Conditions</b>
10.1	The proposal will provide a retail/commercial on the ground floor and nine apartments above within the urban area which is compatible in the context and in principle is acceptable. The site location provides excellent access to commercial/retail outlets, public parks, places of entertainment and ease of access to public transport. The proposal will not have a significant detrimental impact on the neighbouring amenity and the scale, height, mass and appearance are on balance acceptable in the context.
10.2	Approval is recommended subject to Conditions and a Section 76 Agreement to provide Green Travel measures and a contribution to local public open space.
10.3	It is requested that the final wording of conditions and the agreement under Section 76 is delegated to the Director of Planning and Building Control.
<b>11.0</b>	<b>Conditions and Informatives</b>
	<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. Covered cycle parking shall be provided in accordance with Ground Floor Plan published on the Planning Portal 27th May 2021.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>3. The Residential Travel Plan, published on the Planning Portal 23rd October 2020, shall be implemented on completion of the development.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> <p>4. Prior to occupation of the development, the alternative means of acoustically attenuated ventilation systems to habitable rooms shall be selected in accordance with the recommendations contained within the RPS Memo re: LA04/2020/1360/F, dated: 05/3/2021, so that each acoustically attenuated ventilation system achieves the required sound reduction performance (dB Ctr), or greater, in accordance with Table 1 of that memo when installed.</p> <p>Reason: In the interests of residential amenity</p> <p>5. The glass balustrades to development balconies and terraces shall be installed in accordance with elevation drawings Nos 10B and 12B and shall meet the acoustic</p>

	<p>specification as detailed in Section 2.4 of the RPS Memo re: LA04/2020/1360/F, dated: 05/3/2021.</p> <p>Reason: In the interests of residential amenity</p> <p>6. A Dust Management Plan should be prepared in accordance to Guidance on the Assessment of Dust from Demolition and Construction (Institute of Air Quality Management, 2014) and implemented during either demolition or construction works on the site.</p> <p>Reason: The protection of human health and residential amenity.</p> <p>7. 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>
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ANNEX	
<b>Date Valid</b>	22 <sup>nd</sup> July 2020
<b>Date First Advertised</b>	31 <sup>st</sup> July 2020
<b>Date Last Advertised</b>	
<b>Elected representative Interest:</b>  Cllr Tracy Kelly  Cllr Gary McKeown <b>Neighbours notified &amp; Advertised:</b>  17 Neighbours	
<b>Date of Last Neighbour Notification</b>	9 <sup>th</sup> June 2021
<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: N/A Response of Department:	

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## Committee Application – Addendum Report

Development Management Report	
<b>Application ID:</b> LA04/2019/0775/F	<b>Date of Committee:</b> 14 September 2021
<b>Proposal:</b> Erection of 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works (Amended Proposal Description)	<b>Location:</b> Lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally, Belfast
<b>Referral Route:</b> Objections received - Proposal is for over 12 residential units	
<b>Recommendation:</b>	<b>APPROVAL</b>
<b>Applicant Name and Address:</b> D & J Enterprises 55 Somerton Road Belfast BT15 4DD	<b>Agent Name and Address:</b> Alan Patterson Design Darragh House 112 Craigdarragh Road Helens Bay
<b><u>ADDENDUM REPORT</u></b>  <p>This full application was previously listed for Planning Committee on 17<sup>th</sup> August 2021. The item was withdrawn from the agenda to allow the members to undertake a pre-emptive Planning Committee site visit. The site visit took place on Thursday 2<sup>nd</sup> September 2021.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p><u>Representations:</u>            An additional 29 representations have been received in respect of this planning application, 27 objections and 2 support letters. Consequently, this results in a total of 212 objections and 2 of support.</p> <p>Additional issues raised by the objections include:</p> <ul style="list-style-type: none"> <li>EIA determination is incomprehensive to understand. Objector advises that the mitigation measures should be listed clearly.  <i>Response – The EIA Determination sheet is set out as per guidance and best practice. The mitigation measures are contained within the submitted documents and are referred to in the August 2021 Planning committee case officer report. Furthermore, the mitigation measures are included within the suggested conditions of this report (Section 10).</i></li> <li>Proposed development is an area of public amenity at Belvoir Forest.  <i>Response – the site is not located within Belvoir Forest Park.</i></li> <li>Potential for Hampton Park to become a through road from Annadale Avenue.  <i>Response – the proposal does not include a through road from Annadale Avenue.</i></li> </ul>	

- Issues raised with regard to short notice / timing of application on Planning Committee list and the duration of time afforded to objectors to address the Planning Committee. People should be allowed to challenge the Planning Authority's recommendations and decisions.

*Response – Notice of the Planning Committee List for 17<sup>th</sup> August 2021 was published on the Council's website on 10<sup>th</sup> August 2021, as per normal procedure. The method / duration for objectors to address the Planning Committee is consistent and set out in guidance. Any individual can comment on any planning application. The issues raised will be set out in the case officer report and taken into account by the Planning Authority when formulating a recommendation and making a decision.*

The support letters raised the following issues:

- Proposal will impact positively on anti social behaviour issues within the area.
- Ecological and other planning concerns have been addressed.
- Positive impact of investment and employment.

Density issue:

Para 8.26 of the August 2021 Planning committee case officer report incorrectly noted that Hampton Manor has a residential density of approximately 20 dwellings per Hectare. The actual residential density of Hampton Manor is approximately 25.5 dwellings per Hectare.

This does not impact on the previous conclusion made with regard to residential density. Whilst it is acknowledged that Hampton Park exhibits a lower residential density than the surrounding area, there are several examples of medium density housing within the surrounding area and immediately off Hampton Park, i.e. Hampton Manor, Mornington and Galwally Avenue. Additionally, the density of the proposed development is similar to that previously approved and under construction within the application site. It is therefore considered that the proposed density (approx. 12 dwellings / Ha) is acceptable in relation to the surrounding area.

NIEA consultation response:

As noted in Para 8.38, NIEA NED raised no objections to the proposal. NIEA were sent the objections in relation to ecological impact of the proposal. At the time of publication, no further response had been received. Committee will be advised in the late items pack of NIEA's response if received by the date of Committee. If NIEA raise any new issues thereafter, the application will be re-presented to Planning Committee.

**Recommendation: APPROVAL**

As per the full case officer report, the case officer recommendation remains unchanged. 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.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2019/0775/F	<b>Date of Committee:</b> 17 August 2021
<b>Proposal:</b> Erection of 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works (Amended Proposal Description)	<b>Location:</b> Lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally, Belfast
<b>Referral Route:</b> Objections received - Proposal is for over 12 residential units	
<b>Recommendation:</b> APPROVAL	
<b>Applicant Name and Address:</b> D & J Enterprises 55 Somerton Road Belfast BT15 4DD	<b>Agent Name and Address:</b> Alan Patterson Design Darragh House 112 Craigdarragh Road Helens Bay
<b>Executive Summary:</b>  <p>The proposal is for 'Erection of 18 dwellings to include a revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works (Amended Proposal Description)'.</p> <p>185 representations have been received in relation to this proposed development. 184 are objections to the proposal, with 1 non-committal. Objections have been received from Councillor Brian Smyth, Councillor Donal Lyons and Paula Bradshaw MLA. Councillor Smyth has requested that the Planning Committee carry out a site inspection, prior to making a decision on the application.</p> <p>The site is undesignated whiteland within the BUAP and is zoned for housing within dBMAP (ref. SB05/04). The site is also located within the Lagan Valley Area of Outstanding Natural Beauty (AONB), The Belvoir Site of Local Nature Conservation Importance (SLNCI) and a small portion of the site is located within the Hampton Park Area of Townscape Character (ATC). The site lies immediately adjacent to Lagan Valley Regional Park (LVRP).</p> <p>There is an extant planning approval on a large portion of the site for 35 dwellings, approved under ref. Z/2007/1401/F. A recent application for a Certificate of Lawfulness for existing use / development (CLEUD) under ref. LA04/2020/2324/LDP confirmed that works have been carried out in accordance with the previously approved development under ref. Z/2007/1401/F can lawfully be completed.</p> <p>The key issues to consider in the assessment of this proposed development are:</p> <ul style="list-style-type: none"> <li>• Impact on ecology.</li> <li>• Impact on traffic, road safety and access.</li> <li>• Impact on character of the area.</li> <li>• Impact on potential rights of way.</li> </ul>	

Through the processing of the application numerous amendments have been received to address issues around the settlement limit boundary, the topography of the site, the inter relationship of units and internal boundaries, residential amenity and landscaping.

It is considered that the proposed development is generally respectful of the surrounding context and character of the immediate locality. Furthermore, it is considered the pattern and layout; the design scale and density of the development is appropriate and generally in keeping with the overall character of the area; and the environmental quality of the established residential area will be maintained. There will be no significant negative impacts to the amenity of existing residents and the scheme will result in a quality residential environment for prospective residents.

Supporting information has been submitted in relation to the impact on ecology, specifically in relation to habitats and protected species, including badgers. Following consultation with NIEA, it is considered that the proposed development complies with the policy tests of PPS 2, subject to conditions mitigating potential ecological impacts.

It is therefore also considered the proposed development complies with planning policy in relation to amenity space, protection of open space, flooding / drainage, infrastructure, landscaping and archaeological heritage.

DFI Roads have provided comments on the proposed development, including access, car parking, intensification of Hampton Park junction. Following amendments to the scheme, DFI Roads have no objection, subject to conditions.

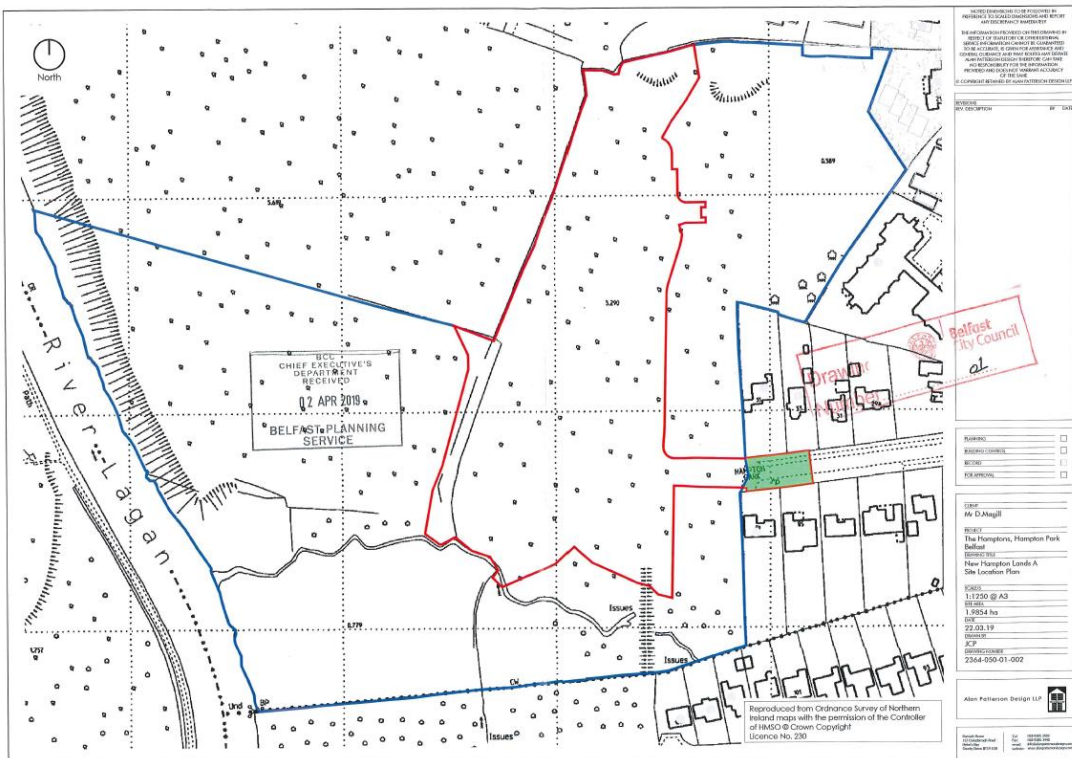
The proposed layout includes a pathway linking the proposed development (and in effect, Hampton Park) with Lagan Lands East. The Council's Access Officer has also advised that the existing route to Galwally Avenue does not have the hallmarks of a public right of way and is unlikely to be asserted as such.

The scheme is considered on balance to be acceptable.

### **Recommendation – APPROVAL SUBJECT TO CONDITIONS**

It is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is recommended that the Director of Planning and Building Control uses her delegated authority to finalise the wording of conditions.

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The proposal is for 'Erection of 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works (Amended Proposal Description)'.
1.2	The site is accessed directly from the end of Hampton Park. The existing road at Hampton Park continues for approximately 45 metres before taking a 90 degree turn in a northerly direction. Two access roads extend from the main thoroughfare in a westerly direction, providing access to proposed dwellings.
1.3	All 18 no. dwellings are detached and two storeys in height. The dwellings are primarily finished in red brick, however some of the house types also utilise smooth white render as a secondary material. The dwellings are also finished with black roof tiles, red brick chimneys, black aluminium rainwater goods, hardwood doors and hardwood / uPVC windows.
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is located within the urban limits of Belfast. The site is secured by a vehicular gate; the gate was open for pedestrian access at the time of the site visit. Part of an access road has already been created within the site. Additionally, it appears the foundations of a garage have been dug approximately 25 metres from the access gate.
2.2	The site is irregularly shaped, measuring approximately 1.98 Ha. The northern portion of the site is relatively flat, however the land falls away significantly in the south western corner of the site. There is an existing watercourse in this south western corner. The site benefits from existing mature vegetation along the southern, northern and western boundaries of the site. The eastern boundary of the site is largely undefined, as the application site is part of a larger site.
2.3	The surrounding area is defined by low density residential housing on lands to the east. Lagan Valley regional Park is located immediately to the west of the site. The River Lagan is situated approximately 120 metres to the west of the site.







<b>3.0</b>	<b>Site History</b>
3.1	LA04/2021/1371/F - Erection of 4 no. dwellings (change of house type to sites 1, 33, 34, 35 of previous approval Z/2007/1401/F), garages, and all other associated site works – <u>Under consideration</u>
3.2	LA04/2020/2324/LDP – Proposed completion of residential development of 35 dwellings, previously approved under ref. Z/2007/1401/F (Amended Description) – Permitted Development 22/4/21
3.3	Z/2012/1326/F – Lands at Hampton Park - Application under article 28 of the Planning (Northern Ireland) Order 1991 to vary the wording of planning condition 11 attached to planning permission Z/2007/1401/F – Granted 19/3/13
3.4	Z/2007/1401/F – Lands at Hampton Park - Proposed residential development encompassing 35 dwellings, garages and associated site works – Granted 30/1/09
3.5	Z/2003/1250/O – Hampton Park - Proposed residential development – Granted 14/1/05
3.6	Z/1994/0877 – Hampton Park – Layout of Housing Development and provision of roads – Granted
3.7	Z/1988/0257 – Lands to north and west of Hampton Park – Private Housing Development – Refused
3.8	Z/1982/0775 – Hampton Park – 18 dwellings – Refused
3.9	Z/1981/0274 – Hampton Park – Housing Development – Refused
3.10	Z/1974/0043 – Hampton Park – Low Density Housing Development – Refused
<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 2 Natural Heritage</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 8 Open Space, Sport and Outdoor Recreation</p> <p>PPS 12 Housing in Settlements</p> <p>PPS 15 Planning and Flood Risk</p> <p>Creating Places</p> <p>DCAN 15 Vehicular Access Standards</p>
<b>5.0</b>	<b>Statutory Consultees Responses</b>



5.1	DFI Roads – No objection, subject to conditions.
5.2	Historic Environment Division – No objection, subject to conditions.
5.3	NI Water – No objection.
5.4	NIEA – have raised no issues. Objections have been sent to NIEA any further comments will be included in the Late Items pack.
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objection.
6.2	Rivers Agency – No objection.
6.3	BBC Tree and Landscaping Officer – No objection, subject to conditions.
6.4	Lagan Valley Regional Park – Issues raised.
6.5	Shared Environmental Services – No objection.
<b>7.0</b>	<b>Representations</b>

7.1	185 representations have been received in relation to this proposed development. 184 are objections to the proposal, with 1 non-committal. Objections have been received from Councillor Brian Smyth, Councillor Donal Lyons and Paula Bradshaw MLA. Councillor Smyth has requested that the Planning Committee carry out a site inspection, prior to making a decision on the application.
7.2	<p>The objections raised the following issues, the matters raised are dealt with throughout the assessment:</p> <p>Procedural Matters</p> <ul style="list-style-type: none"> <li>• Issues with neighbour notification.</li> <li>• Application site encroaches into the Lagan Valley Regional Park (LVRP) and extends outside the settlement limit.</li> <li>• Issues raised regarding the proposal description, <i>'The application description appears more confused than before and fails the key test of bringing to the mind of a reasonable person what is proposed (the Morrelli test)'</i>.</li> <li>• Inconsistencies with submitted drawings.</li> <li>• Issues raised with the completed P1 form, specifically Q 14.</li> <li>• Site area is over 2 Ha, therefore the application should be categorised as a major development.</li> <li>• Part of the site lies within an Area of Townscape Character (ATC), therefore a Design and Access statement should be submitted.</li> <li>• Proposal partly relates to a change of house type of Z/2007/1401/F. No evidence has been submitted to the Council proving that this approved development commenced on time.</li> <li>• Issues raised regarding the Council considering the application as it is 'environmentally destructive'.</li> <li>• Proposed development is a case of the council taking from the area without proper consultation of the people they represent who already live here.</li> <li>• Issue raised regarding construction of street lights within the application site.</li> <li>• Issue raised regarding commencement of works prior to the grant of planning permission.</li> <li>• Objection received questioning if a full detailed assessment has been carried out to confirm the amount of land required.</li> <li>• Issue raised with 14-day period for response to neighbour notification letters.</li> </ul> <p>Ecology and Landscape / Open Space</p> <ul style="list-style-type: none"> <li>• Proposal fails to provide a landscape buffer as set out in draft BMAP. Landscape buffer should also be provided around the badger protection area.</li> <li>• Proposal will result in destruction of habitats. It contains mature woodland and open parkland which provides important habitat for a range of wildlife.</li> <li>• Destruction of habitat during nesting season.</li> <li>• Loss of meadowland will detrimentally impact on local insect population and pollination.</li> <li>• Proposed development will result in light pollution for the local bat population.</li> <li>• Large number of active badger setts on site, which require protection. Proximity of proposed development to active badger setts.</li> <li>• Badger habitat is contracting due to the encroachment of creeping development such as this.</li> <li>• Loss of a large proportion of this area will have a detrimental knock on effect to species in the surrounding area and will further displace vulnerable species.</li> <li>• Site location constitutes an important high quality waterfront habitat not for humans but for biodiversity and wildlife.</li> </ul>

