

Public Document Pack

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



**Belfast
City Council**

10th January, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room, City Hall and remotely, via Microsoft Teams, on Tuesday, 16th January, 2024 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. Routine Matters

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

2. Committee Site Visits

- (a) Note of Committee Site Visits
- (b) Schedule of Committee Site Visits - 2024

3. Notifications of Provision/Removal of Accessible Parking Bays

- (a) Provision - 152 Locksley Park
- (b) Provision - 33 Pacific Avenue
- (c) Provision - 103 Bloomfield Avenue

4. **Notifications from Statutory Bodies: Abandonment and Extinguishment**
 - (a) Abandonment at Botanic Avenue and Donegall Pass and at Marcus Ward Street (Pages 1 - 10)
5. **Appeals (Pages 11 - 12)**
6. **Planning Decisions Issued (Pages 13 - 36)**
7. **Miscellaneous Reports**
 - (a) Pilot for notification of Conservation Area Consent (DCA) Applications (Pages 37 - 44)
8. **Previously considered Planning Applications**
 - (a) LA04/2023/2388/F - Residential development comprising 256no. units, public realm, and associated access and site works. - Lands immediately north of Cross Harbour Bridge, East of Donegall Quay and south of AC Marriott Hotel, City Quays
 - (b) LA04/2023/2668/F - Demolition of existing buildings and the erection of an affordable housing development comprising of 69 No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works (amended description). - Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 and 65a Dock Street and No. 123 Corporation Street
 - (c) LA04/2021/2016/F - Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received) - 21-29 Corporation Street and 18-24 Tomb Street
 - (d) LA04/2022/0097/F - Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 - Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings) - 22-30 Hopefield Avenue (Pages 45 - 60)
 - (e) LA04/2022/2103/F - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. - 1 and 2 Duncrue Pass (Pages 61 - 76)
9. **New Planning Applications**
 - (a) LA04/2022/1219/F - Demolition of existing building and erection of 11 storey building (May Street/Victoria Street) and 4 storey building (Gloucester Street) comprising 77 apartments with communal areas, ground floor retail services (A2) unit, cycle and car parking, and vehicular access via Gloucester Street - 177-183 Victoria Street 66-72 May Street and 4-8 Gloucester Street

- (b) LA04/2023/2418/F - Demolition of existing retail units and vehicle drop off area of 215-225 Castlereagh Road, Belfast and erection of 4 storey apartment building containing, 16 no apartments with associated development and ancillary works. - 215 - 225 Castlereagh Road (Pages 77 - 92)
- (c) LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. - Lands bound by Glenalpin Street, Wellwood Street and Norwood Street
- (d) LA04/2020/0568/F and LA04/2020/0569/LBC - Change of use (including refurbishment of and extension to) of former police station to 74 bedroom hotel with associated restaurant, bar and ancillary facilities. - 21 Queen Street
- (e) LA04/2021/1531/F - Construction of 3 No. apartment blocks consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments (Amended drawings) - 7 and 9 Ballygomartin Road (Pages 93 - 106)
- (f) LA04/2023/4021/F - Change of use from dwelling to 5. Bed House in Multiple Occupation (amended description) - 166 Upper Newtownards Road (Pages 107 - 116)
- (g) LA04/2023/4093/F - Raise ridge to accommodate dormer to side elevation and fenestrational changes to front and rear elevation and 2x skylights - 5 Squires Hill Road (Pages 117 - 124)
- (h) LA04/2023/3888/F - Proposed two year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers. - Cathedral Gardens (Pages 125 - 132)

10. **Restricted Items**

- (a) Solace NI Update (Pages 133 - 144)

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Subject:	Notifications from statutory bodies (Abandonments)
Date:	16 th January 2024
Reporting Officer:	Kate Bentley, Director of Planning & Building Control
Contact Officer:	Keith Sutherland, Planning Manager (Plans & Policy)

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

1.0	Purpose of Report or Summary of Main Issues
1.1	To bring to the attention of the Planning Committee notification of two proposed abandonments received from the Department for Infrastructure (DfI) (see Appendix 1&2).
2.0	Recommendation
2.1	The Committee is asked to note the notification correspondence received.
3.0	Main Report
3.1	The Council has received the following two notifications from DfI:
3.2	<p>Proposed abandonment of the back street at Botanic Avenue and Donegall Pass, Belfast</p> <p>Received on 24th November 2023 this notification concerns a request for a proposed abandonment under The Roads (NI) Order 1993 of the back street at Botanic Avenue and Donegall Pass (Appendix 1). The abandonment has been requested by the owner of the site. There are no current planning applications or any relevant recent planning history relating to the land proposed for abandonment. The Department considers that the land to be abandoned is not necessary for road traffic and as such is considered to be surplus to the adopted road network.</p>
3.3	<p>Proposed abandonment at Marcus Ward Street, Belfast</p> <p>Received on 21st December 2023 this notification concerns a request for a proposed abandonment under The Roads (NI) Order 1993 of land to the rear of the footway at Marcus Ward Street (Appendix 2). The abandonment has been requested by the Kainos Group PLC and relates to a current planning application (LA04/2023/4373/F) for the development of Purpose Built Managed Student Accommodation (PBMSA) on the adjacent site.</p>
3.4	In considering these notifications other services within the Council were consulted – City & Neighbourhood Services, Estates and City Regeneration & Development and no concerns were raised. There is no requirement for the Council to respond to these consultations and it is recommended that the Committee notes this report.