	<ul style="list-style-type: none"> <li>• Detrimental impact on mature trees and species rich hedgerows. Issues raised regarding removal of mature trees to facilitate development.</li> <li>• Application site located within a Site of Local Nature Conservation Importance (SLNCI).</li> <li>• Extraordinary increase in dwellings for an extremely sensitive site.</li> <li>• Lagan Meadows should be kept as a nature reserve, for the health and enjoyment of all. Concern that more meadowland is being taken from communities to further intensify urban density without provision of further green / recreational spaces for mitigation.</li> <li>• There is a shortage of meadow type habitat within the area.</li> <li>• Proposed development is located on the periphery of Belvoir Park Forest Park and LVRP, an important area in terms of ecological prowess within Belfast.</li> <li>• Proposed development will increase connectivity between Belvoir Forest park and the new Lagan bridge, resulting in increased pedestrian and cycle use, thereby detrimentally impacting the natural environment.</li> <li>• The subject lands should be incorporated into Lagan Lands East.</li> <li>• Proposed development is located within an Area of Outstanding Natural Beauty (AONB) which should be protected.</li> <li>• The area should be a conservation area to be protected and preserved, not built on.</li> <li>• The submitted NI Biodiversity Checklist is unsatisfactory and devoid of sustainable proposed implementations to preserve the local species.</li> <li>• Mitigation against invasive species is necessary.</li> <li>• Proposed development should be accompanied by an Environmental Impact Assessment (EIA). An EIA should be compulsory on such a biodiverse rich site. An issue has been raised regarding the Council's 'token' assessment of environmental impact. Council failing in its duty if it does not insist upon submission of an extensive EIA. International law is clear that under the protective principle where there is the possibility for significant harm to the environment, an environmental risk assessment should be undertaken.</li> <li>• DAERA have not been consulted in relation to the impact on local wildlife.</li> <li>• Concerns raised regarding NIEA's consultation response in relation to potential adverse effects on surrounding natural environment and habitat.</li> <li>• Construction works may cause water runoff pollution.</li> <li>• Lack of studies assessing how the proposed development will impact the River Lagan.</li> <li>• The subject lands should be owned and preserved by the National Trust, not built over.</li> <li>• The existing site has stored carbon over time. Disturbing this ecosystem goes against recent commitments by Belfast City Council (BCC) to conserve nature and aim to reduce carbon emissions, improve air quality, reduce flooding (note the site's proximity to the Lagan), increase urban cooling, support and enhance biodiversity and improve the mental and physical wellbeing of people living in or visiting the area.</li> <li>• BCC has declared a climate and biodiversity emergency.</li> <li>• Current Building Regulations are totally inadequate to reduce carbon emissions, to preserve water and to reduce flooding.</li> <li>• Carbon neutralising green spaces such as this will become absolutely crucial in the future to tackle climate change locally.</li> <li>• The tree survey appears lacklustre, with little to no detail applied to the trees poised for removal.</li> </ul>
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- Proposal goes against BCC's 'One Million Trees' initiative, where the Council has committed to plant one million native trees across the city, not cut them down.
- Proposal does not support the Council's initiative to return 30% of the city to nature by 2030.
- Proposal will result in additional light, noise and air pollution.
- Open, green spaces such as the application site are a scarcity in the city and should be protected at all costs. During the Covid 19 pandemic, the value of outdoor amenity space was recognised.
- Northern Ireland has the least amount of accessible green space in relation to other parts of the UK.
- Access to open space / nature helps to maintain mental health and physical wellbeing.
- Lagan Bank has been encroached over recent decades by private housing developments.
- There are plenty of alternative brownfield sites within the city centre that could benefit from rejuvenation.
- There is no need for extensive housing to be built within green areas so close to the city centre due to the change in work patterns with majority of people now working from home.
- It is unclear whether the proposed development will include planting of mature trees along the roadside, similar to the existing arrangement along Hampton Park.

#### Design, Character, Density and Residential Amenity

- Proposed site is extremely close to Lowry Court, a residential facility, and will be detrimental to the comfort, safety and wellbeing of the residents.
- Open space should be provided as an integral part of the development, in accordance with PPS 8.
- Proposed development would be detrimental to the character of Hampton Park.
- Proposed development will be visible from LVRP, thereby changing the distinct character of the area.
- Proposed density should not be significantly higher than the existing development along Hampton Park, in accordance with PPS 7 Addendum. Proposed dwellings are tightly squeezed together.
- Proposed development should be low density and support green spaces within its boundaries.
- Plot ratio is not respectful of surrounding context.
- Proposed development envisages a higher density development than previously approved, including more extensive excavation and potentially, construction of retaining walls.
- Proposed development may require retaining walls, contrary to Para 4.13 of PPS 7.
- Proposed development will increase anti-social behaviour in the area.
- Proposal will result in further criminal activity within the area.
- Issues raised with quality / size of garden areas.
- Proposal results in overdevelopment. Amount of development has more than doubled from original approval Z/2007/1401/F.
- Proposed development is incompatible with the policies of the Belfast Urban Area Plan 2001, the statutory development plan for the Council area. Proposed development does not pass policy tests in relation to conservation, archaeology, recreation and transport.

	<ul style="list-style-type: none"> <li>Proposed design has little architectural merit, not in keeping with the strong heritage and highly sensitive nature of the surrounding contextual environment.</li> <li>Proposed houses will affect views on to the Lagan Valley AONB for existing residents.</li> <li>Detrimental impact on residential amenity of existing residents, specifically impact on privacy, natural light, noise, odour, late night activities.</li> </ul> <p>Traffic, Parking and Movement</p> <ul style="list-style-type: none"> <li>Proposed development will result in increased traffic and an intensification of the Hampton Park junction with Ormeau Road. Issues raised regarding the number of dwellings served by a single road.</li> <li>A survey should be conducted by Police Traffic Branch to assess the likely impact and safety risk due to the additional traffic generated by the proposal.</li> <li>Traffic control will need to be introduced at the Hampton Park road junction.</li> <li>Impact on road safety, particularly in relation to pedestrians (children and elderly) and cyclists.</li> <li>There is no lighting or traffic infrastructure on the main road to access Hampton park.</li> <li>Detrimental impact on access for emergency vehicles.</li> <li>Construction vehicles will cause damage to Hampton Park roadway.</li> <li>Proposed development does not include access to LVRP.</li> <li>Proposed development should provide access to the Lagan Gateway greenway.</li> <li>Issues raised regarding potential access to LVRP and users potentially parking in Hampton Park for access.</li> <li>No consideration has been given to the path from Hampton Park through the site to Galwally Avenue. This path has been in operation for 40 years and is considered to constitute a public right of way (PROW).</li> <li>Proposed development impacts on the current pathways interconnecting Galwally Avenue / Belvoir Forest Park, Hampton Park and the Annadale Embankment. These paths have been in use for over 30 years and should be designated PROWs.</li> </ul> <p>Other Environmental Matters</p> <ul style="list-style-type: none"> <li>Proposed development will cause a further strain to the drainage and sewage infrastructure of the surrounding area.</li> <li>Detrimental impact on archaeological heritage.</li> <li>Issues raised with plans to construct more houses beside the River Lagan on a flood plain.</li> </ul>
<b>8.0</b>	<b>Assessment</b>
8.1	<p><u>Preliminary Matters</u></p> <p>It is considered that the proposal description is accurate, in accordance with Article 3 (2) (a) of the Planning (General Development Procedure) Order (NI) 2015.</p>
8.2	<p>A recent application for a Certificate of Lawfulness for proposed use / development (CLEUD) under ref. LA04/2020/2324/LDP confirmed that the previously approved development under ref. Z/2007/1401/F has commenced and can lawfully be completed.</p>

8.3	The application site has been measured at 1.98 Ha, therefore the proposed development is correctly classified as a local development, in accordance with the Planning (Development Management) Regulations (NI) 2015.
8.4	The front portion of the site extends into the Hampton Park Area of Townscape Character (ATC), therefore a Design and Access Statement is required for the proposed development, in accordance with Section 6 of the Planning (General Development Procedure) Order (NI) 2015. A Design and Access Statement was submitted as required.
8.5	Objections in relation to unauthorised commencement of development have been referred to the Council's Planning Enforcement Team. However, it is noted that there is an extant approval within part of the site for 35 dwellings, previously approved under ref. Z/2007/1401/F.
8.6	Issues have been raised in relation to neighbour notification. The Council is content that neighbour notification has taken place, in accordance with Section 41 of the Planning Act (NI) 2011 and Article 8 of the Planning (General Development Procedure) Order (NI) 2015.
8.7	Issues have also been raised regarding the completion of the P1 application form, specifically Question 14 which asks if the applicant is ' <i>aware of the existence on the application site of any wildlife protected under the Wildlife (NI) Order 1985 (as amended)</i> '. The P1 form did not tick yes or no but referred to the submitted NI Biodiversity Checklist. Further inspection of the submitted Checklist provides reference to specific species that may be affected by the proposed development and what surveys / assessments are required to determine potential impacts.
8.8	A small portion of the application site is located outside the settlement limit of Belfast. This portion is located along the southern portion of the western boundary. No development is proposed within this part of the site.
8.9	<u>Development Plan</u> Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The appeal site is located within the urban area of Belfast. 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 draft BMAP remaining a material consideration.
8.10	The site is undesignated whiteland within the BUAP, however it is zoned for housing within dBMAP (ref. SB05/04). The Housing zoning includes a number of key site requirements (KSRs) in relation to residential density, access, natural environment, landscaping, connectivity, flood risk, watercourses and overhead lines. The PAC made general points regarding KSRs and advised that many of the KSRs were not in accordance with guidance set out in Para 39 of PPS 1 (now superseded by the SPPS) and in any case, many of the matters are covered by regional policy in PPS 7 and can be addressed in the concept plan and at detailed application stage. Subsequently, the adopted BMAP (since declared unlawful) retained the zoning but all KSRs were removed.

8.11	During the BMAP Inquiry, the PAC considered an objection to the housing zoning, which argued that part of the zoning was located within the LVRP, therefore in breach of the policies of the LVRP Local Plan 2005. The PAC concluded that the zoning was outside the LVRP and consequently, recommended no change to the plan. It is therefore assumed that in the event of adoption of BMAP, this housing zoning would be included.
8.12	The site is located within the Lagan Valley AONB. A small portion of the site (southern portion of western boundary) is located within the LVRP, however no development is proposed on this part of the site (following amendments). The remaining part of the site is not located within LVRP.
8.13	The front portion of the site is located within the Hampton Park ATC.
8.14	The site is located within Belvoir SLNCI and Area of constraint on mineral development. In addition, Lagan Meadows SLNCI is located approximately 185 metres to the west of the site and Galwally SLNCI is located approximately 320 metres to the east of the site.
8.15	dBMAP also included plans for a rapid transit scheme that passed close to the western boundary of the application site. During the BMAP Inquiry, the PAC recommended that details of this part of the route were deleted from the Plan and further assessment was undertaken.
8.16	<u>Principle of development</u> There is an extant planning approval on a large portion of the site for 35 dwellings, approved under ref. Z/2007/1401/F. A recent application for a Certificate of Lawfulness for existing use / development (CLEUD) under ref. LA04/2020/2324/LDP confirmed that the previously approved development under ref. Z/2007/1401/F has lawfully commenced.
8.17	Furthermore, as noted in para 8.10, the application site is zoned for housing within dBMAP. It is therefore considered that the principle of residential development on the site is acceptable.
8.18	<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. The SPPS advises that within established residential areas, the proposed density of new housing development, together with its form, scale, massing and layout should respect local character and environmental quality as well as safeguarding the amenity of existing residents. The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. It also encourages sustainable forms of development, good design and balanced communities. The use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings.
8.19	<u>Character / Layout / Design</u> The surrounding area is characterised primarily by residential development to the east of the application site and green, open space to the west of the application site towards the River Lagan. Hampton Park is characterised by large detached dwellings

	with generous gardens. It is a generously proportioned cul-de-sac, with wide tree lined verges on both sides. The western boundary of the site is defined by mature vegetation, signalling the entrance to LVRP immediately adjacent to the application site.
8.20	The proposed development is for a total of 18 no. detached dwellings. The proposed dwellings are relatively large in size and set within generous plots with large gardens, ranging from approximately 95 sq metres to over 400 sq metres in area. The proposed development results in the existing road on Hampton Park continuing for approximately 45 metres, then taking a 90 degree turn in a northerly direction. Two access roads extend from the main thoroughfare in a westerly direction. The proposed building line is not uniform, however this is generally characteristic of surrounding development, particularly the residential development on the western side of Hampton Park. The proposed development includes wide tree lined verges on both sides along the main access road, thereby respecting an important characteristic from Hampton Park.
8.21	As previously noted, the northern portion of the site is relatively flat, however the land falls away significantly in the south western corner of the site. Overall, there is a level difference of approximately 13 metres from the northern boundary of the site to the southern boundary. In spite of this, the use of retaining walls is generally limited within the site. 4 sections of retaining wall are proposed within the site, however they are not overly prominent and located at the rear of proposed properties. The proposed development mainly utilises planted embankments to accommodate significant level changes, for example, planted embankment at rear of dwelling no. 4 covers a level difference of approximately 2.45 metres. It is considered that the layout design minimises the impact of differences in level between adjoining properties.
8.22	The presence of LVRP immediately adjacent to the site is significant and the proposed layout provides views towards the park as one traverses the development. The proposed layout includes a buffer along the full extent of the western boundary. No dwellings or garden areas are proposed along this buffer zone, thereby enhancing views and providing a clear separation with LVRP. Views of the development will be achievable from LVRP, however the strong western boundary and landscape buffer should assist in screening the development.
8.23	It is considered that design of the proposed development draws upon the best local traditions of forms, materials and detailing. Hampton Park is defined by a mix of design types and materials. Although the proposed development relates to a more uniform house type, the use of brick and render on external walls partly ascribes to the existing eclectic mix of Hampton Park.
8.24	The proposed boundary treatments are considered acceptable. In general, the more prominent boundaries at the front and sides of the proposed dwellings are defined by 2.1 metre brick walls (with capping), with the use of timber fencing primarily limited to the rear boundaries, with limited public views.
8.25	For the reasons outlined above, it is considered that the proposed development is generally respectful of the surrounding context and character of the immediate locality. Furthermore, it is considered the pattern of development is generally in keeping with the overall character and environmental quality of the established residential area.
	<u>Residential Density</u>



8.26	The residential density of the proposed development equates to approximately 12 dwellings per Hectare. The extant approval for 35 dwellings within a portion of the application site equated to approximately 11.5 dwellings per Hectare. With regard to the surrounding area, there is a slight contrast in terms of density between the lower density of Hampton Park and the medium density of Hampton Manor. The existing density of Hampton Park equates to approximately 7 dwellings per Hectare, whilst the density of Hampton Manor is approximately 20 dwellings per Hectare. Existing residential development to the north and south of the site at Mornington and Galwally Avenue respectively equates to approximately 11.5 to 14.5 dwellings per Hectare, similar to the proposed development.
8.27	It is acknowledged that Hampton Park exhibits a lower residential density than the surrounding area, however there are several examples of medium density housing within the surrounding area, i.e. Hampton Manor, Mornington and Galwally Avenue. Furthermore, the density of the proposed development is similar to that previously approved and under construction within the application site.
8.28	<u>Natural Environment / Ecology</u> The application site is in close proximity to a watercourse that is connected to the Belfast Lough Special Protection Area (SPA) / Inner Belfast Lough Area of Special Scientific Interest (ASSI) / Outer Belfast Lough ASSI which are of national and international importance.
8.29	As noted previously, the application site is located within Belvoir SLNCI. Belvoir SLNCI contains an important resource of woodland habitat, both planted and semi natural, and is important for local wildlife. It contains an important wild bird assemblage and protected and priority species, such as badgers, bats, otters and red squirrels (at the time of designation). Areas of semi-natural grassland, some of which is species rich, adds to the variety of habitats and the biodiversity value of the SLNCI.
8.30	Several supporting documents have been submitted along with the proposal: <ul style="list-style-type: none"> <li>• NI Biodiversity Checklist</li> <li>• JNCC Extended Phase 1 Habitat Survey and Protected Species Surveys</li> <li>• Badger Survey</li> <li>• Street light Impact Study including Street lighting plan</li> <li>• Badger Sett temporary closure supporting info – Mitigation Plan including Proposed site plan with badger setts</li> </ul> The first two documents are available for viewing on the planning portal, however, please note the remaining three documents are not available for viewing due to sensitive information.
8.31	NIEA Natural Environment Division (NED) have considered the supporting information and provided comments. NED advise that the main badger sett is located more than 30 metres away from the site boundary and is unlikely to be significantly impacted by the development. NED are also content that the outlier setts will be protected by buffer zones / temporarily closed during construction. NED clarify that wildlife licenses will be required for temporary closure of setts and have advised of further mitigation during construction works etc.
8.32	Following assessment of the street lighting information, NED are content that the consideration has been given to the sensitivities of bats and badgers from excess lighting and appropriate measures have been proposed to limit the potential impact from the proposed street lighting. NED note that no details for external lighting of individual dwellings has been provided and advised that appropriate mitigation

	measures should be included in the Badger Mitigation plan should external lighting be proposed. It is considered that this can be dealt with by a planning condition in the event of approval.
8.33	NED highlight concerns for the local urban badger population (and other wildlife) if any future development in the area is proposed. It is noted that the western boundary of the site demarcates the settlement limit and it is not anticipated that further development in this direction would be considered acceptable.
8.34	NED note the potential for breeding birds on site, advising that birds and their nests are protected under Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended). NED recommend that any tree felling / vegetation removal required as part of the proposal should take place outside of the bird breeding season (1 <sup>st</sup> March – 31 <sup>st</sup> August). In the event of approval, this can be dealt with by planning condition.
8.35	NED and Water Management Unit (WMU) have highlighted the presence of a watercourse adjacent to the southern boundary of the site and the small ditch which bisects the site. NED advise that a buffer of at least 10 metres should be retained between refuelling location, oil / fuel storage, washing area, storage of machinery / material / spoil etc. There shall be no direct discharge of untreated surface water run-off during the construction into the watercourse and storm drainage of the site, during construction and operational phases, must be designed to the principles of the Sustainable Drainage Systems (SuDS). In addition, WMU have advised that a Construction Method Statement for works in, near or liable to affect any waterway must be submitted and agreed prior to commencement of works. It is considered that the above issues can be addressed through planning condition, in the event of approval.
8.36	NED have noted that a number of non-native tree species have been proposed within the landscaping plans. Given that the proposed site is within the Belvoir SLNCI, which was designated in part for its woodland coverage, NED would recommend that only species native to Northern Ireland are planted. In addition, the manager of LVRP endorses this approach with regard to native species. It is considered that this can be addressed through planning condition, in the event of approval.
8.37	NED note the presence of invasive species, specifically Japanese knotweed, which has been recorded just outside the boundary of the application site. NED advise that further mitigation will be necessary should this invasive species be recorded on the site.
8.38	NED raise no objections to the proposal. NIEA were reconsulted with the objections in relation to ecological impact of the proposal. At the time of publication, no response had been received. Committee will be advised in the late items pack of NIEAs response if received by the date of Committee. If NIEA raise any new issues thereafter, the application will be re-presented to Planning Committee.
8.39	<p><u>AONB</u></p> <p>It is considered that the siting and scale of the proposed development is sympathetic to the character of the AONB and the locality in general. It respects features that are important to the character and appearance of the AONB, for example, the retention of majority of existing trees, proposed buffer planting along the western boundary and the protection of nearby badger setts.</p> <p><u>Environmental Impact Assessment</u></p>

8.40	<p>The proposed development has a site area of 1.98 Ha and therefore falls within Schedule 2, Part 10 (b) 'Urban development projects, including the construction of shopping centres and car parks' of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as the area of site would exceed 0.5 Ha. Consequently, the proposed development was screened in accordance with the above Regulations. In addition, following submission of objections, the Council re-screened the proposal for further clarity. It is considered that the proposal does not have the potential for significant environmental impacts by reason of size, nature and location therefore an Environmental Statement is not required.</p>
8.41	<p><u>Habitats Regulations Assessment (HRA)</u></p> <p>Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 23<sup>rd</sup> April 2021. This found that the project would not be likely to have a significant effect on any European site.</p>
8.42	<p><u>Loss of open space</u></p> <p>A significant volume of objections has raised issues regarding the loss of existing open space. The open space has been recognised as an amenity and biodiversity asset within the local area. Policy OS 1 of PPS 8 seeks to protect existing open space from development. As previously noted, the application site is located at the edge of the settlement limit, immediately adjacent to LVRP. The site is zoned for housing in dBMAP and a large portion of the site benefits from an extant planning permission for residential development, which appears to be under construction at present.</p>
8.43	<p>The application site is quite open with an access road running through the middle of the site. There are also a number of informal pathways across the site linking Hampton Park with Belvoir Forest and LVRP. It would appear that the site itself is not necessarily of significant amenity value, however it does provide access to other amenity areas. The proposed development includes a pathway to the LVRP located to the south of the proposed communal amenity area, therefore existing users will still be able to access LVRP. It is noted from consideration of the approved site layout of Z/2007/1401/F that no linkage exists to LVRP therefore it is considered that the proposed development represents a betterment in relation to this.</p>
8.44	<p>Although it appears the site itself may not be of significant amenity value, Policy OS 1 clarifies that <i>'the presumption against the loss of existing open space will apply irrespective of its physical condition and appearance'</i>. Despite this, as noted in para 8.10, the site is zoned for housing and a large portion has planning permission for residential development. Consequently, it is not considered that Policy OS1 is applicable to this proposed development.</p>
8.45	<p><u>Amenity space</u></p> <p>Adequate provision has been made for private open space within the proposed development, in accordance with the provisions of Creating Places. As previously noted, the garden areas range from approximately 95 sq metres to over 400 sq metres in area, representing generous provision of garden space.</p>
8.47	<p>The application site has an area of approximately 1.98 Ha, therefore public open space is required as an integral part of the development, in accordance with Policy OS 2 of PPS 8. Approximately 0.35 Ha of public open space is provided within the scheme, stretching along the western boundary of the site, with the primary area of open space surrounded by dwelling no's 3a, 4a, 5a and 5b measuring approximately</p>

	0.12 Ha. Consequently, it is considered that the proposed development complies with the tests of Policy OS 1 of PPS 8.
8.48	<p><u>Landscaping</u></p> <p>The proposed development includes the retention of the majority of existing trees within the application site (proposal includes partial clearance of tree group 31g). Furthermore, additional planting is proposed within the development site in order to soften the visual impact of the development and assist in its integration with the surrounding area. A landscaped buffer is proposed along much of the western boundary to augment the existing trees and vegetation. Furthermore, additional trees are proposed along the southern boundary of the site. Planting at the edge of settlement is important and helps to assimilate and soften the impact of the development on the countryside and LVRP.</p>
8.49	A landscaping plan has been submitted in relation to the proposed development. The Council's Tree and Landscaping Officer (TLO) has no objection to the proposal, however following advice from NED regarding proposed non native species, it is considered appropriate to condition a further landscaping plan in the event of approval. The landscaping plan should broadly conform to the submitted plan, however only native species should be included. A landscape management plan has also been submitted in support of the proposed development. In the event of approval, a condition should be included to ensure the recommendations and methods of the management plan are implemented.
8.50	<p><u>Residential amenity</u></p> <p>The proposal has been amended to address concerns regarding overlooking and privacy, particularly in relation to the southern portion of the site. As previously noted, there is a variation in ground levels at this part of the site, thereby increasing potential for overlooking. In order to address these concerns, the layout has been amended with increased separation distances, more effective boundary treatments, provision of planted embankments and retaining structures and further details regarding proposed ground levels. Following these amendments, it is considered that the proposed development will not result in an unacceptable adverse effect in terms of overlooking or lack of privacy.</p>
8.51	The proposed dwellings are adequately spaced, with a generous provision of open space between buildings. Consequently, there are no concerns regarding the impact of overshadowing or lack of natural light. One objector raised an issue regarding the impact on natural light for existing residents. It is not considered that the proposed development will have a detrimental impact on existing residents in terms of natural light as the majority of proposed dwellings are quite far removed from existing dwelling (nearest existing dwelling is over 40 metres away from the closest proposed dwelling).
8.52	It is considered that the design and layout will not create conflict with adjacent land uses and there is no unacceptable impact on residential amenity as a result of the proposal.
8.53	BCC Environmental Health (EHO) have been consulted on the proposed development and have raised no objection in relation to noise or odour. With regard to air quality impact, the agent has confirmed that centralised hot water / heating combustion process or biomass type boilers will not be used therefore there is no requirement for air quality assessment. The proposed development is for 18 no. residential dwellings and it is not anticipated that this proposed use will give rise to late night activity / nuisance.

8.54	<p><u>Contamination</u></p> <p>Contamination Information has been submitted in support of the proposed development. The Council has consulted with EHO and NIEA Regulation Unit Land and Groundwater Team (RU); both consultees are satisfied that the proposed development will not pose unacceptable risks to human health or environmental receptors. RU have provided conditions in the event of approval.</p>
8.55	<p><u>Access / Parking</u></p> <p>The proposed access is effectively a continuation of the existing roadway along Hampton Park. The existing road at Hampton Park continues for approximately 45 metres before taking a 90 degree turn in a northerly direction. Two access roads extend from the main thoroughfare in a westerly direction, providing access to proposed dwellings. The most southerly road is proposed for adoption, however the northerly road is a private road. The proposal includes 36 in curtilage parking spaces (2 per dwelling) and 18 on street spaces including 3 visitor spaces. DFI Roads have provided comments on the proposed development and following amendments to the scheme, have no objection, subject to conditions.</p>
8.56	<p>Following receipt of a significant volume of objections in relation to access, road safety, intensification of Hampton Park junction etc, the Council sought additional comments from DFI Roads. DFI Roads confirmed they retained their position set out in previous consultation responses.</p>
8.57	<p><u>Movement pattern / local facilities</u></p> <p>The proposed development does not require the provision of local neighbourhood facilities, however the site provides easy access for vehicles, pedestrians and cyclists to nearby amenities and public transport facilities via Hampton Park.</p>
8.58	<p>A significant volume of objections raised the issue of potential Rights of Way, (ROWs) throughout the site, in particular the routes from Hampton Park to Galwally Avenue and from Hampton Park to Lagan Lands East. The Council has a statutory duty under Article 3 of the Access to the Countryside (Northern Ireland) Order 1983 to '<i>assert, protect, keep open and free from obstruction any public right of way</i>'. The AO has confirmed that no ROWs have been asserted within the application site.</p>
8.59	<p>With regard to the aforementioned route from Hampton Park to Galwally Avenue, the AO has confirmed that this path does not have the hallmarks of a Public ROW for a number of reasons, including the presence of a wall blocking the route, part of the route is over the line of a large pipe and part of the path is not particularly well defined. Consequently, it is unlikely that the Council will assert this route as a Public ROW.</p>
8.60	<p>The proposed layout also includes a pathway linking the proposed development (and in effect, Hampton Park) with Lagan Lands East. The AO has also confirmed it is the intention for this path to link into existing path infrastructure within Lagan Lands East in the future, thereby enhancing connectivity and access to the wider LVRP and Lagan gateway bridge.</p>
8.61	<p><u>Flooding / Drainage</u></p> <p>DFI Rivers Agency (RA) advise there is a designated watercourse, known as the Galwally stream (U3BEL11) flowing immediately along a portion of the south western corner of the site. The application site does not lie within the 1 in 100-year fluvial floodplain. RA have advised that the proposed development will not impede the</p>

	operational effectiveness of flood defence and drainage infrastructure or hinder access to enable their maintenance.
8.62	A Drainage Assessment (DA) was submitted in accordance with Policy FLD 3 of PPS 15. With regard to site drainage, the proposal is to attenuate surface water within oversized pipes and manholes in the overall development and limit/restrict the discharge to green field rate. RA advises that while not being responsible for the preparation of the DA, accepts its logic and has no reason to disagree with its conclusions. Consequently, the proposal complies with the tests of Policy FLD 3 of PPS 15.
8.63	<u>Sewage infrastructure</u> NI Water (NIW) have confirmed that there is a foul sewer within 20 metres of the proposed site, however there is no surface water sewer within 20 metres of the site. NIW have advised that the developer may wish to requisition a surface water sewer to serve the proposed development and / or obtain approval from Rivers Agency for discharge to a watercourse. NIW have also confirmed that there is available capacity at a nearby Waste water treatment works to serve the proposed development.
8.64	<u>Archaeological heritage</u> An Archaeological programme of works has been submitted in support of the proposal. Historic Environment Division (HED) have provided comments, advising of no objection. HED agree with the archaeological mitigation strategy proposed and are content for the development to proceed to archaeological licensing. It is considered that this can be addressed by planning condition in the event of planning approval.
8.65	<u>Crime / Antisocial behaviour</u> It is considered that the proposed development is designed to deter crime and promote personal safety. The primary area of public open space within the development benefits from passive surveillance from the nearby dwellings. Furthermore, the proposed rear gardens are enclosed and generally back onto each other. Proposed pathways, including the linkage to LVRP, also benefit from passive surveillance from adjacent dwellings.
8.66	<u>Impact on views</u> The impact of the proposed development on views of LVRP from existing dwellings is not a material consideration in the assessment of this planning application.
<b>9.0</b>	<b>Summary of Recommendation: APPROVAL</b>
9.1	It is considered that the proposed development is generally respectful of the surrounding context and character of the immediate locality. Furthermore, it is considered the pattern of development is generally in keeping with the overall character and environmental quality of the established residential area.
9.2	Supporting information has been submitted in relation to the impact on ecology, specifically in relation to habitats and protected species, including badgers. Following consultation with NIEA, it is considered that the proposed development complies with the policy tests of PPS 2, subject to conditions mitigating potential ecological impacts.
9.3	DFI Roads have provided comments on the proposed development, including access, car parking, intensification of Hampton Park junction. Following amendments to the scheme, DFI Roads have no objection, subject to conditions.

9.4	The proposed layout includes a pathway linking the proposed development (and in effect, Hampton Park) with Lagan Lands East. The Council's Access Officer has advised that the existing route to Galwally Avenue does not have the hallmarks of a public right of way and is unlikely to be asserted as such.
9.5	It is also considered the proposed development complies with planning policy in relation to residential amenity, amenity space, protection of open space, flooding / drainage, infrastructure, landscaping and archaeological heritage.
9.6	It is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of any conditions.
<b>10.0</b>	<b>Conditions</b>
10.1	The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.  Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
10.2	No dwelling shall be occupied until its related hard surfaced curtilage area has been constructed in accordance with the approved PSD Drawings No. P291-OCSC-DR-C-0707 Rev P09 and P291-OCSC-DR-C-0708 Rev P06 uploaded to the Planning Portal on 2 <sup>nd</sup> September 2020 to provide adequate facilities for parking. These spaces shall be permanently retained.  REASON: To ensure adequate parking in the interests of road safety and the convenience of road users.
10.3	The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted occupied and such splays shall be retained and kept clear thereafter.  REASON: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.
10.4	The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.  REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
10.5	Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in (verges/service strips) determined for adoption.

	<p>REASON: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.</p>
10.6	<p>Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500 mm shall be carried out in (verges/service strips) determined for adoption.</p>
	<p>REASON: In order to avoid damage to and allow access to the services within the service strip</p>
10.7	<p>The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawings No:P291-OCSC-DR-C-0707 Rev P09 and P291-OCSC-DR-C-0708 Rev P06 bearing the Department for Infrastructure determination date stamp 23/9/20.</p> <p>REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p>
10.8	<p>No development activity, including ground preparation or vegetation clearance, shall take place until a Badger Mitigation Plan (BMP) has been submitted to and approved in writing by the Planning Authority. The approved BMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved BMP, unless otherwise approved in writing by the Planning Authority. The BMP shall include the following:</p> <ul style="list-style-type: none"> <li>a. Provision of 25m buffers from all development activity to all retained Badger setts (clearly shown on plans);</li> <li>b. Details of wildlife corridors to allow movement of Badgers to and from setts and/or foraging areas;</li> <li>c. Details of appropriate fencing to protect Badgers and their setts/wildlife corridors;</li> <li>d. Details of appropriate measures to avoid illumination of Badger setts and the retention of dark corridors;</li> <li>e. Details of appropriate measures to protect Badgers from harm during the construction phase;</li> <li>f. Details of the appointment of a competent ecologist to oversee the implementation of Badger mitigation measures during the construction phase, including their roles, responsibilities and timing of visits.</li> <li>g. If external lighting to individual dwellings is proposed, full details and appropriate mitigation measures are required.</li> </ul> <p>Reason: To protect Badgers and their setts.</p>
10.9	<p>No vegetation clearance/removal of trees/vegetation structures shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Planning Authority within 6 weeks of works commencing.</p>



10.10	<p>Reason: To protect breeding birds.</p> <p>No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 <i>Trees in relation to design, demolition and construction – Recommendations</i>.</p>
10.11	<p>Reason: To ensure the continuity of the biodiversity value afforded by existing trees.</p> <p>Storm drainage of the site, during construction and operational phases, must be designed to the principles of the Sustainable Drainage Systems (SuDS) in order to prevent the polluting effects of storm water on aquatic environments. Construction of SuDS should comply with the design and construction standards as set out in The SuDS Manual - Construction Industry Research and Information Association (CIRIA) Report C697.</p>
10.12	<p>Reason: To minimise the impact of the development on the biodiversity value of the aquatic environment.</p> <p>All surface water run-off during the construction phase shall be directed away from the watercourse and site drains.</p>
10.13	<p>Reason: To minimise the impact of the development on the biodiversity value of the aquatic environment.</p> <p>A suitable buffer of at least 10m must be maintained between the location of refuelling, storage of oil/fuel/spoil, construction materials, concrete mixing and washing areas and the watercourse and site drains.</p>
10.14	<p>Reason: To minimise the impact of the development on the biodiversity value of the aquatic environment.</p> <p>Prior to the commencement of development, a landscaping scheme shall be submitted to and agreed with the Council. The scheme shall broadly conform to the details already submitted, however all proposed species shall be native. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area and to ensure the provision of a high standard of landscape.</p>

10.15	<p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity</p>
10.16	<p>Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Reason: To 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.</p>
10.17	<p>If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.</p>
10.18	<p>Careful hand digging will be employed within the RPAs with extreme care being taken not to damage tree roots and root bark.</p> <p>Reason: To avoid root severance</p>
10.19	<p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA.</p>
10.20	<p>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 Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.21	<p>After completing the remediation works under Condition 20 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 Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the</p>

	<p>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>
10.22	<p>A detailed Construction Method Statement, for works in, near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999, must be submitted to and agreed by the Council, at least 8 weeks prior to the commencement of the works or phase of works.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p>
10.23	<p>No site works of any nature or development shall take place until the programme of archaeological work previously submitted to and approved by the Council has been completed. An archaeological excavation licence will need to be granted prior to the commencement of excavation works.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.</p>
10.24	<p>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. These measures shall be implemented and a final archaeological report shall be submitted to and agreed by the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p> <p>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.</p>
10.25	<p>The open space and amenity areas indicated on Drawing No 04F uploaded to the Planning Portal on 10<sup>th</sup> June 2021 shall be managed and maintained in accordance with the Landscape Management Plan uploaded to the Planning Portal on 15<sup>th</sup> April 2019. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.</p> <p>Reason: To ensure successful establishment and ongoing management and maintenance of the open space and amenity areas in the interests of visual and residential amenity.</p>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b>	
<p><b>Cllr Brian Smyth</b>  <b>Cllr Donal Lyons</b></p>	

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## Development Management Officer Report Committee Application

Addendum Report	
<b>Committee Meeting Date:</b> Tuesday 14th March 2021	
<b>Application ID:</b> LA04/2020/2280/F	
<b>Proposal:</b> Proposed mixed use development comprising 1no. ground floor retail unit and 13no. apartments, associated amenity space, landscaping and all other site works.	<b>Location:</b> 93-95 Falls Road Belfast BT12 4PE
<b>Referral Route:</b> Objections has been received which is contrary to BCC Planning Officers' recommendation.	
<b>Recommendation:</b> Approve subject to conditions / Section 76 Agreement	
<b>Applicant Name and Address:</b> Scarsdale Properties LLP 263 Falls Road Belfast BT12 6FB	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<b><u>Addendum Report</u></b>  This full application was deferred at Planning Committee on Tuesday 17 <sup>th</sup> August 2021 for a site visit. The item was agreed to be deferred to allow committee members to undertake a site visit to better familiarise themselves with the proposal and the site. The committee site visit is taking place on Thursday 9 <sup>th</sup> September 2021.  There is no further update since the publication of the case officer report for the August Planning Committee. The recommendation remains as set out previously.  <b>Recommendation</b> - Approval subject to conditions and Section 76 Agreement  It is requested that the committee delegate authority to the Director of Planning and Building Control to finalise the wording of conditions and the completion of a Section 76 Agreement to secure the green travel measures.	