3.5	<p><u>Financial & Resource Implications</u> There are no resource implications associated with this report.</p> <p><u>Equality implications or Good Relations implications / Rural needs assessment</u> None.</p>
4.0	Appendices – Documents Attached
	<p>Appendix 1: Proposed abandonment of the back street at Botanic Avenue and Donegall Pass, Belfast.</p> <p>Appendix 2: Proposed abandonment at Marcus Ward Street, Belfast.</p>



Department for

Infrastructure

An Roinn

Bonneagair

Department for

Infrastructure

www.infrastructure-ni.gov.uk

Eastern Division

Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
BELFAST
BT2 8BP



Annexe 7, Block 2
Castle Buildings
Stormont Estate
Upper Newtownards Road
BELFAST
BT4 3SQ

Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being dealt with by: Victor Clegg

Email: Victor.clegg@infrastructure-ni.gov.uk

Direct Line: 02890 526193

Our Ref: MD2/Z/03/1111

Date: 14 November 2023

Dear Sir/ Madam,

ROADS (NI) ORDER 1993

ABANDONMENT OF THE BACK STREET AT BOTANIC AVENUE AND DONEGALL PASS, BELFAST.

Further to previous correspondence in respect of the above-mentioned proposed abandonment, I enclose for your information a copy of the draft order and related map together with a copy of the statutory notice which is to be published in the Belfast Gazette on 24th November 2023 and the Belfast Telegraph, News Letter and Irish News on 22nd and 29th November 2023.

When the Department for Infrastructure makes the order, I will forward a copy when it comes into operation.

Yours faithfully

Victor Clegg
Lands Branch

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2023 No.

ROADS

**The Back Street at Botanic Avenue and Donegall Pass, Belfast
(Abandonment) Order (Northern Ireland) 2023**

Made - - - -

Coming into operation



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

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 written objections or other representations received or inquiry held and the outcome thereof).

Citation and commencement

1. This Order may be cited as the Back Street at Botanic Avenue and Donegall Pass, Belfast (Abandonment) Order (Northern Ireland) 2023 and shall come into operation on 2023.

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 the 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 2023

(L.S.)

(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 58 square metres of superseded road extending from Ratcliffe Street, Belfast for a distance of 15.43 metres in a south-westerly direction and then 20.84 metres in a south-easterly direction to the rear of No. 12a Botanic Avenue, Belfast more particularly delineated and shown coloured red on map number IN1/23/739777.

A copy of the map has been deposited at the Department's Headquarters, Clarence Court, 10-18 Adelaide Street, Belfast and at DfI Roads Eastern Division, Annexe 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.

ABANDONMENT – BOTANIC AVENUE AND DONEGALL PASS, BELFAST

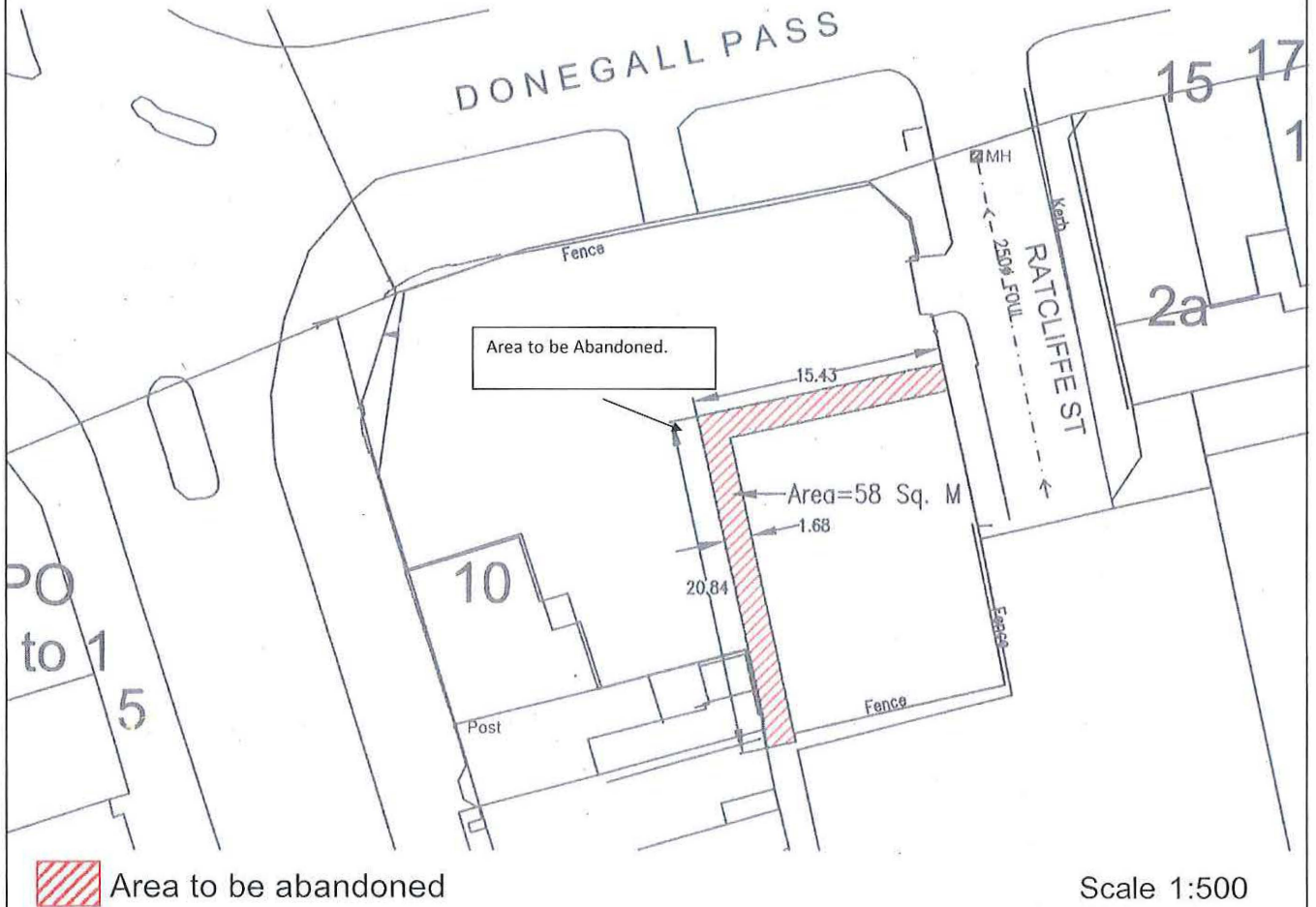
The Department for Infrastructure (DfI) being of the opinion that the road is no longer necessary proposes to make an Order under Article 68 of the Roads (Northern Ireland) Order 1993, the effect of which would be to abandon an area of 58 square metres of superseded road extending from Ratcliffe Street, Belfast for a distance of 15.43 metres in a south-westerly direction and then 20.84 metres in a south-easterly direction to the rear of No. 12a Botanic Avenue, 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 22 November 2023 to 3 January 2024 at DfI Roads Eastern Division, Annexe 7, Castle Buildings, Stormont Estate, Belfast, BT4 3SQ or viewed online at www.infrastructure-ni.gov.uk/consultations