## Addendum Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 17 <sup>th</sup> August 2021	
<b>Application ID:</b> LA04/2020/2280/F	
<b>Proposal:</b> Proposed mixed use development comprising 1no. ground floor retail unit and 13no. apartments, associated amenity space, landscaping and all other site works.	<b>Location:</b> 93-95 Falls Road Belfast BT12 4PE
<b>Referral Route:</b> Objections has been received which is contrary to BCC Planning Officers' recommendation.	
<b>Recommendation:</b> Approve subject to conditions / Section 76 Agreement	
<b>Applicant Name and Address:</b> Scarsdale Properties LLP 263 Falls Road Belfast BT12 6FB	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<b>Addendum Report</b>  <p>This full application was previously listed for Planning Committee on 18<sup>th</sup> May 2021. However, the application was not presented at committee as the agent asked for it to be withheld while further consultation with local residents was undertaken by the applicant.</p> <p>A meeting was held on Wednesday 26<sup>th</sup> May 2021 at Davitts Gaelic Athletic Association on Falls Road. The meeting was arranged and chaired by the Chairman of Clonard Residents Association, the developer, local residents and Councillor Clare Canavan were in attendance.</p> <p>A summary of the meeting was forwarded by the agent and is set out below:</p> <p>Neighbours raised three areas of concern;</p> <p><b>1. EXISTING PARKING CONGESTION/ ISSUES:</b></p> <ul style="list-style-type: none"> <li>- <i>Residence Group main point of discussion related to "existing" parking in the area; and the worry that the proposed development will only add to the parking congestion.</i></li> <li>- <i>Design team highlighted that the proposed scheme design is for CAT 1 social housing and is supported by a travel plan and other supporting documents which have been assessed and accepted by DFI Roads. Design team also noted that the location of the site is on a main route into the city with access to excellent public transport links.</i></li> </ul>	

- *The main concern of residents appeared to be daily issues with cars parking across and blocking their driveways, this would be a parking enforcement issue which is outside of the remit and control of the planning application process.*

- *It was apparent from the meeting that the Groups concerns are not actually with the proposed development but the existing inconsiderate parking and parking management.*

## 2. *END USER OF THE APARTMENTS*

- *Several residents wanted to know who would be assigned the apartments. Concerns over 1 bed apartments and issues with general needs apartments in other areas which has resulted in anti-social issues.*

- *Design team confirmed apartments would be for CAT 1 social housing (i.e. over 55's/ active elderly age group). It was confirmed that all apartments are 2 bed units (with the exception of a designated ground floor wheelchair apartment which would be 1 bed).*

- *The residents group broadly accepted the above and was not a major concern thereafter.*

## 3. *TIMESCALES ON DEVELOPMENT AND POTENTIAL CONSTRUCTION WORKS IMPACT TO LOCAL RESIDENTS*

- *The residents group wanted an outline of the construction programme and raised concerns over how the construction phase would be managed in respect to closing footpath sections and demolition works next to existing houses.*

- *The design team highlighted that all construction works (including demolition) would follow all H&S / CDM regulations. It was stated that there would be more consultation with contractor and residents/ local businesses prior to any construction works starting to outline any temporary footpath closures (which are also subject to DFI Roads consultation and approval).*

- *The developer stated that following demolition that construction works would follow on immediately as works would be completed under one contract. This was in response to local resident concerns if the site would remain vacant for some time between demolition and construction.*

*Note –*

*All residents had opportunity to view the presentation drawings on display at the meeting and the design team answered any specific questions following the main presentation.*

*Several residents did note that the overall scheme proposal looked well and their main reservation and concerns related to existing parking congestion and issues within the local area.*

Planning permission is sought for the demolition of the existing bank building and the construction of part 4 storey part 3 storey mixed use development containing one retail unit and 2 apartments on the ground floor and 11 apartments on the upper floors.

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

- Disruption and noise pollution during construction;
- Parking pressure/ lack of availability;
- Highway safety;
- Loss of light / overshadowing;
- Overlooking / loss of privacy;
- Lack of amenity space;

- No prior consultation with local area;
- Anti-social behaviour.

Since consultation with the residents' group, Planning Service has received no further objection to the proposal.

The applicant has advised that the proposed end user for the development is to be Category 1 Social Housing apartments for the active elderly. Whilst this is welcomed by officers', there is no planning policy requirement for the apartments to be restricted solely to social housing, therefore no planning condition is recommended.

The site is unzoned whiteland in the BUAP. In Draft BMAP 2004 and 2015, the site is located along an arterial route in a designated shopping/ commercial area. The redevelopment of this brownfield site and the principle of apartments at this location are considered acceptable. The provision of the retail unit is compliant with dBMAP.

The proposed development will not adversely impact the character and appearance of the surrounding area. It is considered to be sympathetic in its built form, scale, massing and appearance with the surrounding area and neighbouring properties. It is considered that the proposal will not raise any unacceptable issues in relation to residential amenity including overshadowing, loss of light and overlooking.

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

Having regard to the policy context and objections received (considered fully in the main body of the report), the proposal is considered on balance to be acceptable and the officer recommendation to approve is unchanged.

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

It is requested that the committee delegate authority to the Director of Planning and Building Control to finalise the wording of conditions and the completion of a Section 76 Agreement to secure the green travel measures.



## Development Management Officer Report Committee Application

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

standard is considered acceptable due to the site's highly sustainable location along an arterial route with the provision of Green Travel Measures. The developer has agreed to provide a travel card for each unit for 3 years as well as the provision of a cycle user subsidy scheme (e.g. Belfast Bikes) for the same period, should approval be achieved.

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

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

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

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

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

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

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

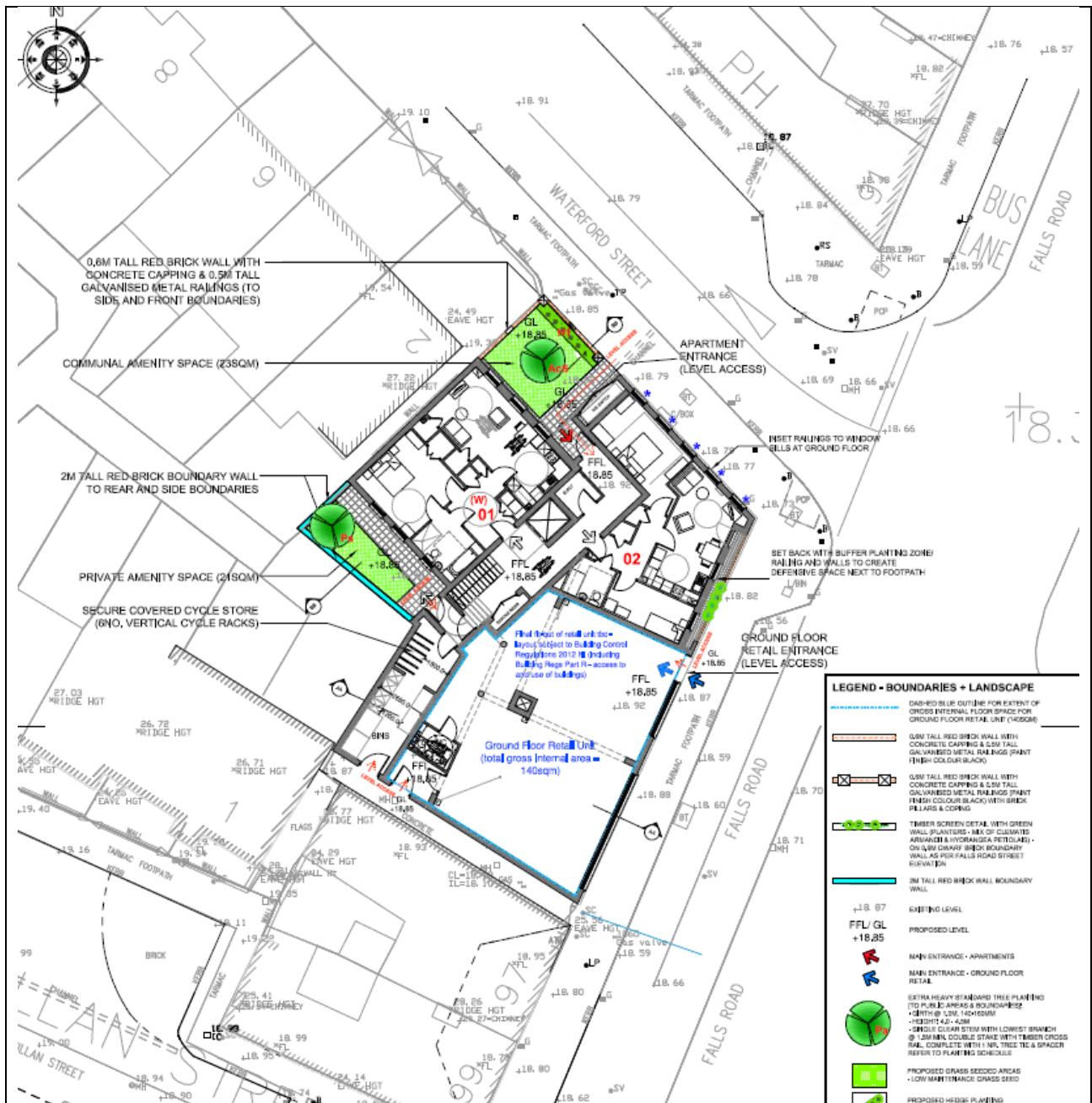
Recommendation - Approval subject to conditions and Section 76 Agreement

It is requested that the committee delegate authority to the Strategic Director of Place and Economy to grant conditional planning permission and to finalise the wording of conditions and the completion of a Section 76 Agreement to secure the green travel measures.

## Case Officer Report

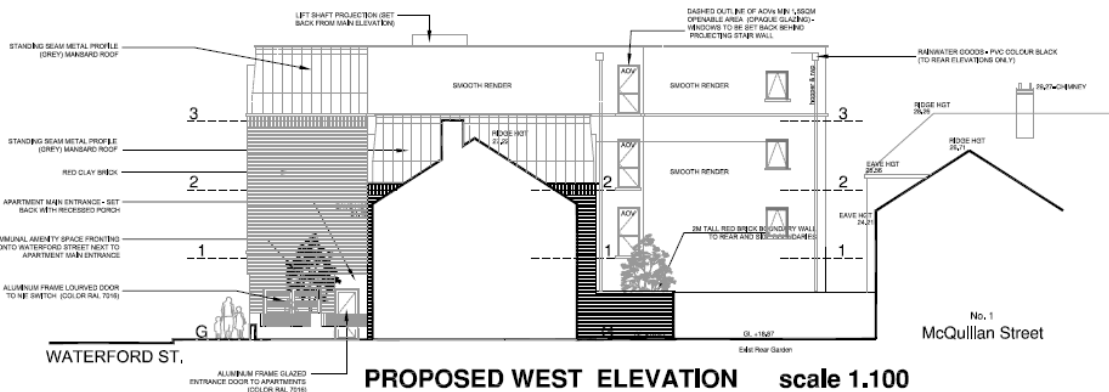
### Site Location Plan





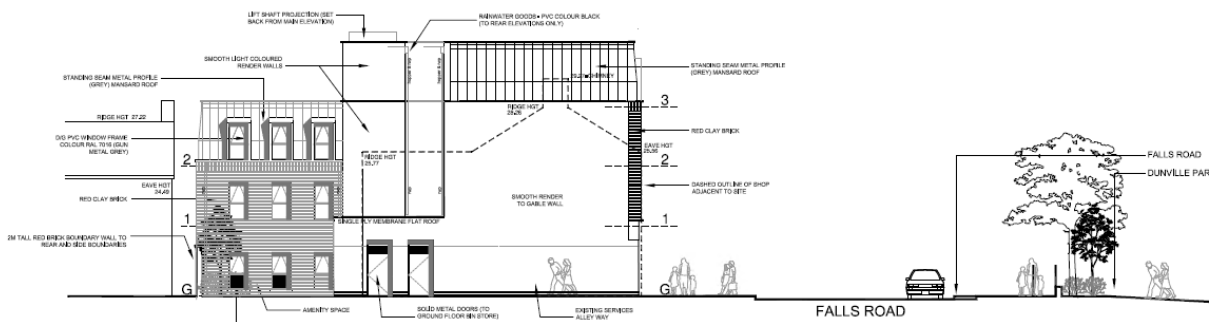


**PROPOSED NORTH / WATERFORD STREET ELEVATION** scale 1.100



**PROPOSED WEST ELEVATION** scale 1.100

**REAR ELEVATION**



**PROPOSED SOUTH ELEVATION** | scale 1.100  
**MCQUILLAN STREET**

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

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



	<p>from spring through to and winter. It indicates there will be minimal – if any change in the shadow cast by the buildings currently in situ.</p> <ul style="list-style-type: none"> <li>Concerns regarding potential overlooking and loss of privacy at adjacent properties <u>Officer response –</u> There are no windows proposed in the elevation adjacent to 2 Waterford street so overlooking in this context is not possible. There is potential overlooking of the rear of properties along McQuillan Street from the bedroom windows in the north facing elevation. However, this has been mitigated through the set back at first floor level and above to match the existing rear building line of the existing Waterford Street terraces. Therefore, maintaining a similar back to back relationship to what currently exists. In terms of the rear elevation (western), opaque glazing is proposed and a setback of 5.5m has been incorporated at first floor level and above with minimised openings. These measures will ensure an unacceptable level of overlooking does not occur.</li> <li>Concern that there is lack of amenity space particularly for children to play</li> <li><u>Officer response:</u> Reduced amenity space provision has been incorporated into the design of the proposal, this is considered acceptable in this urban context as Dunville Park is highly accessible being located directly opposite and the other various local amenity provisions nearby.</li> <li>Concerns that no prior consultation with neighbours has been undertaken <u>Officers Response:</u> This is a statutory requirement for pre application community consultation for major development proposals, however this scheme is not of a scale that requires prior consultation with neighbours.</li> <li>Concerns that apartment living attracts anti-social behaviour <u>Officer response:</u> the proposal is in keeping with 'Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland' guidelines. Strong boundary treatment provides a further degree of security.</li> </ul>
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	<p>Parking Standards DCAN 15: Vehicular Access Standards Creating Places Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland The Belfast Agenda</p>
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of development</li> <li>- Retail Impact</li> <li>- Design, Impact on character and appearance of the area</li> <li>- Impact on amenity</li> <li>- Access, Movement and Parking</li> <li>- Flooding</li> <li>- Infrastructure Capacity</li> </ul>
9.3	<p><u>Principle of development</u> The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.</p>
9.4	In general, the weight that should be given to draft policy increases as it approaches the date of final publication. It is the view that the draft BMAP, in its most recent, post-



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

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

9.20	DFI Roads were consulted and they have confirmed that they are satisfied that parking on street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. On this basis, the proposal is considered to accord with Policy QD1 of PPS7, PPS3, SPPS and Draft BMAP.
9.21	To promote green travel, the applicant has agreed to provide Translink travel cards for each dwelling unit, – one pass for an occupier per unit, and up to 2 full time members of staff for the retail unit for a period of 3 years in addition to the provision of a cycle user subsidy scheme (e.g. Belfast Bikes) to encourage use of public transport.
9.22	Satisfactory provision has been made within the building for bicycle parking, and for storage of waste.
9.23	<p><u>Flooding</u></p> <p>The site is not located within the fluvial flood plain, it is not prone to historical flooding nor surface water retention. A Drainage Assessment has been submitted and it is proposed to attenuate for more than the 1 in 30-year storm event in the drainage network. Rivers Agency has requested a plan of the drainage system is submitted prior to commencement of development. Rivers Agency have cited no objection to the proposal subject to inclusion of said condition. As such, the proposed development would comply with Policy FLD3 of PPS 15 and the SPPS.</p>
9.24	<p><u>Infrastructure Capacity</u></p> <p>NI Water have advised that whilst there is available capacity to receive wastewater at the local waste water treatment works, the sewer network within the catchment area is at capacity. The applicant is currently in discussions with NI Water regarding a potential solution. NI Water have confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. This includes two new sludge processing tanks for Belfast and subsequent improvements to the city's six existing sludge processing tanks. These works are estimated to be completed within 2.5 years – well within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues.</p>
9.25	It is considered that the issue can be resolved by means of a negative condition to address this matter.
9.26	<p><u>Planning History</u></p> <p>The proposed scheme has been amended since the refusal of application LA04/2018/2292/F. The number of units have been reduced along with the height, scale and massing. The previous refusal reasons have now been adequately addressed.</p>
<b>10.0</b>	<p><b>Summary of Recommendation:</b></p> <p>Having regard to the policy context and other material considerations raised by consultees and third parties, it is concluded that, on balance, the proposal is considered acceptable. It is requested that the committee delegate authority to the Strategic Director of Place and Economy to grant conditional planning permission subject to completion of Section 76 agreement to secure the green travel measures.</p>
<b>11.0</b>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</li> </ol>

	<p>Reason: Time Limit.</p> <p>2. Prior to the commencement of any of the approved development on site, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 must be submitted to the Council for its consideration and approval in writing. The development shall not be carried out unless in accordance with the approved details. Reason – To safeguard against flood risk to the development and elsewhere.</p> <p>3. As part of site clearance works, all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Guidance on Pollution Prevention No. 2 (GPP2). Where the tank is industrial size or there is a number of tanks but for a domestic tank, sampling and analysis is not required. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>4. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a> In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>5. After completing all remediation works under Condition 4 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a> The verification report should present all the remediation and monitoring works and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.  Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>6. Secure and covered cycle parking shall be provided in accordance with Drawing No. 03A published on the Planning Portal on 3<sup>rd</sup> February 2021. Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car</p> <p>7. The development hereby permitted shall operate in accordance with the approved Service Management Plan, published on the Planning Portal on 12th November 2020. Reason: In the interests of road safety and the convenience of road users.</p> <p>8. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required,</p>
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	<p>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.</p> <p>9. Prior to occupation of the apartments, the noise mitigation measures relating to the development facades, glazing and ventilation systems as recommended in Section 6 of the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021, shall be installed and retained thereafter to ensure that internal noise levels within habitable rooms shall not exceed:</p> <ul style="list-style-type: none"> <li>• 35dB LAeq,16 hr between 07.00hrs and 23.00hrs within any habitable room, if required with the windows closed and alternative means of ventilation provided in accordance with current Building Control Regulations requirements</li> <li>• 30 dB LAeq,8hr within bedrooms between 23.00hrs and 07.00hrs, if required with the windows closed and alternative means of ventilation provided in accordance with current Building Control Regulations requirements.</li> <li>• 45dB LAFmax, by more than 10 single sound events in any proposed bedrooms, if required with the windows closed and alternative means of ventilation provided in accordance with current Building Control Regulations requirements.</li> </ul> <p>Reason: Protection of public health and residential amenity.</p> <p>10. Prior to operation of the retail unit, the noise mitigation measures relating to the party floor/ceiling of the development as recommended in Section 9 of the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021, shall be installed and retained thereafter. Reason: Protection public health and residential amenity</p> <p>11. No deliveries shall be permitted to the retail development between the hours of 23:00 and 07:00hrs on any day. Reason : Protection public health and residential amenity</p> <p>12. No external plant is permitted within the hereby permitted retail development. Reason: Protection public health and residential amenity</p> <p>13. Prior to occupation of the herby permitted development, a mechanical ventilation system as per the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021. (Section 11 - Odour) shall be installed within the development. Reason: Protection of residential amenity.</p> <p>14. Prior to installation of the mechanical ventilation system as per the Irwin Carr Consulting report titled: 'Noise Impact Assessment, 93-95 Falls Road, Belfast' Report no. Rp002N 2020160 (93-95 Falls Road) dated 8th March 2021. (Section 11 - Odour), the location of the air inlet and outlet points shall be depicted on a scaled drawing and submitted to the Planning Authority for approval and shall be agreed in writing. The ventilation inlet and outlet points shall be located as approved. Reason: Protection of residential amenity.</p> <p>15. Notwithstanding the approved plans the brickwork feature header band above the ground floor level should be extended along the Waterford Street elevation for the full extent of the four-storey component of the development hereby approved.</p>
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	<p>Reason: In the interests of visual amenity.</p> <p>16. Prior to commencement of development, sample panels of the external materials to be used on the development hereby permitted shall be submitted to and approved in writing by the Council. The development shall be constructed in accordance with the approved details thereafter.</p> <p>Reason: In the interest of visual amenity.</p> <p>17. No development shall commence on site until details of sewerage waste disposal have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul drainage of the site.</p> <p>18. Obscure glazing shall be provided in accordance with the approved plans and permanently retained as such thereafter.</p> <p>Reason: In the interests of residential amenity.</p> <p>Informatives</p> <p><b>THE POLLUTION CONTROL AND LOCAL GOVERNMENT (NI) ORDER 1978</b>  Due to the proximity of residential properties to the proposed development site, the applicant would be advised of the following good practice documents for noise control during the demolition/construction phase of the development:</p> <ul style="list-style-type: none"> <li>- Belfast City Council's Noise Control Advice Note for Construction and Demolition Sites (available at <a href="http://www.belfastcity.gov.uk/buildingcontrol-environment/noisecontrol/typesofnoise.aspx">http://www.belfastcity.gov.uk/buildingcontrol-environment/noisecontrol/typesofnoise.aspx</a>.) and</li> <li>- British Standard 5228 -1:2009+A1:2014 – Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration</li> </ul> <p>Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is: Belfast North Section Office, 1A Airport Road, Belfast, BT3 9DY. A monetary deposit will be required to cover works on the public road.</p> <p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent roads by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor.</p> <p>All construction plant and materials shall be stored within the curtilage of the site.</p> <p>It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site</p> <p>Separate planning approval should be sought if the retail unit is to be used as a café or hot food unit.</p>
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**Notification to Department (if relevant) – N/A**

**Representations from Elected members – None**

**Addendum  
Development Management officer report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 17 <sup>th</sup> August 2021	
<b>Application ID:</b> LA04/2020/2280/F	
<b>Proposal:</b> Proposed mixed use development comprising 1no. ground floor retail unit and 13no. apartments, associated amenity space, landscaping and all other site works.	<b>Location:</b> 93-95 Falls Road Belfast BT12 4PE
<b>Referral Route:</b> Objection has been received which is contrary to BCC Planning Officers' recommendation.	
<b>Recommendation:</b> Approve subject to conditions	
<b>Applicant Name and Address:</b> Scarsdale Properties LLP 263 Falls Road Belfast BT12 6FB	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<b>Addendum Report</b>  This full application was previously listed for Planning Committee on 18 <sup>th</sup> May 2021. The application was not presented as the agent asked for it to be withheld while further consultation with neighbours was undertaken.	
<b>Signature(s):</b>   	



## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2019/1886/F	<b>Date of Committee:</b> 14 September 2021
<b>Proposal:</b> Proposed development of 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works (Amended site boundary)	<b>Location:</b> 42-50 Ormeau Road, Belfast, BT7 1SH.
<b>Referral Route:</b> Objections received - Proposal is for over 12 residential units	
<b>Recommendation:</b> APPROVAL	
<b>Applicant Name and Address:</b> Andrew Bradley 213 Shore Road Magherafelt BT45 6LW	<b>Agent Name and Address:</b> Diamond (Belfast) Ltd 33 Strathmore Park North Belfast BT15 5HQ
<p><b>Executive Summary:</b></p> <p>The proposal is for 'Proposed development of 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works (Amended site boundary)'.</p> <p>74 objections have been received in relation to this proposed development, including from Councillor John Gormley.</p> <p>The site is not zoned within either BUAP or dBMAP, however part of the site is located within the proposed 'Ormeau' Area of Townscape Character (ATC) in dBMAP. The site also fronts on to an arterial route in dBMAP.</p> <p>The key issues to consider in the assessment of this proposed development are:</p> <ul style="list-style-type: none"> <li>• Impact on character of the area.</li> <li>• Impact on residential amenity.</li> <li>• Impact on parking.</li> <li>• Impact on sewage and drainage infrastructure.</li> </ul> <p>Through the processing of the application numerous amendments have been received to address issues around design, impact on character, residential amenity and landscaping.</p> <p>It is considered that the proposal respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.</p> <p>Many of the objections related to the lack of parking within the proposal and pressures on existing street parking. The location of the site is considered to be highly accessible as it is located along an arterial route and provides convenient access to public transport links, local neighbourhood facilities and the city centre. At the time of publication, DFI Roads comments are currently outstanding, however they have confirmed informally that there are no objections to the proposed development, subject to conditions.</p>	

Adequate provision has been made for open space within the proposed development, in accordance with the provisions of Creating Places. Furthermore, it is considered that the proposed landscaping assists with integration and softens the visual impact of the proposal.

It is acknowledged that the proposed development may result in some overshadowing however, on balance, given the surrounding context and the amended design, it is not considered that this will create an unacceptable adverse impact on surrounding properties. It is also acknowledged that views towards existing dwellings are achievable from the bedroom and study window of Type A apartments on the first and second floor of Block A. However, the apartment windows are orientated towards the rear amenity area rather than the neighbouring properties, which are at an approximate 45 degree angle. It is not considered that the proposal will result in an unacceptable adverse impact in terms of overlooking. There are no concerns in relation to loss of light, outlook, noise or general nuisance for any existing or proposed properties.

NI Water have advised that the scheme can be registered on a pilot scheme, aiming to provide a site specific solution for sewage / drainage infrastructure. The pilot scheme relates to both foul and storm connections, therefore it is considered that conditions should be applied in the event of approval. A Drainage Assessment has been submitted and Rivers Agency have requested further information, approval is recommended subject to receipt of a satisfactory updated Drainage Assessment.

**Recommendation -**

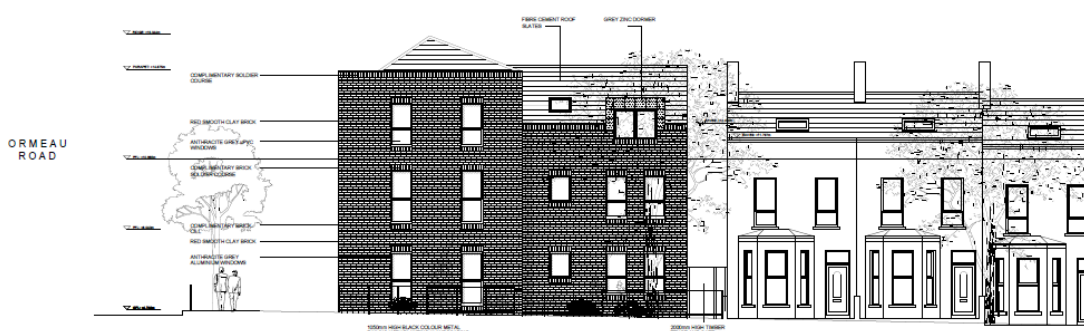
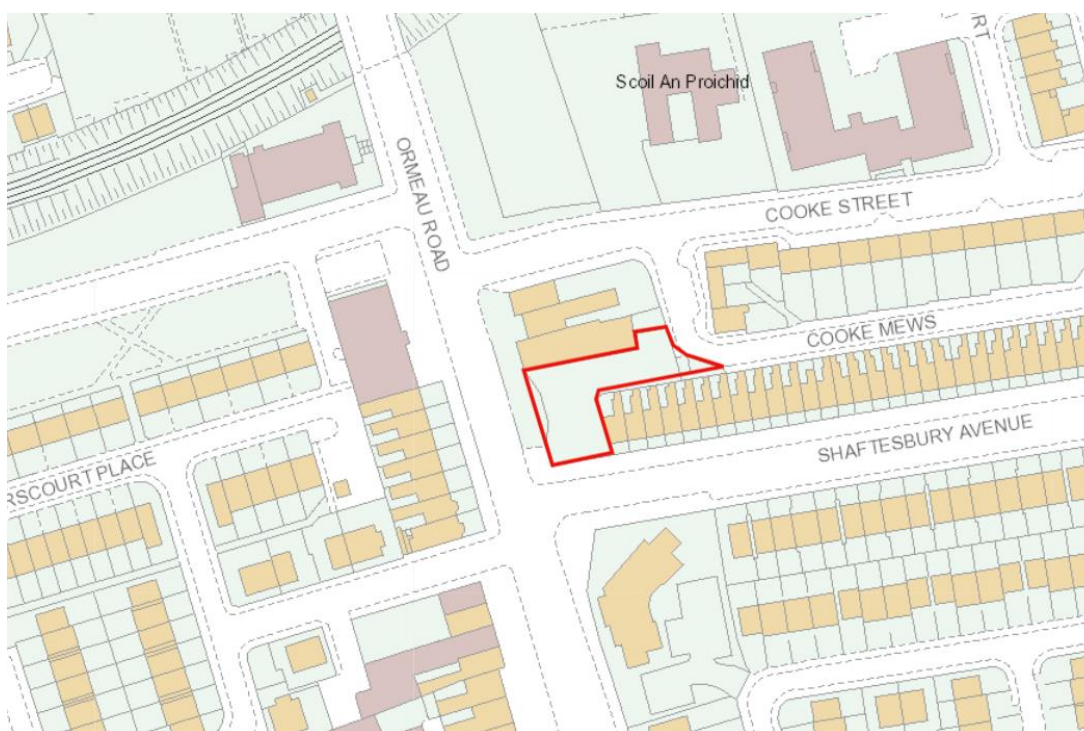
On balance, it is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to receipt of a satisfactory updated Drainage Assessment. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

## Characteristics of the Site and Area

### 1.0 Description of Proposed Development

- 1.1 The proposal is for 'Proposed development of 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works'.
- 1.2 The large block of apartments occupies the corner site with Ormeau Road and Shaftesbury Avenue. The building is 3 storeys / 2.5 storeys in height, with a ridge height of 11.3 metres. The building utilises a mix of materials including red brick, white render and fibre cement roof slates. There are 11 apartments within this building - 3 No. 3 bed, 6 No. 2 bed and 2 No. 1 bed.
- 1.3 The rear apartment block has outlook towards Cooke Mews and proposes 2 No. 2 bed apartments. This building is a two storey building with a ridge height of 7.7 metres. This building is finished in red brick, white render and natural slate roof tiles.
- 1.4 There is an area of amenity space located between the two buildings, including a bin store and cycle parking.



	
<p><b>2.0</b></p> <p><b>2.1</b></p> <p><b>2.2</b></p>	<p><b>Description of Site</b></p> <p>The site is located within the urban development limits of Belfast. It is currently a vacant plot of land on a prominent corner site of Ormeau Road and Shaftesbury Avenue. The site is an irregular 'L' shape, with the rear of the site accessible from Cooke Mews. The site is relatively flat and covers an area of approximately 750 square metres. The western boundary is defined by a mix of trees, hedgerow, metal fence and advertising hoardings and the eastern boundary is defined by metal palisade fencing. The site directly adjoins the rear of a number of houses along Shaftesbury Avenue, as well as a commercial unit on the Ormeau Road.</p> <p>The surrounding area is characterised by a mix of uses, with commercial and residential uses prevalent on the Ormeau Road and residential uses primarily on the other streets in the immediate locality.</p> 
<p><b>Planning Assessment of Policy and other Material Considerations</b></p>	
<p><b>3.0</b></p> <p><b>3.1</b></p>	<p><b>Site History</b></p>

3.2	Z/2007/0758/F - Proposed development containing 4no.shop units, 17no. apartments and car parking - Refused 29/1/19
3.3	Z/2010/0274/F - Development containing four shop units, fourteen apartments and car parking at 42-50 Ormeau Road, Belfast - Granted 5/9/12
3.4	Z/2006/1931/F - Proposed 5 storey 65 bedroom hotel containing restaurant, bar, conference room and car parking - Refused 19/4/07
3.5	Z/2003/2453/O - Renewal of planning permission ref. Z/1998/0929/O for proposed construction of 4 shop/office units, 12 no. apartments and 2 no. studio apartments, car parking and access road - Withdrawn 17/11/04.
	Z/1998/0929/F - Proposed construction of 4 shop/office units, 12 no. apartments and 2 no. studio apartments, car parking and access road (Amended Proposal) - Approved 10/8/00
<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 3 Access, Movement and Parking PPS 6 Planning, Archaeology and the Built Heritage PPS 6 Addendum Areas of Townscape Character PPS 7 Quality Residential Environments PPS 7 Addendum - Safeguarding the character of established residential areas PPS 12 Housing in Settlements PPS 15 Planning and Flood Risk  Creating Places DCAN 15 Vehicular Access Standards
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objections (informal response). Awaiting formal clarification
5.2	Historic Environment Division – No objection.
5.3	NIEA – No objection, subject to conditions.
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objection.
6.2	Rivers Agency – update to Drainage Assessment required.
6.3	BBC Tree and Landscaping Officer – No objection, subject to conditions.
6.4	Northern Ireland Water – No objection, subject to conditions.
<b>7.0</b>	<b>Representations</b>

7.1	74 objections have been received in relation to this proposed development, including from Councillor John Gormley.
7.2	<p>The objections raised the following issues:</p> <ul style="list-style-type: none"> <li>• Lack of parking proposed within the development.</li> <li>• Surrounding streets are already at capacity in terms of parking.</li> <li>• Current parking problems create knock on issues, such as impact on bin collection services.</li> <li>• No provision for service parking within the proposal.</li> <li>• Private letting of houses and Air BnBs in the surrounding area exacerbate the parking issues.</li> <li>• Inappropriate level of consultation has been carried out. Lower Ormeau Residents Action Group (LORAG) have advised that some residents did not receive notification letters.</li> <li>• Proposed height and design of the frontage is not in keeping with surrounding development.</li> <li>• Proposed development has little or no provision for disabled access. Internal central circulation corridor on each floor appears too narrow to meet access standards.</li> <li>• Detrimental impact of proposal on neighbouring properties in terms of natural light and overshadowing.</li> <li>• Proposed apartments at the rear of the development site reduce the amenity space for new occupiers.</li> <li>• Proposed development lacks adequate amenities for new occupiers, e.g. no laundry drying facility, inadequate bin storage etc.</li> <li>• Inadequate amenity space included within the proposed development. Useable space measures approximately 45 sq metres.</li> <li>• Proposed development results in overlooking / privacy issues, particularly in relation to No's 6-10 Shaftesbury Avenue and No. 4 Cooke Mews.</li> <li>• Inadequate sewage / drainage infrastructure to serve the proposed development.</li> <li>• Whilst NI Water proposes a pilot scheme to look for potential infrastructure solutions, objector believes that permission should be withheld until a viable solution is found.</li> <li>• Dwellings to the rear of the development have a history of flooding, particularly during storms.</li> <li>• Contamination assessment is not actually related to the application proposal.</li> <li>• Issues raised regarding submitted parking survey. Survey was completed during a significant holiday period when commuter and resident parking is greatly reduced.</li> <li>• Proposed alleyway at the rear of No's 2-16 Shaftesbury Avenue may result in anti-social behaviour if alleyway is not secured and appropriate lighting provided.</li> <li>• Concerns raised regarding space for services within the building, for example, water boosters, switch rooms, gas meter rooms, lift motor room, vertical risers.</li> <li>• Concerns raised regarding space standards within the proposed apartments.</li> </ul>
<b>8.0</b>	<b>Assessment</b>
8.1	<p><u>Preliminary Matters</u></p> <p>Issues have been raised in relation to neighbour notification. The Council is content that neighbour notification has taken place, in accordance with Section 41 of the</p>

	<p>Planning Act (NI) 2011 and Article 8 of the Planning (General Development Procedure) Order (NI) 2015.</p>
8.2	<p><u>Development Plan</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 site is located within the urban area of Belfast. 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 draft BMAP remaining a material consideration.</p>
8.3	<p>The site is not zoned within either BUAP or dBMAP, however part of the site is located within the proposed 'Ormeau' Area of Townscape Character (ATC) in dBMAP. The site also fronts on to an arterial route in dBMAP.</p>
8.4	<p><u>SPPS</u></p> <p>The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. The use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings. The SPPS also advises that housing should be located in sustainable locations that facilitate a high degree of integration with centres of employment, community services and public transport. Furthermore, all new housing developments should demonstrate a high quality of design, layout (including road infrastructure considerations) and landscaping.</p>
8.5	<p><u>Character / Layout / Design</u></p> <p>The application site is located on a prominent corner site facing Ormeau Road and Shaftesbury Avenue. The proposal includes two blocks of accommodation, with the larger Block A part 3 storeys in height on the Ormeau Road elevation (11.3 metres to ridge), dropping to 2.5 storeys on the Shaftesbury Avenue elevation. This building is located directly beside an existing 2.5 storey commercial building along the Ormeau Road elevation and a 2 storey terraced dwelling along Shaftesbury Avenue. The ridge height matches that of the existing building at No. 38-40 Ormeau Road, with the eaves of the proposed building set slightly higher than the neighbouring building. The Shaftesbury Avenue elevation steps down from the 3 storey element on the corner with Ormeau Road to the 2.5 storey element located beside No. 2 Shaftesbury Avenue. The nearest part of the proposed building is approximately 1 metre higher than the neighbouring terrace on Shaftesbury Avenue. The buildings are separated by an access path to the rear amenity area of the proposed building. The proposed Block B is a two storey building located at the rear of the site, fronting on to Cooke Mews.</p>
8.6	<p>The form of existing adjacent development along the Ormeau Road frontage is inconsistent and varied, with a range of styles and building heights (No. 34, 36 &amp; 38-40). A large apartment building occupies the opposite street corner at the top of Shaftesbury Avenue. The apartment building measures approximately 15.4 metres in</p>

	height and is set back from the footpath. Two storey residential terrace housing is prevalent along Shaftesbury Avenue and Cooke Mews / Cooke Street. Following amendments, it is considered that the proposed development respects the adjoining buildings along Ormeau Road, Shaftesbury Avenue and Cooke Mews in terms of scale, alignment, eaves and ridge height.
8.7	The proposed development includes a diverse palette of materials, including red brick, zinc cladding and white render. The proposed materials pick up on prevalent materials within the local area. Furthermore, architectural details such as the soldier coursing underneath the eaves and around the windows add interest and enhance the overall design.
8.8	In summary, it is considered that the proposal respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.
8.9	<u>Residential Density</u> The residential density of the proposed development equates to approximately 180 dwellings per Hectare. Surrounding residential development along Shaftesbury Avenue and Cooke Street equate to approximately 70 – 110 dwellings per Hectare. The apartment building opposite the site equates to a density of approximately 100 dwellings per Hectare. The proposed development represents an increase in housing density, however it is noted that the application site is located directly along an arterial route. As per para 6.137 of the SPPS, higher density housing developments should be promoted in locations that benefit from high accessibility to public transport facilities.
8.10	<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 10 of the 13 proposed apartments comply with the space standards, as set out in Annex A (Type C apartments in Block A measures 58 sq m).
8.11	<u>Amenity space</u> Proposed amenity space totals approximately 238 square metres (18.3 sq metres per apartment). This total figure includes the landscaped areas between the proposed building and footpaths. The rear communal amenity area measures approximately 168 square metres. It is considered that adequate provision has been made for open space within the proposed development, in accordance with the provisions of Creating Places.
8.12	<u>Landscaping</u> Two new trees are proposed to compensate for the removal of the two trees on the site. One of these is to be planted at the rear of the main apartment block and one is to be planted at the side of Block B. The Council's tree and landscaping officer has provided comments and offered no objection, subject to conditions. In summary, it is considered that proposed landscaping assists with integration and softens the visual impact of the proposal.
8.13	<u>Residential amenity</u> It is considered that the design and layout will not create conflict with adjacent land uses. PPS 7 advises that proposals should not have an unacceptable adverse effect on existing or proposed properties in terms of residential amenity.