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 at the address above or by emailing landseastern@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



DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/23/739777 referred to in "The Back Street at Botanic Avenue and Donegall Pass, Belfast (Abandonment) Order (Northern Ireland) 2023" made by the Department on 2023 and coming into operation on 2023.

©Based upon the Ordnance Survey map with the Permission of the Director and the Chief Executive.
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FOR INFORMATION - APPROXIMATE LOCATION AT BOTANIC AVENUE/DONEGALL PASS

Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
BELFAST
BT2 8BP

Annexe 7, Block 2
Castle Buildings
Stormont Estate
Upper Newtownards Road
BELFAST
BT4 3SQ

Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being Dealt With By: Victor Clegg

Email: Victor.clegg@infrastructure-ni.gov.uk

Direct Line: 02890 526193

Our Ref: MD2/Z/03/1113

Date: 14 December 2023

DEAR SIR/ MADAM,

ROADS (NI) ORDER 1993

PROPOSED ABANDONMENT AT MARCUS WARD STREET, BELFAST BT2 7HN.

An application has been received from Kainos Group PLC for the abandonment of land to the rear of the footway on Marcus Ward Street as shown hatched on the attached plan, Drawing No: KHQ-TOD-10-ZZ-DR-A-10002.

The Applicant will be seeking Planning Permission for the redevelopment of the adjacent site.

Could you please let me have your comments on the above proposal.

A prompt response would be appreciated, and I look forward to hearing from you. If I do not receive your reply, I shall assume you have no objection and will proceed accordingly.

Yours faithfully



Victor Clegg
Lands Section

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Kainos HQ

Proposed Dfl Roads
Abandonment
Site Plan 02

TODD

DATE	24/05/2023	TIME	AC	SCALE	PC	UNIT	A1
TEST NO.	23025	TEST TYPE	INFORMATION			TEST ID	P02
KHQ-TOD-10-ZZ-DR-A-10002							



BCC
DEPARTMENT FOR
PLACE AND ECONOMY
RECEIVED
DUBLIN

21 DEC 2023

BELFAST PLANNING
SERVICE

Agenda Item 5

PLANNING COMMITTEE – 16 JANUARY 2024

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2023/A0087

PLANNING REF: LA04/2022/1831/F

APPLICANT: Mr John Young

LOCATION: 258 Limestone Road, Belfast, BT15 3AR

PROPOSAL: Change of use from residential to short term stay accommodation

PROCEDURE:

ITEM NO 2 PAC REF: 2023/A0090

PLANNING REF: LA04/2023/3933/A

APPLICANT: Clear Channel NI

LOCATION: Vacant lands adjacent to No 3 Upper Dunmurry Lane,
Dunmurry, Belfast, BT17 0AA

PROPOSAL: Replacement of 2 existing standard 48 sheet advertisement hoardings with one digital screen

PROCEDURE:

APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2022/A0038

PLANNING REF: LA04/2021/2415/A

RESULT OF APPEAL: WITHDRAWN

APPLICANT: Laura Greenhill

LOCATION: Hurree Unit 6, Channel Wharf, 21 Old Channel Road, Belfast, BT3 9DE

PROPOSAL: Retrospective wall mounted business signs

APPEAL DECISIONS NOTIFIED (CONTINUED)