8.14	<p>A shadow assessment was submitted in support of the proposed development. The shadow assessment appears to show that the proposed building will have a shadow impact on both the proposed amenity area and adjacent properties along Shaftesbury Avenue in the late afternoon / evenings. Block A is located on the western portion of the site, therefore a shadow will be cast in an easterly direction in the late afternoon / evening. No. 2 Shaftesbury Avenue is the property most impacted by overshadowing. The properties along Shaftesbury Avenue all have 2 storey rear returns which cause overshadowing in the rear yard of the property directly to the east, i.e. Rear return of No. 2 causes overshadowing in rear yard of No. 4. Given the orientation of the application site in relation to the existing properties on Shaftesbury Avenue, it is considered that any development of the site will result in some degree of overshadowing. As previously noted, the height of the Ormeau Road elevation matches the neighbouring building at No. 38-40 Ormeau Road. Furthermore, the ridge line is located closer to the Ormeau Road side of the building, with a shallower roof plane and lower eaves at the rear of the building (measuring 8.2 m). Block B is located immediately to the north of No's 6-10 Shaftesbury Avenue therefore it will not create any shadow impact on these properties. It is acknowledged that the proposed development will result in some overshadowing however, on balance, given the surrounding context and the amended design, it is not considered that this will create an unacceptable adverse impact on surrounding properties. Furthermore, there are no concerns in relation to loss of light to any existing properties.</p>
8.15	<p>Views towards No. 2, 4 and 6 Shaftesbury Avenue are achievable from the bedroom and study window of Type A apartments on the first and second floor. However, the apartment windows are orientated towards the rear amenity area rather than the neighbouring properties, which are at an approximate 45 degree angle. The proposed Block B is located on the opposite side of Cooke Mews from 2 dwellings, No's 2 and 4. It is not considered that the proposal will result in an unacceptable adverse impact in terms of overlooking.</p>
8.16	<p>All proposed apartments have outlook towards the public street, with some apartments also having the benefit of outlook towards the communal amenity area also. The gable wall of Block B is located approximately 10.3 metres from the rear wall of No. 8 Shaftesbury Avenue. Block B measures approximately 5.6 metres to eaves and 7.6 metres to the ridge. It is noted that a hipped roof is utilised therefore the roof plane slopes away from this gable end, thereby reducing visual impact when viewed from No. 8. There are no upper floor windows in this gable wall. Whilst it is acknowledged that the building will be visible from No. 8, it is not considered that this will cause an unacceptable adverse impact due to the orientation of Block B to the north and separation distance between the two buildings. It is also noted that all ground floor windows with outlook to the street are protected by areas of landscaped defensible space.</p>
8.17	<p>A Noise Impact Assessment (NIA) was submitted in support of the proposed development. BCC Environmental Health (EHO) provided comment on the NIA and advised of no objection, subject to conditions.</p>
8.18	<p><u>Contamination</u> Contamination Information has been submitted in support of the proposed development. The Council has consulted with EHO and NIEA Regulation Unit Land and Groundwater Team (RU); both consultees are satisfied that the proposed development will not pose unacceptable risks to human health or environmental receptors, subject to identified mitigation measures. Consequently, there is no objection in relation to contamination, subject to conditions.</p>

	<p><u>Access / Parking</u></p> <p>8.19 DFI Roads advised that a 2.0 metre wide footway should be provided to the frontage of the development at Cooke Street (rear of application site) and a Private Street Determination (PSD) will be required.</p> <p>8.20 There is no car parking provided as part of the application. The application includes a Parking Survey, Travel Plan and Service Management Plan. DFI Roads have considered the submitted parking survey and offered no objections based on same. Whilst many of the objections related to the lack of any parking with the proposal, the location of the site is considered to be highly accessible as it is located along an arterial route and provides convenient access to public transport links, local neighbourhood facilities and the city centre.</p> <p>8.21 At the time of publication, DFI Roads comments are currently outstanding, however they have confirmed informally that there are no objections to the proposed development, subject to conditions. Committee will be advised in the late items pack of DFI Roads response if received by the date of Committee.</p> <p>8.22 <u>Movement pattern / local facilities</u> An acceptable movement pattern is provided offering convenient access for both pedestrians and cyclists. Adequate cycle storage is provided within the communal amenity area. The proposal includes level access from the street and an internal lift is proposed within Block A, therefore enhancing accessibility for those people whose mobility is impaired.</p> <p>8.23 The proposal is located along an arterial route, offering convenient access to local amenities, public transport links and the city centre.</p> <p><u>Flooding / Drainage</u></p> <p>8.24 The site and immediate surroundings are not located within a floodplain or a surface water flood zone.</p> <p>8.25 In accordance with Policy FLD 3 of PPS 15, a Drainage Assessment was submitted for the proposal. DFI Rivers provided comment and advised that further information is required demonstrating the viability of the proposals. This includes submission of Schedule 6 Discharge consent and evidence of attenuation size and calculations based on discharge rate. The Drainage Assessment should also demonstrate how the development will limit/restrict the surface water discharge from the site to Pre-development run-off rates. Approval is recommended subject to a satisfactory updated Drainage Assessment being received.</p> <p><u>Sewage infrastructure</u></p> <p>8.26 On 18<sup>th</sup> September 2019, NI Water (NIW) advised the Council that there is available capacity at the nearby waste water treatment works. However, during the processing of the application, the developer has been informed by NIW that existing sewage infrastructure has reached capacity. However, NIW has advised that the scheme could be registered on a pilot scheme, which aims to provide a site specific solution for sewage / drainage infrastructure. The pilot scheme relates to both foul and storm connections, therefore it is considered that conditions should be applied in the event of approval.</p>
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8.27	<p><u>Crime / Antisocial behaviour</u></p> <p>Access to the apartment blocks and communal amenity space is secured. All of the apartments provide outlook to the street and some of the apartments provide outlook to the rear amenity area, thereby providing informal surveillance.</p>
8.28	<p>Objectors have noted concern with the proposed rear alleyway at the rear, stating that it has potential for anti-social behaviour if not secured. This is located outside the red line boundary of the application site, however the Council have a scheme relating to provision of alley gates in an attempt to reduce antisocial behaviour and burglaries.</p>
8.29	<p><u>Built Heritage</u></p> <p>The application site is located in close proximity to a listed terrace of 3 storey houses at 121-135 Ormeau Road. HED considered the impact of the proposal on the listed buildings and advised that the proposal poses no greater demonstrable harm on the setting of the listed buildings than the existing arrangement.</p>
<b>9.0</b>	<b>Summary of Recommendation: APPROVAL</b>
9.1	<p>It is considered that the proposal respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.</p>
9.2	<p>Many of the objections related to the lack of parking within the proposal and pressures on existing street parking. The location of the site is considered to be highly accessible as it is located along an arterial route and provides convenient access to public transport links, local neighbourhood facilities and the city centre. At the time of publication, DFI Roads comments are currently outstanding, however they have confirmed informally that there are no objections to the proposed development, subject to conditions.</p>
9.3	<p>Adequate provision has been made for open space within the proposed development, in accordance with the provisions of Creating Places. Furthermore, it is considered that the proposed landscaping assists with integration and softens the visual impact of the proposal.</p>
9.4	<p>It is acknowledged that the proposed development may result in some overshadowing however, on balance, given the surrounding context and the amended design, it is not considered that this will create an unacceptable adverse impact on surrounding properties. It is also acknowledged that views towards existing dwellings are achievable from the bedroom and study window of Type A apartments on the first and second floor of Block A. However, the apartment windows are orientated towards the rear amenity area rather than the neighbouring properties, which are at an approximate 45 degree angle. It is not considered that the proposal will result in an unacceptable adverse impact in terms of overlooking. There are no concerns in relation to loss of light, outlook, noise or general nuisance for any existing or proposed properties.</p>
9.5	<p>NI Water have advised that the scheme can be registered on a pilot scheme, aiming to provide a site specific solution for sewage / drainage infrastructure. The pilot scheme relates to both foul and storm connections, therefore it is considered that conditions should be applied in the event of approval.</p>

9.6	<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 receipt of a satisfactory updated Drainage Assessment.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.</p>
<b>10.0</b>	<b>Conditions</b>
10.1	<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>
10.2	<p>Prior to the occupation of the hereby permitted development, the applicant shall provide to and have agreed in writing by the Planning Authority, a Verification Report. This report must demonstrate that the remediation measures outlined in the Pentland Macdonald Ltd report entitled 'Contamination Assessment &amp; Remediation Strategy, 42-50 Ormeau Road, Belfast for Gilligan &amp; Partners Ltd' (dated January 2019 and referenced PM18-1196) as updated in the contamination clarification letters from Pentland Macdonald Ltd dated 31st October 2019 and 26th January 2021 letter references PM18-1196 Let1 and PM18-1196 Let2 have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential without plant uptake). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current British Standards and Environment Agency guidance. In particular, this Verification Report must demonstrate that:</p> <ul style="list-style-type: none"> <li>- A 600mm capping layer has been emplaced in the gardens and landscaped areas requiring remediation as detailed in Figure A-1 of the letter from Pentland Macdonald dated 26th January 2021 and entitled 'Further Contamination Assessment Clarification - Site at 42-50 Ormeau Road, Belfast (LA04/2019/1886/F)' letter ref: PM18-1196 Let2.</li> <li>- The material used to construct the capping layer is either a proprietary construction product (certified by the supplier as being suitable for use) or has been demonstrated as being suitable for use (residential without homegrown produce).</li> </ul> <p>Reason: Protection of human health.</p>
10.3	<p>Prior to the occupation of the hereby permitted development acoustic glazing and acoustically attenuated ventilation units providing a sound reduction as specified in table 2 and 3 of the FR Mark &amp; Associates report entitled 'Noise Impact Assessment, Proposed development of existing brownfield site in an inner city location to provide 13 apartments, 42-50 Ormeau Road, Belfast Revised November 2020' shall be installed within the development so as to ensure the internal noise levels within the habitable rooms do not exceed the noise targets specified in BS8233:2014 with the windows closed and alternative means of acoustically attenuated ventilation provided in compliance with building control requirements.</p> <p>The sound rating level rating level (dBLAr,T) from the operation of any external plant shall not exceed the background noise level (daytime and night time) at the nearest</p>

	<p>residential premises when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</p> <p>Reason: Protection of residential amenity.</p>
10.4	<p>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 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 shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.5	<p>After completing the remediation works under Condition 4; 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 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.</p> <p>The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.6	<p>No equipment, machinery or materials are to be brought onto the site for the purpose of the development including demolition and site clearance until tree protection measures have been put in place in accordance with recommendations in the M. Large Tree Survey and Report for 40-50 Ormeau Road, dated February 2020 and uploaded to the Planning portal on 10th November 2020. These protection measures shall remain in place until the construction works hereby approved are complete and all plant and machinery has been removed from the site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p> <p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development works to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p>
10.7	<p>Any demolition and / or construction proposed within the Root Protection Area (RPA) of existing trees adjacent to the site shall be carried out in accordance to methods outlined in the M. Large Tree Survey and Report for 40-50 Ormeau Road, dated February 2020 and uploaded to the Planning portal on 10th November 2020.</p> <p>Reason: To ensure damage is not caused to the existing street tree on Shaftesbury Avenue by the development hereby approved.</p>

10.8	<p>All proposed landscaping and planting works shall be carried out in accordance with the approved details on the stamped approved Site Layout Plan, Drawing No. 03B uploaded to the Planning portal on 18th May 2021. The works shall be carried out prior to the occupation of the development hereby approved or within the first available planting season after occupation, whatever is the sooner or unless otherwise agreed in writing by the Council.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
10.9	<p>Any new 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>
10.10	<p>The development hereby approved shall not be occupied until a long-term landscape management and maintenance plan has been submitted and agreed by Belfast City Council. Once completed, all soft landscaping shall be managed and maintained in accordance with this plan.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
10.11	<p>Notwithstanding the submitted details, no development shall commence until details of foul and surface water drainage have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure satisfactory sewage and drainage infrastructure is in place to facilitate to the development.</p>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b>	
<b>Cllr John Gormley</b>	

## Development Management Officer Report Committee Application

Summary	
<b>Application ID:</b> LA04/2021/0173/F	<b>Date of Committee:</b> Tuesday 14th Sep 2021
<b>Proposal:</b> Alterations and extension to create new consulting and therapy rooms with plant relocated to roof. (Amended Description)	<b>Location:</b> 193 Belmont Road Belfast BT4 2AE.
<b>Referral Route:</b> Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation. Requested by Cllr John Kyle by reason of increased traffic to the veterinary surgery and increased parking on the Belmont Road.	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Greg Dunlop Earlswood Veterinary Hospital 193 Belmont Road Belfast BT4 2AE	<b>Agent Name and Address:</b> Bradley McClure Architects 186 Lisburn Road Belfast BT9 6AL
<p><b>Executive Summary:</b> Planning Permission is sought for alterations and extension to create new consulting and therapy rooms with plant relocated to roof to an existing veterinary hospital.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The principle of development</li> <li>• The effect on the character and appearance of the surrounding area including draft ATC</li> <li>• The effect on amenity</li> <li>• Traffic and road safety</li> </ul> <p>The principle of development for the proposed extension/ alterations to the veterinary hospital is considered acceptable as it is directly related to the already established use. The proposal will not adversely impact the character and appearance of the surrounding area nor give rise to any unacceptable impacts regarding residential amenity. Road safety or parking issues will not be significantly exacerbated.</p> <p>8 objections have been received from neighbouring properties, summarised as:</p> <ul style="list-style-type: none"> <li>• Parking and Road Safety issues with further information required to assess this impact;</li> <li>• Residential impact (residential area): concern for light and noise pollution as they are open 24hr i.e. car doors, engines, radios, conversations, deliveries, dogs barking resulting in ventilation issues.</li> </ul> <p>The matters raised are addressed in the main body of the report below.</p> <p>Environmental Health and DFI Roads have no objections, subject to conditions.</p> <p><b>Recommendation- Approval subject to conditions</b> Having regard to the policy context and third party objections, the proposal is considered, on balance, to be acceptable and planning permission is recommended for approval.</p> <p>The recommendation is to grant planning permission with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

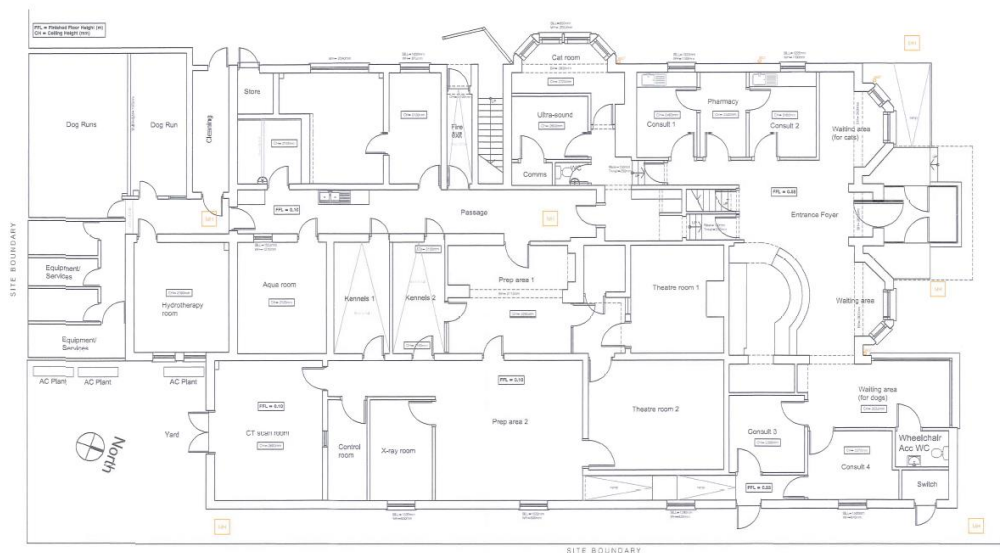
## Case Officer Report

### Site Location Plan:



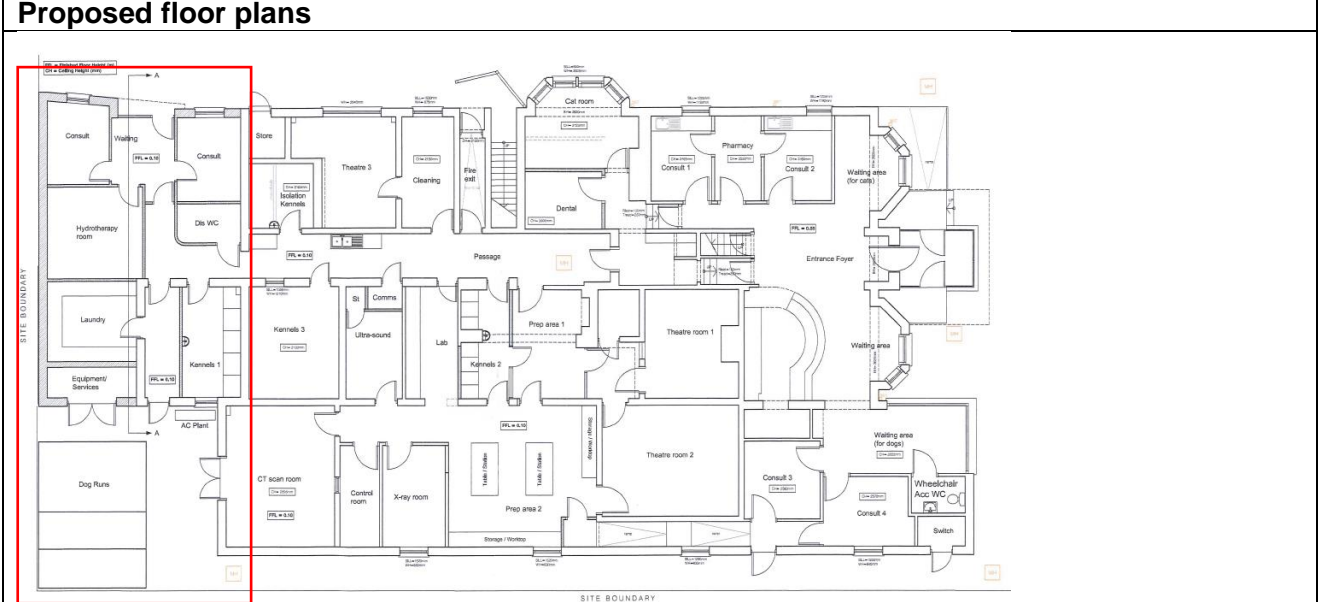
**Site Visit:** 26th March 2021

### Existing Floor Plans

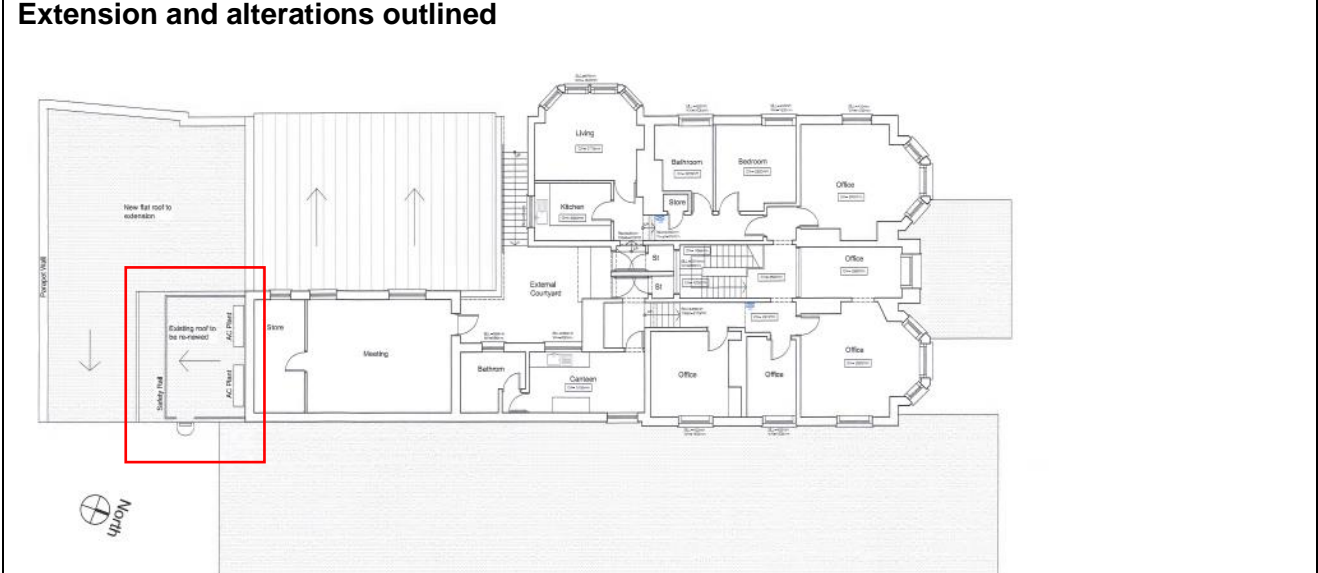




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Proposed 1st Floor / Roof plan  
scale 1:100



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<p><b>Description of Proposed Development</b></p> <p>The proposal is for full planning permission for alterations and extension to create new consulting and therapy rooms with plant relocated to roof. (Amended Description).</p> <p>The includes the creation of 2 additional consulting rooms with relocated hydrotherapy room, dog runs and plant.</p>
<b>2.0</b>	<p><b>Description of Site</b></p> <p>The application site is located at 193 Belmont Road in East Belfast and consists of a two-storey detached period building. The building is finished in render with feature bay windows to the front elevation. There is a single storey flat roof extension to the front.</p> <p>To the front of the building is a large tarmac area which is used for parking and turning of vehicles.</p> <p>The surrounding area is predominately residential with detached, semi-detached and terraced properties with a mix of materials.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	<p>Z/2009/1569/F - 193 Belmont Road, Strandtown, Belfast, Northern Ireland, BT04 2AE - Proposed extension to provide additional prep/theatres, waiting areas, disabled toilet and staff facilities. - PERMISSION GRANTED</p> <p>Z/1999/3987/F - 193 Belmont Road, Strandtown, Belfast, Northern Ireland, BT04 2AE - Extension to veterinary hospital and upgrade of existing storage area to overnight staff accommodation. - PERMISSION GRANTED</p>
3.2	<p><b>Surrounding Site History</b></p> <p>LA04/2019/1069/F - Adjacent to 1 Belmont Park, Belfast, BT4 3DU., - Erection of two storey dwelling. - PERMISSION GRANTED</p> <p>LA04/2017/2041/F - Land Adjacent to, 1 Belmont Park, Belfast, BT4 3DU, - Erection of dwelling and garage - PERMISSION REFUSED</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001
4.2	<p>Draft Belfast Metropolitan Area Plan 2004, 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>
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access, Movement and Parking

<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>	<p><b>Representations</b></p> <p>The application has been neighbour notified and advertised in the local press. Eight representations have been received from the surrounding properties. Their concerns are as follows:</p> <ul style="list-style-type: none"> <li>• Residential area (not commercial): concern for light and noise pollution as they are open 24hr i.e. car doors, engines, radios, conversations, deliveries, dogs barking resulting in ventilation issues as windows then needing to be shut.</li> <li>• Traffic and road safety issues i.e. sight lines of the residents, increased traffic/ parking to the veterinary hospital with inadequate parking as exists which the proposal will exacerbate.</li> <li>• Requirement for further research/ feasibility studies on the impact of parking, road safety, additional staff, customers, vehicles etc.</li> </ul> <p>Case Officer Response</p> <ul style="list-style-type: none"> <li>• As a result of the concerns raised during the neighbour notification period, the Council consulted DFI Roads requesting them to consider the objections regarding parking and road safety. They advised on the 30/03/21 that they offer no objections to the development proposal. Given DFI Roads response, the minor nature of the proposal and that the applicant/agent have advised that they do not forecast an expected increase in average no. of vehicles/persons at the premises, it would be difficult to conclude that the proposal would have a significant impact that would constitute a refusal.</li> <li>• Environmental Health (EH) were also re-consulted to consider the objections received. They advised that 'having reviewed the most recent information, the service has no objections in principle to the proposal, subject to conditions.'</li> </ul>
<b>8.0</b>	<b>Other Material Considerations</b> None
<b>8.1</b>	<b>Any other supplementary guidance</b> Parking Standards
<b>9.0</b>	<b>Assessment</b>
<b>9.1</b>	<p><u>SPPS</u></p> <p>Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.</p> <p>It is considered the proposal is in compliance with the relevant Core Planning Principles of supporting good design and preserving and improving the built and natural environment which are located within the SPPS.</p> <p><u>Principle of Development</u></p> <p>The site is whiteland within the BUAP and both versions of draft BMAP. Within draft BMAP, the site falls within the proposed 'Belmont' Area of Townscape Character (ATC).</p> <p>The proposed development is directly related to the continued use and operation of the site as a veterinary hospital, therefore there is no objection in principle to the proposed development and use, subject to the material considerations set out below.</p>

	<p><u>The effect on the character and appearance of the surrounding area including draft ATC</u></p> <p>The proposed development is for the alteration and extension to the existing veterinary hospital. The proposed extension is located to the rear and will replace the existing enclosed dog runs and other associated facilities. The structure will be constructed with a mix of red brick and white render to match existing.</p> <p>The proposed extension is on a similar footprint to the existing structure. The proposal is considered to be minor in scale, replacing an existing enclosed structure. The existing heights of these walls are approx. 2.9m increasing to approx. 4m. There is limited public viewpoints of the proposal. Given the above, the proposal will not negatively impact the existing building or the character or appearance of the area including the proposed ATC in accordance with the SPPS.</p> <p><u>Impact on Access and Parking</u></p> <p>As a result of the concerns raised during the neighbour notification period, The Council consulted DFI Roads requesting them to consider the objections regarding parking and road safety. They advised on the 30/03/21 that they offer no objections to the development proposal.</p> <p>Given the response from DFI Roads who are the statutory consultee on road safety and parking, the minor nature of the proposal and that the applicant/agent have advised that they do not forecast an expected increase in average no. of vehicles/persons at the premises, it would be difficult to conclude that the proposal would have a significant impact or exacerbate the existing issues that would constitute a refusal. The proposal is considered to accord with Policies AMP2 and AMP7 of PPS3 and the SPPS.</p> <p>Any existing road safety issues should be reported to DFI Roads.</p> <p><u>Impact on Residential Amenity</u></p> <p>The proposed site is located on the Belmont Road, adjacent to and opposite existing residential housing.</p> <p>Environmental Health have been consulted and considered the following, the objections received, noise, light, the proposed relocation of dog runs, re-location of existing air conditioning units. Having reviewed the information and considered the proposal, Environmental Health has no objection in principle to the proposal.</p> <p>Any current noise problems with regard to the already approved development and the lighting that currently exists, nearby residents concerned should report to Environmental Health.</p> <p>It is considered that the proposal will not raise any issues in relation to residential amenity including overshadowing, loss of light, dominance and overlooking.</p> <p>Overall, it is considered, that the proposal will not unacceptably impact the amenity of nearby residents in accordance with the SPPS.</p>
9.2	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><u>Conditions</u></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p>

	Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
	2. The external materials shall be constructed in accordance with the approved plans.
	Reason: In the interests of the character and appearance of the area.
	3. The combined rating level (dBLAr,T) from the operation of all of the hereby approved relocated plant and equipment shall not exceed the existing daytime and night-time background noise level (dBLA90,T) of at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.
	Reason: Protection against adverse noise impact.
	Informatives
	1. 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.
	2. In order to comply with the plant noise rating condition, prior to relocation of the Air Conditioning units and heat pump, the applicant should seek advice from a competent acoustic consultant regarding the proposed relocation of the plant and the need for potential mitigation measures such as the use of quieter plant and/ or the incorporation of an acoustic screen of suitable density and height to reduce potential noise disturbance particularly at night when background noise levels drop off.
	3. 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.
	4. The applicant is advised to ensure that all plant and equipment used in connection with the proposal is so situated, operated and maintained as to prevent the transmission of noise to nearby premises.
	5. 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 on: 22/01/21 Drawing No's 01, 02, 03

ANNEX	
<b>Valid</b>	20.01.2021
<b>Date First Advertised</b>	05.02.2021
<b>Date Last Advertised</b>	30.04.2021
<b>Details of Neighbour Notification</b> (all addresses)	
10 Belmont Grange,Belfast,Down,BT4 2AF	
124 Belmont Road,Belfast,Down,BT4 2AQ	
126 Belmont Road,Belfast,Down,BT4 2AQ	
128 Belmont Road,Belfast,Down,BT4 2AQ	
12 Belmont Grange,Belfast,Down,BT4 2AF	
130 Belmont Road,Belfast,Down,BT4 2AQ	

132 Belmont Road,Belfast,Down,BT4 2AQ 134 Belmont Road,Belfast,Down,BT4 2AQ 136 Belmont Road,Belfast,Down,BT4 2AQ 14 Belmont Grange,Belfast,Down,BT4 2AF 195 Belmont Road,Belfast,Down,BT4 2AE 1 Belmont Grange,Belfast,Down,BT4 2AF 1 Belmont Park,Belfast,Down,BT4 3DU 2 Belmont Grange,Belfast,Down,BT4 2AF 3,193a ,Belmont Road,Belfast,Down,BT4 2AE 3 Belmont Grange,Belfast,Down,BT4 2AF 4 Belmont Grange,Belfast,Down,BT4 2AF 5 Belmont Grange,Belfast,Down,BT4 2AF 6 Belmont Grange,Belfast,Down,BT4 2AF 7 Belmont Grange,Belfast,Down,BT4 2AF 8 Belmont Grange,Belfast,Down,BT4 2AF 9 Belmont Grange,Belfast,Down,BT4 2AF	
<b>Date of Last Neighbour Notification</b>	29.04.2021
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 Existing Plans and Elevations 02 Proposed Plans and Elevations 03 Site Boundary	
<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> Cllr John Kyle	

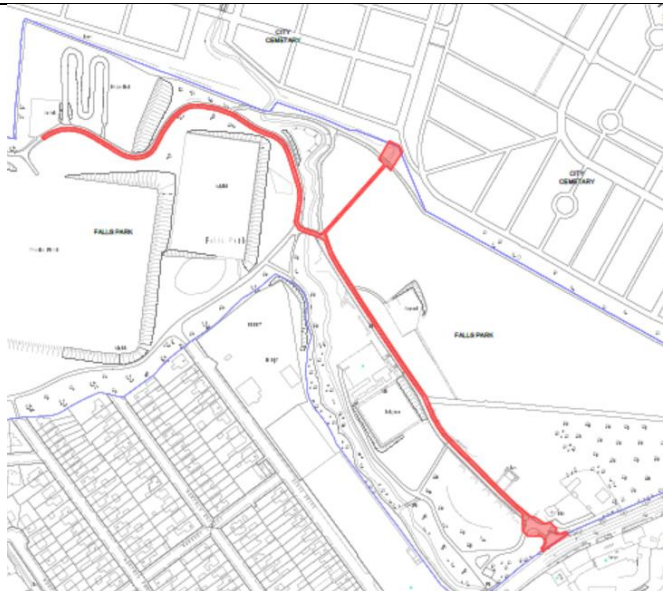
## Committee Report

Development Management Report	
<b>Application ID:</b> LA04/2020/2307/F	<b>Date of Committee:</b> Tuesday 14 <sup>th</sup> September
<b>Proposal:</b> Application is part of the ForthMeadow Community Greenway scheme. Proposed upgrade to existing park entrances and path lighting (Section 3b) Foot and cycle pathways, lighting columns, upgraded entrances and street furniture.	<b>Location:</b> Falls Park and is bounded by Falls Road Belfast City Cemetery & property at Divis Drive Belfast
<b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (c) – BCC is the applicant	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Belfast City Council Property and Projects Department 3rd Floor 9-12 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> McAdam Design 1c Montgomery House Castlereagh Business Park 478 Castlereagh Road Belfast BT5 6BQ
<b>Executive Summary:</b> The proposal is an environmental improvement scheme at two locations on the Falls Road and the entrance from City Cemetery to Falls Park. The works include upgrades to park entrances and path lighting. Foot and cycle pathways, lighting columns, upgraded entrances and street furniture. (Section 3b)  The key issues to be considered are: <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Design of the proposal</li> <li>• Contamination</li> <li>• Ecology</li> </ul> The site 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).  The proposals will complement and improve the area and comply with the relevant policy and area designations.  DFI Roads and NIEA were consulted and have offered no objection to the proposal. Environmental Health have requested contamination information which can be adequately addressed via condition.  No representations received.  Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.	
<b>Recommendation – Approval subject to conditions</b>	

It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan



Block Plan- Falls Road and City Cemetery



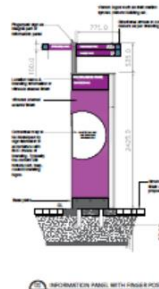
Typical Details







Information panel with circular graphic and text, mounted on a street.



INFORMATION PANEL WITH CIRCULAR POST Scale 1:20@A1



INFORMATION PANEL

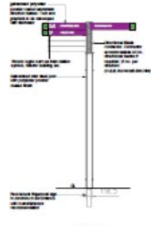


INFORMATION PANEL

INFORMATION PANEL INTERNAL FRAME Scale 1:20@A1



PLAN



ELEVATION

TYPICAL CROSS POST Scale 1:20@A1

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> Application to upgrade to existing park entrances and path lighting, foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture.  (Section 3b ForthMeadow Community Greenway)
<b>2.0</b>	<b>Description of Site</b> The application includes two sites within Falls Park at which improvements are to take place. The two sites are located as below: <ul style="list-style-type: none"> <li>Entrance to Falls Park from Falls Road</li> <li>Entrance to Falls Park from City Cemetery</li> </ul> The proposal also includes a lighting scheme to the footpath from the Falls Park to the north of the football pitches.  The site 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).
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> LA04/2017/0320/F, Lands including Falls Park in West Belfast, BT126EQ, Open space enhancement to include fibre sand reinforced grass area with associated land drainage. Existing levels regulated. PERMISSION GRANTED, 12.04.2020  LA04/2019/2938/F, Lighting including street lighting, lit & branded location 'Beacon' as well as associated electrical control pillars – UNDER CONSIDERATION
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2004, 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 2: Natural Heritage
4.5	Planning Policy Statement 3: Access, movement and parking
4.6	Planning Policy Statement 8: Open space, sport and outdoor recreation
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads- No objections NIEA- No objections
<b>6.0</b>	<b>Non Statutory Consultees Responses</b> Environmental Health- Requested more information
<b>7.0</b>	<b>Representations</b>

	The application was neighbour notified on the 30 <sup>th</sup> November 2020 and advertised in the local press on the 19 <sup>th</sup> November 2020. No objections were received.
<b>8.0</b>	<b>Other Material Considerations</b> None
<b>8.1</b>	<b>Any other supplementary guidance</b> None
<b>9.0</b>	<b>Assessment</b>
<b>9.1</b>	The proposal is considered to be in compliance with the development plan.
<b>9.2</b>	<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> <li>• Contamination / Ecology</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 development</b> The proposal involves an upgrade to existing park entrances and path lighting, foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture. The proposal complies with policy OS 1 of PPS 8 as there will be no loss open space. It is considered that the proposals will improve and compliment the open space designation. The area is designated as an urban landscape wedge and the proposals will enhance this designation with high quality design.</p> <p><b>Design</b> The proposal will improve the overall appearance of the area. The design complies with the SPPS which outlines the benefit of such improvements to urban neighbourhoods in paragraphs 4.23-4.36.</p> <p><b>Contamination</b> Supporting contamination reports have been provided. NIEA have no objection subject to conditions. Environmental Health have requested further clarification through a site specific contaminated land assessment, however given the minor nature of the works with the soft landscaping works outside the remit of planning control, it is considered that this matter can be appropriately dealt with via condition.</p> <p><b>Ecology</b> NIEA requested a final Preliminary Ecological Assessment as the previous assessment submitted contained out of date information. The Ecological Assessment has been submitted and NIEA have no objections with conditions. Therefore, it is not considered that that the proposal would result in an unacceptable impact on protected species and natural heritage features in accordance with PPS2 and the SPPS.</p>
<b>9.3</b>	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>	<b>Conditions</b>

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. 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 environmental receptors and human health.