ITEM NO 1 PAC REF: 2022/A0090
PLANNING REF: LA04/2021/2324/F
RESULT OF APPEAL: DISMISSED
APPLICANT: James Sloan
LOCATION: 210 Malone Road, Belfast, BT9 5LA
PROPOSAL: Seeking planning permission retrospectively to develop land without complying with condition on previous approval LA04/2020/0409/F, condition 4 to increase the height of fencing alongside boundary at certain points only, for screening and safety purposes

ITEM NO 2 PAC REF: 2022/A0108
PLANNING REF: LA04/2022/0913/F
RESULT OF APPEAL: ALLOWED
APPLICANT: Paul and Anne Stewart
LOCATION: 42 and 42A Strathmore Park South, Belfast, BT15 5HL
PROPOSAL: Removal of Condition 7 regarding occupancy of dwelling No 42A of LA04/2015/1102/F

COSTS DECISION

ITEM NO 3 PAC REF: 2022/A0108
PLANNING REF: LA04/2022/0913/F
COSTS DECISION: Partial award of costs - Not eligible
APPLICANT: Paul and Anne Stewart
LOCATION: 42 and 42A Strathmore Park South, Belfast, BT15 5HL
PROPOSAL: Removal of Condition 7 regarding occupancy of dwelling No 42A of LA04/2015/1102/F

Planning decisions issued December 2023 - No.133

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2020/1899/LBC	LOC	Former Good Shepherd Centre at lands at Nos 511 and 511a Ormeau Road Belfast BT7 3GS	Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings)	Consent Granted

LA04/2020/1901/F	LOC	Former Good Shepherd Centre at lands at Nos. 511 and 511a Ormeau Road Belfast BT7 3GS.	Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information)	Permission Granted
LA04/2021/1276/F	LOC	45 Little Donegall Street Belfast BT1 2JD.	Construction of vertical extensions on the two existing rear apartment blocks 1 more apartment to each (2no. in total), replacing existing roof terraces.	Permission Granted
LA04/2021/2643/F	LOC	79 & 81 Stockman's Lane Belfast BT9 7JD	Shed for storage of Maintenance equipment and separate area for tenants' storage.	Permission Granted
LA04/2022/1640/O	LOC	50m East of 199 Ballyhill Road Belfast	Site for 2 infill dwellings	Permission Refused

LA04/2022/1816/F	LOC	4 Chlorine Gardens Belfast BT9 5DJ.	Refurbishment and alterations to existing property to include a two storey extension to the rear to create 6No. own door short term serviced apartments, along with landscaped communal garden and bicycle storage.	Permission Granted
LA04/2022/1827/DCA	LOC	18 Strangford Avenue Belfast BT9 6PG.	Part demolition of walls to facilitate proposed extension to rear	Consent Granted
LA04/2022/1831/F	LOC	258 Limestone Road Belfast BT15 3AR.	Change of use from residential to short term stay accommodation.	Permission Refused
LA04/2022/2060/F	MAJ	122-126 DUNCRUE STREET LOW-WOOD INTAKE BELFAST ANTRIM BT3 9AR	Replacement of fire damaged storage and distribution warehouse on same building footprint (Retrospective).	Permission Granted
LA04/2021/1384/F	LOC	Lands 15m south of 48 Finvoy Street Belfast	Demolition of garage block and replacement with 2no. three storey 3-bed townhouses and associated site works.	Permission Granted
LA04/2022/1122/F	LOC	7 Ailesbury Drive Belfast BT7 3FB	Proposed rear and side extension. Proposed demolition of existing garage and erection of replacement two-storey store and study.	Permission Granted
LA04/2022/1677/F	LOC	Former Good Shepherd Centre at lands at Nos. 511 and 511a Ormeau Road Belfast BT7 3GS.	Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).	Permission Granted

LA04/2022/1826/F	LOC	18 Strangford Avenue Belfast BT9 6PG.	Two storey extension to the rear of existing dwelling, and conversion of existing garage to home gym and store(amended proposal)	Permission Granted
LA04/2022/1828/DCA	LOC	4 Chlorine Gardens Belfast BT9 5DJ.	Alterations to window openings on front facade. Removal of single story lean-to store at rear. Alterations to rear facade to facilitate rear extension. Removal of ramp and front door.	Consent Granted
LA04/2022/1872/F	LOC	14 Camberwell Terrace Belfast BT15 3AS.	Change of use from 1No. dwelling house to 3 Apartments with bin store to front. Demolition of rear return and erection of 2 storey and 3 storey extension (amended description)	Permission Granted
LA04/2022/2138/F	LOC	22 CLONALLON COURT STRANDTOWN BELFAST DOWN BT4 2AB	Single storey side extension.	Permission Granted
LA04/2022/2139/F	LOC	22 BOUCHER CRESCENT BALLYMURPHY BELFAST ANTRIM BT12 6HU	Extension to existing car showroom to include proposed workshop, car valet/wash area and internal ancillary alterations.	Permission Granted
LA04/2022/2153/A	LOC	22 BOUCHER CRESCENT BALLYMURPHY BELFAST ANTRIM BT12 6HU	Car showroom signage	Consent Granted