3. Once a contractor has been appointed, a full Construction Method Statement (CMS) should be submitted to NIEA Water Management Unit, at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

4. Prior to works commencing, at least ten bat boxes shall be installed along this section of the proposal, as indicated on the *Contextual Masterplan drawing (Proposed bat box locations 2019224 - Section 3.2 - Contextual Masterplan – May 2021*, submitted by email 1/9/21) and as described in the *Report on a Bat Survey of a Site of Proposed Lighting Development Section 3b Peace IV Falls Park Community Greenway, Belfast*, submitted by email 1/9/21.

Reason: To provide compensatory roosting opportunities for bats given the potential of existing roosting opportunities to be disturbed by the proposal.

5. No more than one light column behind the detected body should be lit and no more than 2 – 3 light columns ahead of the detected body should be lit at any one time.

Reason: To reduce the potential significance of lighting on the local bat population.

6. The lighting specifics of this proposal (LA04/2020/2307/F) are to be in accordance with those agreed for LA04/2019/2938/F. The lighting must be maintained as agreed between the Planning Authority and NED as the consultee. Should the Planning Authority wish to deviate from those specifics as provided, NED must be reconsulted to assess the potential need for further compensation/mitigation efforts.

Reason: To ensure bats are afforded appropriate mitigation and compensation where necessary.

	<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: 13/11/2021, drawing no. 01, 06, 07, 10, 11, 12, 13, 14, 15, 16 on 03/09/2021, drawing nos. 08 and 09.</p>

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

**Representations from Elected members: None**

## Committee Report

Development Management Report	
<b>Application ID:</b> LA04/2021/0169/F	<b>Date of Committee:</b> Tuesday 14 <sup>th</sup> September
<b>Proposal:</b> Application to upgrade to existing park entrances and path lighting (Section 3a ForthMeadow Community Greenway) foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture.	<b>Location:</b> Site bounded by Whiterock Road Whiterock Leisure Centre and by property boundaries at Ardmonagh Gardens, Whiterock Grove & Bleach Green Terrace.
<b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (c) – BCC is the applicant	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> Belfast City Council Property and Projects Department 3rd Floor 9-12 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> McAdam Design 1c Montgomery House Castlereagh Business Park 478 Castlereagh Road Belfast BT5 6BQ
<p><b>Executive Summary:</b> The proposal is an environmental improvement scheme at two locations on the Whiterock Road and Ardmonagh Gardens. The works include foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture.</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 site 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). The proposals will complement and improve the area and comply with the relevant policy and area designations.</p> <p>NIEA have offered no objection to the proposal. Environmental Health have requested additional contamination information which can be adequately addressed via condition. Whilst there is an outstanding consultation response from DFI Roads, an amended plan has been submitted to address this and no objection is expected from DFI Roads.</p> <p>1 representation received, summarised as:</p> <ul style="list-style-type: none"> <li>• Concern with criminal activity with removal of gate.</li> </ul> <p>This is addressed in the main body of the report.</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.</p> <p><b>Recommendation – Approval subject to conditions</b> It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no objection from DFI Roads.</p>	

## Case Officer Report

### Site Location Plan

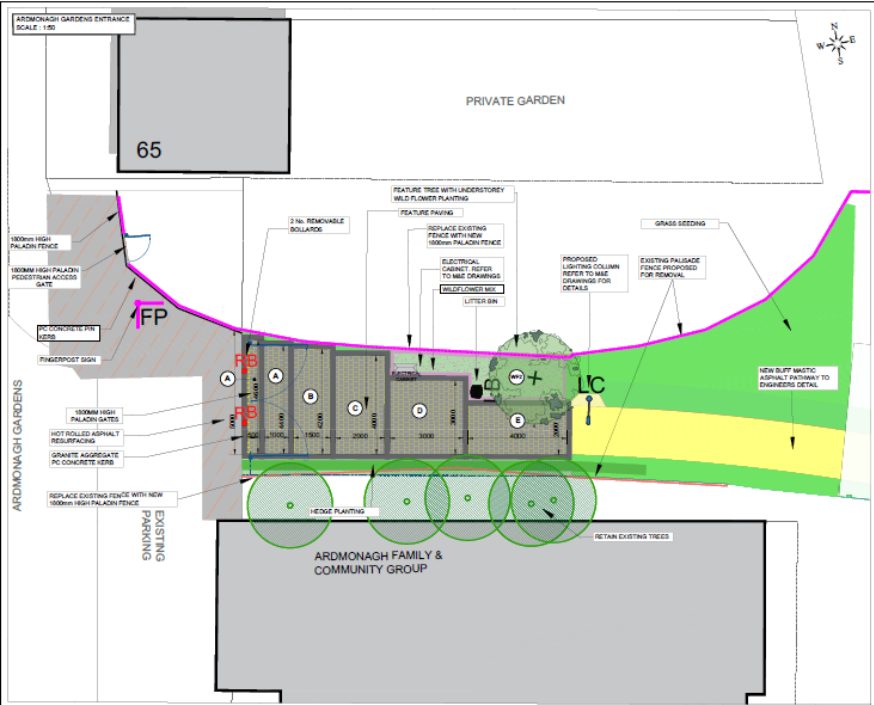


### Block Plan- Whiterock Road

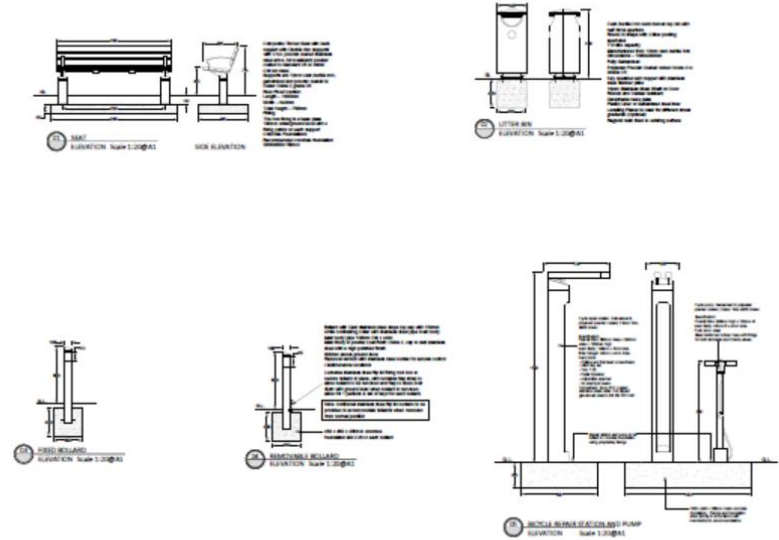




Block Plan-Ardmannagh Gardens



Typical Details





<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> Application to upgrade to existing park entrances and path lighting, foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture. (Section 3a ForthMeadow Community Greenway)
<b>2.0</b>	<b>Description of Site</b> The application includes two sites within the same area at which improvements are to take place. The two sites are located as below: <ul style="list-style-type: none"> <li>Footpath on Whiterock Road opposite Glenalina Road, footpath provides access to children's playground and Whiterock Leisure Centre</li> <li>Footpath on Ardmonagh Gardens, provides access to Whiterock Leisure Centre.</li> </ul> <p>The footpath to which the improvements are proposed provides access to Whiterock Leisure Centre and to the Falls Road. Residential areas are to the north and east of the proposed entrances and further to the south is a cemetery. The site 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>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> None of relevance to this scheme.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2004, 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 2: Natural Heritage
4.5	Planning Policy Statement 3: Access, movement and parking
4.6	Planning Policy Statement 8: Open space, sport and outdoor recreation
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads- Minor amendment requested NIEA- No objections
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b> Environmental Health- Requested more information
<b>7.0</b>	<b>Representations</b> <p>The application was neighbour notified on the 24<sup>th</sup> February 2021 and advertised in the local press most recently on the 24<sup>th</sup> February 2021. One representation was received with concerns as to criminal activity with the proposed removal of the existing gates.</p>
<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>• 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 interests of acknowledged importance which are considered below.</p> <p><b>Principle of development</b></p> <p>The proposal involves an upgrade to existing park entrances and path lighting, foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture. The proposal complies with policy OS 1 of PPS 8 as there will be no loss open space. It is considered that the proposals will improve and complement the open space designation. The area is designated as an urban landscape wedge and the proposals will enhance this designation with high quality design.</p> <p>Supporting contamination reports have been provided. Environmental Health have requested further clarification through a site specific contaminated land assessment, however given the minor nature of the works with the soft landscaping works outside the remit of planning control, it is considered that this matter can be appropriately dealt with via condition.</p> <p>DFI Roads requested a note be removed from a drawing, this has been submitted and DFI Roads have been re-consulted, while no formal response has been received yet, no objections are expected.</p> <p><b>Design</b></p> <p>The proposal will improve the overall appearance of the area. The design complies with the SPPS which outlines the benefit of such improvements to urban neighbourhoods in paragraphs 4.23-4.36.</p> <p><b>Ecology</b></p> <p>A Preliminary Ecological Assessment has been carried out. This has been reviewed by the Natural Environment Division who have no objection to the proposal. Therefore, it is not considered that that the proposal would result in an unacceptable impact upon priority habitats/ species and other natural heritage features in accordance with PPS2 and the SPPS.</p> <p><b>Objections</b></p> <p>One objection was received with concerns that the removal of the existing gates would lead to an increase in criminal activity. Planning permission is not required to remove the gates and any criminal activity should be reported to the police. It remains that the proposals will improve the entrance from Ardmonagh Gardens in accordance with planning policy.</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 data-bbox="264 271 419 297"><b>Conditions</b></p> <ol data-bbox="316 338 1356 405" 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 data-bbox="360 439 1396 472">Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol data-bbox="316 506 1428 842" 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 remediation measures have been implemented and that the site is now fit for end-use.</li> </ol> <p data-bbox="360 875 1222 909">Reason: Protection of environmental receptors and human health.</p> <p data-bbox="264 943 424 976">Informatives</p> <ol data-bbox="316 1010 1428 1144" style="list-style-type: none"> <li>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 16/02/2021, drawing no. 01, 06, 07, 08, 09, 10, 11, 12, 13, on 24/08/2021, drawing no. 04A. and on 02/09/2021, drawing no. 05.</li> </ol>
<b>Notification to Department (if relevant) – N/A</b>	
<b>Representations from Elected members - None</b>	

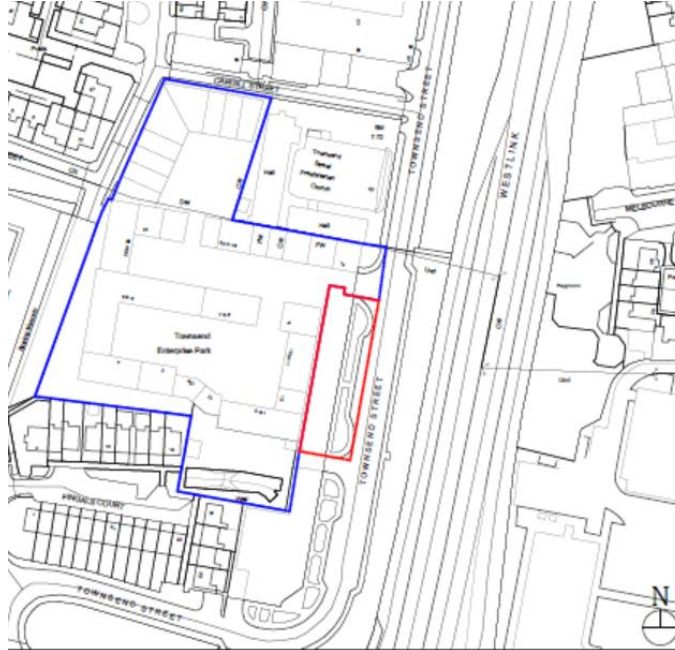
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## Committee Report

Development Management Report	
<b>Application ID:</b> LA04/2021/1777/F	<b>Date of Committee:</b> Tuesday 14 <sup>th</sup> September 2021
<b>Proposal:</b> New glazed entryway and windows, seating area covered by canopy. Integral planting and existing trees retained.	<b>Location:</b> Townsend Enterprise Park Limited 28 Townsend Street Belfast BT13 2ES.
<b>Referral Route:</b> The scheme is BCC funded	
<b>Recommendation: Approval</b>	
<b>Applicant Name and Address:</b> Townsend Enterprise C/O Peter Darragh 28 Townsend Street Belfast BT13 2ES	<b>Agent Name and Address:</b> MMAS Architects Second Floor New Mill Belfast BT13 2DE
<p><b>Executive Summary:</b> New glazed entryway and windows, seating area covered by canopy. Integral planting and existing trees retained. The building is a two storey brown brick building fronting an enterprise centre comprised of single storey warehouse buildings.</p> <p><b>Area Plan</b> The site is white land within BUAP and is in a major area of existing employment/industry (BT 011/38) as designated within dBMAP.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Design of the proposal</li> </ul> <p>The proposed glazed entryway is of a minor scale and the design compliments the existing building.</p> <p>No third party objections 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.</p> <p><b>Recommendation</b> The application is recommended for approval</p>	

## Case Officer Report

### Site Location Plan



### Block Plan



### Elevations





## Floor plans



## Characteristics of the Site and Area

### 1.0

#### Description of Proposed Development

New glazed entryway and windows, seating area covered by canopy. Integral planting and existing trees retained.

<b>2.0</b>	<b>Description of Site</b> The site is located at Townsend Enterprise Park. A large, two storey, brown brick building fronts the site while to the rear is the Enterprise Park comprised of single storey warehouse buildings. The immediate surrounding area is comprised of industrial buildings and uses while further to the south is a residential area.  The site is white land within BUAP and is in a major area of existing employment/industry (BT 011/38) as designated within dBMAP.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> Z/1992/2744, TOWNSEND STREET BELFAST BT13, Extension to Townsend Enterprise Park, Permission Granted.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015 The extant development plan is the BUAP. However, given the stage at which the Draft BMAP has reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 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 4: Planning and Economic Development
<b>5.0</b>	<b>Statutory Consultees Responses</b> None
<b>6.0</b>	<b>Non Statutory Consultees Responses</b> None
<b>7.0</b>	<b>Representations</b>
	The application was neighbour notified on the 4 <sup>th</sup> August 2021 and advertised in the local press on the 9 <sup>th</sup> August 2021. No objections 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	Assessment  The key issues to be considered are: <ul style="list-style-type: none"> <li>Design, mass and scale</li> </ul> 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><b>Design, Mass and Scale</b></p> <p>The proposal is within a major area of existing employment/industry (BT 011/38) as designated within dBMAP. There is no policy within dBMAP for development within this designation.</p> <p>It is considered that the proposal is minor in scale and sympathetic to the existing building. The proposal will improve the building's appearance and setting and is to be welcomed as it will improve the environment generally.</p> <p>The addition of a seating area and planting will also be an improvement to the site.</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>Conditions</p> <ol style="list-style-type: none"> <li>1. The Having regard for the policy context and the considerations above, the proposal is deemed acceptable.</li> </ol> <p>Summary of Recommendation: Approval</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 remediation measures have been implemented and that the site is now fit for end-use.</li> </ol> <p>Reason: Protection of human health.</p> <p>Informatives</p> <ol style="list-style-type: none"> <li>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 29/07/2021, drawing nos. 01, 02 and 04.</li> </ol>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b> <b>N/A</b>	

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<b>Subject:</b>	Updated Schedule of Planning Committee Workshops
<b>Date:</b>	14 September 2021
<b>Reporting Officer:</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management) Keith Sutherland, Planning Manager (Plans & Policy)

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

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

<b>1.0</b>	<b>Purpose of Report and Summary of Main Issues</b>
1.1	The purpose of this report is to provide Members with an updated Schedule of Planning Committee Workshops (see <b>Appendix 1</b> ). The Planning Committee is asked to agree the updated programme.
<b>2.0</b>	<b>Recommendation</b>
2.1	That the Planning Committee agrees the updated Schedule of Planning Committee Workshops at <b>Appendix 1</b> for the period September 2021 to September 2022.

<b>3.0</b>	<b>Main Report</b>
3.1	In December 2020, the Planning Committee agreed an updated Schedule of Planning Committee Workshops to support Members' continuous development. Most of the sessions took place other than the workshops on Urban Design and Conservation (originally scheduled for August 2021); and Developer Contributions (September 2021). These were postponed due to the need to hold additional Planning Committee meetings to complete additional Committee business.

3.2	An updated schedule of workshops is provided at <b>Appendix 1</b> . It is proposed that the first workshop will be an update to Members on the LDP process (September) followed by a workshop on reviewing the Planning Committee Operating Protocol (October).
3.3	The workshops scheduled for 2022 will ideally need to be fluid to allow for additional sessions to be held on the adoption and implementation of the new Belfast LDP Plan Strategy, depending on the emerging timetable.
3.4	The Committee is asked to agree the updated schedule of Planning Committee Workshops.
3.5	<b><u>Finance and Resource Implications</u></b> The preparation of workshops, including attendance by officers, will have some impact on resources but is considered value for money. Where appropriate, the Planning Service may choose to appoint outside professionals or agencies to lead or participate, which may result in additional costs.
3.6	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b> There are no equality or good relations implications associated with this report.
<b>4.0</b>	<b>Appendices</b>
	<b>Appendix 1</b> – updated Schedule of Planning Committee Workshops

## Draft Schedule of Planning Committee Workshops

September 2021 – September 2022

<b>Committee</b>	<b>Workshop Topics</b>
September 2021	<b>Belfast LDP Update</b>
October 2021	<b>Review of the Planning Committee Operating Protocol</b>
November 2021	<b>Principles of decision making</b>
December 2021	No workshop
January 2022	No workshop
February 2022	<b>Place Making</b> (Urban design and Conservation)
March 2022	<b>Built heritage</b> (Listed Buildings, Archaeology and Scheduled Monuments – DfC HED to be invited to attend)
April 2022	<b>Planning Conditions, Planning Agreements and Developer Contributions</b>
May 2022	TBC
June 2022	<b>New regional Planning IT system</b> (what it means for the Council's Planning Service, Customers and Online applications)
July 2022	No workshop
August 2022	No workshop
September 2022	<b>Annual Performance Report for 2021/22 and Improvement</b>

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