LA04/2022/2216/F	MAJ	CENTRE HOUSE 69 - 87 CHICHESTER STREET TOWN PARKS BELFAST ANTRIM BT1 4JE	Change of use from offices to hotel (146 bedrooms) over five floors (2nd to 6th floor) including extension to 5th floor (17 bedrooms), goods hoist from ground to 2nd floor and elevational alterations to an existing building.	Permission Granted
LA04/2022/2254/LBC	LOC	NETTLEFIELD PRIMARY SCHOOL 16 RADNOR STREET BALLYMACARRET BELFAST DOWN BT6 8BG	Prefabricated modular single classroom unit including entrance hallway, w/c and store.	Consent Granted
LA04/2022/2256/F	LOC	NETTLEFIELD PRIMARY SCHOOL 16 RADNOR STREET BALLYMACARRET BELFAST DOWN BT6 8BG	Prefabricated modular single classroom unit including entrance hallway, w/c and store.	Permission Granted
LA04/2023/2417/F	LOC	31 LOOPLAND DRIVE BALLYMACONAGHY BELFAST DOWN BT6 9DW	Single storey extension to rear.	Permission Granted
LA04/2022/2353/F	LOC	261 GROSVENOR ROAD TOWN PARKS BELFAST ANTRIM BT12 4LL	Proposed extension to existing retail shop plus change of use from former bookmakers shop to part of the extended SPAR retail shop floor, back or house storage and staff accomadation. Minor alterations of existing car park and footpath area.	Permission Granted

LA04/2023/2495/F	LOC	326 Ballysillan Road, Belfast, BT14 6RA	Retention of retail use including amalgamation of existing units, rear extension to provide ancillary accommodation and storage and construction of new boundary walls. Proposal involves demolition of existing rear return and detached building. (Amended Description)	Permission Granted
LA04/2023/2536/LBC	LOC	Elmwood Building - Geography Building Queen's University Belfast, Elmwood Avenue, Belfast, BT9 6AZ	Removal of brickwork and railings to provide a safe pedestrian entrance from Elmwood Avenue to the Geography building.	Consent Granted
LA04/2023/2529/F	LOC	1 EUTERPE STREET MALONE LOWER BELFAST ANTRIM BT12 5PS	Retrospective application for roof terrace with privacy screening.	Permission Granted
LA04/2023/2573/F	LOC	35 CRANMORE GARDENS MALONE LOWER BELFAST ANTRIM BT9 6JL	Demolition of 2 storey rear return and existing single storey extension. Addition of new 2.5 storey extension to the rear; new side extension to replace existing extension and new single storey extension to side. Provision of new vehicular access and entrance gates / piers and new boundary treatment to Cranmore Gardens	Permission Granted

LA04/2023/2575/DCA	LOC	35 CRANMORE GARDENS MALONE LOWER BELFAST ANTRIM BT9 6JL	Demolition of 2 storey rear return and existing single storey extension. Addition of new 2.5 storey extension to the rear; new side extension to replace existing extension and new single storey extension to side. Provision of new vehicular access and entrance gates / piers and new boundary treatment to Cranmore Gardens	Permission Granted
LA04/2023/3678/F	LOC	3 UPTON AVENUE BALLYFINAGHY BELFAST BT10 0LU	TQ TESTING DEPLOYMENT - IGNORE - THIS WILL BE DELETED Test 3 Test MT MT30.	Permission Granted
LA04/2023/2676/CLEUD	LOC	20 RIDGEWAY STREET MALONE LOWER BELFAST ANTRIM BT9 5FB	House of Multiple Occupation.	Permitted Development
LA04/2023/2818/CLEUD	LOC	7 Ponsonby Avenue, Belfast, BT15 2LS	Existing use: Use of first floor as residential apartment'	Permitted Development
LA04/2023/2857/F	LOC	28 Beechmount Avenue, Belfast, BT12 7NA	Retention of Change of use from Residential Dwelling to Short Term Holiday Let Accommodation	Permission Refused
LA04/2023/2947/F	LOC	399 Cregagh Road, Belfast, BT6 0LF	Single storey extension to rear of existing dwelling.	Permission Granted
LA04/2023/2965/F	LOC	45 RIVERDALE PARK EAST BALLYMONEY BELFAST ANTRIM BT11 9DA	Proposed single storey extension to rear of dwelling and internal alterations.	Permission Granted
LA04/2023/3032/F	LOC	323 - 335 Beersbridge Road, Belfast, BT5 5DS	Extension of existing retail unit, amended parking layout and associated general ancillary site works.	Permission Granted

LA04/2023/3041/F	LOC	8 CRANMORE AVENUE MALONE LOWER BELFAST ANTRIM BT9 6JH	Proposed single storey rear extension; elevational alterations and proposed rear dormer with 2.1m close boarded fence to rear and widening of front access	Permission Granted
LA04/2023/3044/CLEUD	LOC	Flat 3, 98 Eglantine Avenue, Belfast, BT9 6EU	Existing use: Currently the flat has a temporary HMO certificate as a three bedroom property. It has been a HMO property since 1998. Attached are the last three years tenancy agreements	Permitted Development
LA04/2023/3054/F	LOC	14 GLENDARRAGH KNOCKNAGONEY BELFAST DOWN BT4 2WB	Single Storey Extension to Rear of Dwelling and Detached Garage.	Permission Granted

LA04/2023/3057/PAD	LOC	Unit 2 2 Rosetta Road Belfast, BT6 0LT	<p>Create an indoor, miniature town where children (up to the age of seven) can have fun and learn valuable life skills whilst exploring the world we live in through role play and imagination.</p> <p>The play centre allows children to experience the high-street including play areas (contained within booths) such as a corner shop, ice cream parlor, construction site, post office, vets, salon, boutique and many more.</p> <p>The premises will have an on-site café and will provide a hub for parents to come and enjoy a relaxed and safe environment.</p> <p>Internally there will be no structural changes, only the installation of a stud wall toilet facility.</p>	PAD Concluded
LA04/2023/3085/F	LOC	9 Kings Road, Belfast, BT5 6JF	Partial demolition of existing ground floor rear extension and associated pitch roof over. Remaining section of the existing ground floor rear return is to be altered to provide new glazed external doors and glazing to rear elevation. First floor landing window is to be altered reinstating it to its original size.	Permission Granted

LA04/2023/3086/DCA	LOC	9 Kings Road, Belfast, BT5 6JF	Partial demolition of existing single storey extension to the rear of the property to include internal and external walls, floors and roof over. Demolition of sections of wall below the existing sill of the remaining window in the rear return to increase the size of the window. Removal of pitch roof above existing single storey return. Demolition of sections of wall at first floor level below half landing window, reinstating window to its original size. Removal of external store door to be replaced with window.	Consent Granted
LA04/2023/3116/F	LOC	135 Stranmillis Road, Belfast, BT9 5AJ	Change of use of first floor from office / storage to apartment. New second floor extension to provide additional apartment (2 no. apartments total)	Permission Granted
LA04/2023/3174/LBC	LOC	64 Old Cathedral Buildings Donegall Street, Belfast, BT1 2GT	Reinstatement of building following extensive fire damage. Works to include, replacement of roof structure, replacement windows, strip out and replacement of internal floor structures (retaining existing staircase) Replacement of all internal finishes	Consent Granted

LA04/2023/3194/F	LOC	240 Newtownards Road, Belfast, BT4 1AF	Proposed change of use and renovation of an existing office/ community building into a ground floor 'Good Relations' Community Hub and 6no. studio apartments on the first/ second floor. These will be for short term accommodation for those in housing need while they are waiting to find permanent housing.	Permission Granted
LA04/2023/3258/DC	LOC	6-20 Bloomfield Avenue, Belfast, BT5 5AD	Discharge of condition 10 LA04/2022/0651/F Remediation Strategy & Verification Report	Condition Not Discharged
LA04/2023/3312/F	LOC	81 -107 York Street, Belfast, BT15 1AT	Conversion of 2 No. ground floor retail units approved under planning permission LA04/2016/2385/F to 1 No. retail unit, external alterations to ground floor elevations and amendment to service access arrangements as approved under planning permission LA04/2016/2385/F	Permission Granted
LA04/2023/3335/DC	LOC	753 Antrim Road, Belfast, BT15 4EN	Discharge of Condition 8 LA04/2019/2255/F Final detailed drainage assessment	Condition Discharged
LA04/2023/3337/DCA	LOC	8 CRANMORE AVENUE MALONE LOWER BELFAST ANTRIM BT9 6JH	creation of new openings and demolitions to accommodate the proposed extension.	Consent Granted
LA04/2023/3331/CLOPUD	LOC	62 Beersbridge Road, Belfast, BT5 4RU	Proposed completion of apartment building as approved under LA04/2018/1187/F.	Permitted Development

LA04/2023/3336/F	LOC	100 Orby Road, Belfast, BT5 5HP	Single storey rear extension, ramp access and widening of existing vehicle access. (Amended Proposal Description)	Permission Granted
LA04/2023/3338/F	LOC	15 Rochester Avenue, Belfast, BT6 9JU	Change of roof type from hipped roof to pitch roof. (Amended Proposal description)	Permission Granted
LA04/2023/3390/F	LOC	LANDS TO REAR OF 34-66 ONSLOW PARADE, BELFAST	Revised Boundary treatments for approved care home, in substitution of boundary treatments previously approved under LA04/2015/0543/F.	Permission Granted
LA04/2023/3413/DCA	LOC	83 Somerton Road, Belfast, BT15 4DG	Demolition of existing kitchen extension and timber shed. Partial demolition of rear wall to accommodate alterations. Demolition of existing dormer windows to rear elevation	Consent Granted
LA04/2023/3446/F	LOC	206 Forest Winds Upper Malone Road, Belfast, BT17 9JZ	Dwelling and Garage (Change of house type in respect of approved replacement dwelling, LA04/2022/1171/F)	Permission Granted
LA04/2023/3460/F	LOC	93 Somerton Road, Belfast, BT15 4DH	Single storey rear and side extension, roofspace conversion to include front and rear dormers, covered garden storage to rear.	Permission Granted
LA04/2023/3442/F	MAJ	Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queens Road, Belfast.	Erection of Hotel/Aparthotel comprising 135 hotel beds and 93 aparthotel beds, restaurant / cafe/bar uses, gym, landscaped public realm, car parking, cycle parking and associated site and road works	Permission Granted

LA04/2023/3450/DC	LOC	The Kings Hall Lisburn Road, Belfast, BT9 6GW	Layout and detail of the roof amenity terrace Discharge of Condition 29 - LA04/2020/0845/O	Condition Partially Discharged
LA04/2023/3440/NMC	LOC	28 Coolnasilla Park South, Belfast, BT11 8LF	NMC to LA04/2022/0755/F - Side, front and rear walls of side extension to be finished in cream painted smooth render.	Non Material Change Granted

LA04/2023/3464/NMC	LOC	10 Lorne Street, Belfast, BT9 7DU	<p>Amendments to LA04/2017/1163/F the internal arrangement of apartments - there is no increase in number of apartments or the total number of bedrooms provided and hence there can be no intensification of use of the apartment block. Amendments to external elevations are mainly due to operational and structural issues associated with the maintenance and construction of the building respectively, and comprise of:</p> <p>Omission of bin store to Community Centre Elevation 4 and associated wall finish extended to ground level;</p> <p>Extension of bin store along SE boundary to accommodate Eurobin provision;</p> <p>Reconfiguration of disabled parking space;</p> <p>New timber gates to Community Centre Elevation 4 and Lower Windsor Elevation 2;</p> <p>Omission of 3 No. windows on the Community Centre Elevation 4;</p> <p>Extension of planted bed along SE Elevation (internal to courtyard);</p> <p>Updated locations of soil and vent pipes, rainwater pipes, and manhole positions.</p> <p>New rendered column to support projecting structure above along SE</p>	Non Material Change Granted
LA04/2023/3584/A	LOC	236 Upper Newtownards Road, Belfast, BT4 3EU	<p>(Retrospective) Temporary advertising hoarding for a period of 12 months. (Amended Site Description)</p>	Consent Granted

LA04/2023/3480/F	LOC	65 Ballygomartin Road, Belfast, BT13 3LB	Change of use from Dwelling to HMO	Permission Granted
LA04/2023/3491/F	MAJ	47 Boucher Road, Belfast, BT12 6HR	Proposed Retail Warehouse Unit with Associated Car Parking and Site Works.	Permission Granted
LA04/2023/3512/F	LOC	1A Benmadigan Hill Antrim Road, Belfast, BT36 7GF	New vehicular access, alteration to existing wall, construction of new wall, new pedestrian access and gate and closing up of existing access. (Retrospective)	Permission Granted
LA04/2023/3501/F	LOC	46 Stranmillis Road, Belfast, BT9 5AD	Retention of decking and awning to front of shop	Permission Granted
LA04/2023/3502/A	LOC	46 Stranmillis Road, Belfast, BT9 5AD	1no first floor sign on gable elevation	Consent Granted
LA04/2023/3541/DC	LOC	A Wing, Crumlin Road Gaol 53-55 Crumlin Road, Belfast, BT14 6ST	Prototype for altered cell windows Discharge of Condition no.14 LA04/2019/2756/F	Condition Discharged
LA04/2023/3589/F	MAJ	STORMONT HOTEL 587 UPPER NEWTOWNARDS ROAD BALLYCLOGHAN BELFAST DOWN BT4 3LP	'Hybrid planning application for a retirement village comprising: a) The change of use of the existing hotel, conference centre and offices (sui generis) to a 97-bed care home (Use Class C3(b)) and 1,559sqm diagnostic medical facility (Use Class D1(a)). b) Outline planning permission with all matters reserved for independent living and assisted living retirement apartments (Use Class C3), associated internal access roads, communal open space, revised access from Castlevue Road, associated car parking, servicing, amenity space and landscaping.'	Application Invalid

LA04/2023/3768/F	LOC	5 Greenwood Park, Belfast, BT4 3JN	Single storey side and rear extension. Additional site works.	Permission Granted
LA04/2023/3747/F	LOC	18 Thirlmere Gardens, Belfast, BT15 5EF	Single storey extension with raised terrace and access ramp	Permission Granted
LA04/2023/3794/F	LOC	36 Lacefield, Belfast, BT4 3PA	Roofspace conversion with velux windows to side roof and new juliet balcony to rear and single storey side extension (amended site location map).	Permission Granted
LA04/2023/3822/F	LOC	Belfast Stories - Site 10 78-90 Union Street & 14-20 Kent Street, Smithfield and Union, Belfast, BT1 2JA	Temporary permission for two years for community facility containing green and grow space to include raised beds, pollinator towers, rainwater harvesting containers, compost bins, solar panels, seating and toilets. Space to be partly covered by a stretch tent and proposed shipping container to provide ancillary office space. <input type="checkbox"/>	Permission Granted
LA04/2023/3815/NMC	LOC	Vacant land bounded by First Street, North Howard Street, Third Street and Conway Street, Belfast	Change Units 11-16 from 3-bed to 2- bed dwellings. Reduce floorspace of Units 10 and 17. Change finish of Unit 12 to brick (instead of Unit 16).	Non Material Change Granted
LA04/2023/3861/F	LOC	1 Belmont Park, Belfast, BT4 3DU	Single storey extension to side and rear to provide open plan kitchen / living / dining area, internal alterations & new side door	Permission Granted
LA04/2023/3868/F	LOC	21 Haddington Gardens Belfast BT6 0AN	Roof-space conversion with dormer to rear and roof-lights to the front elevation.	Permission Granted

LA04/2023/3970/F	LOC	SERVICE LAND TO WEST OF 15 NEWTOWNBREDAROAD, BELFAST, CO. ANTRIM, BT8 6BQ	THE REMOVAL OF EXISTING 15M HIGH POLE AND ASSOCIATED CABINETS AND REPLACED WITH A 20M HIGH POLE ON NEW PAD FOUNDATION, 6NO. (VM) ANTENNAS, 2NO. (VM) DISHES, 1NO. (VM) GPS MODULE, 1NO. CABINET.	Application Invalid
LA04/2023/3968/F	LOC	30 Irwin Crescent, Belfast, BT4 3AQ	Single Storey Rear Extension and Dormer to Rear Elevation	Permission Granted
LA04/2023/3992/A	LOC	2-10 Floral Buildings East Bridge Street, Belfast, BT1 3NQ	1 Digital	Consent Granted
LA04/2023/3984/F	LOC	16 Richhill Crescent, Belfast, BT5 6HF	Demolition of existing sunroom to the rear. Addition of two storey and single storey extension to the rear.	Permission Granted
LA04/2023/4001/NMC	LOC	10 Lorne Street, Belfast, BT9 7DU	Rationalisation and simplification of materials and finishes used, and associated practical revisions, including: horizontal transoms added to some windows with opening light; Omission of all zinc cladding; Vertical slate cladding added where indicated; Additional mansard roofs where indicated; Omission of blue brick and surface banding	Non Material Change Refused
LA04/2023/3988/F	LOC	105 BARNETTS ROAD BALLYCLOGHAN BELFAST DOWN BT5 7BE	Dwelling to receive full refurbishment works and proposed increase in ridge height due to full roof replacement works.	Permission Granted
LA04/2023/4048/A	LOC	3 Donegall Square West, Belfast, BT1 6JA	2 Shop sign	Consent Granted

LA04/2023/4042/F	LOC	33 Notting Hill, Belfast, BT9 5NH	Proposed siteworks to front of property including erection of new railings and vehicular and pedestrian access gates, and hard and soft landscaping.	Permission Granted
LA04/2023/4053/CLEUD	LOC	FLat 2, 4 DONNYBROOK STREET MALONE LOWER BELFAST ANTRIM BT9 7DD	House in Multiple Occupation (HMO)	Permitted Development
LA04/2023/4057/F	LOC	52 Mountainview Gardens, Belfast, BT14 7GW	Single storey side and rear extension, widening of access to side, raise cill height to the landing window at the existing gable wall, ramp to extension to rear and associated ground levelling.	Permission Granted
LA04/2023/4101/F	LOC	2 Royal Avenue, Belfast, BT1 1DA	Change of use of the ground floor from A1 Retail to mixed-use community recreational and cultural space for multi-disciplinary uses, including small scale retail and café. Also change of use of the first floor from office use to a mix of office, community, recreational and cultural space to facilitate multi-disciplinary uses.	Permission Granted
LA04/2023/4065/F	LOC	13 Ardglenn Place, Old Park, Belfast, BT14 7RP	Single storey shower room extension at rear curtilage and single storey extension to existing front lobby.	Permission Granted
LA04/2023/4109/CLEUD	LOC	Flat 1, 8 Cameron Street, Belfast, BT7 1GU	House of Multiple Occupation	Application Invalid

LA04/2023/4132/F	LOC	112 Eglantine Avenue, Belfast, BT9 6EU	Proposed alterations to existing HMO including; internal structural changes to street-front apartments and complete redevelopment of rear apartments.	Application Invalid
LA04/2023/4133/DCA	LOC	112 Eglantine Avenue, Belfast, BT9 6EU	Demolition of existing three-storey rear return and outbuildings	Application Invalid
LA04/2023/4166/F	LOC	Lands at the "Bullring" located approximately 65m to the east of 15 Peter's Hill, BT13 1EN	Relocation of the "Angel of the Shankill" statue to lands at the "Bullring" site.	Permission Granted
LA04/2023/4183/F	LOC	34 Denorrtton Park, Belfast, BT4 1SF	Proposed single storey rear and side extension with terraced area.	Permission Granted
LA04/2023/4161/DETEIA	LOC	LANDS NORTH EAST OF OLYMPIC HOUSE, EAST OF QUEENS ROAD AND SOUTH OF BELFAST METROPOLITAN COLLEGE	Erection of Purpose Built Managed Student Accommodation (PBMSA) scheme with internal landscaped courtyard, public realm, site works and access arrangements from Queen's Road.	Environmental Statement Not Required
LA04/2023/4156/A	LOC	69a Great Victoria Street, Belfast, BT2 7AF	Proposed replacement of existing 48 sheet advertisement with a digital advertisement	Consent Granted
LA04/2023/4191/DC	LOC	150 Knock Road, Belfast, BT5 6QD	Discharge condition 11 LA04/2021/2144/F Final Drainage Assessment	Condition Discharged
LA04/2023/4205/F	LOC	1 Knockmount Park, Belfast, BT5 6GR	REPLACEMENT OF EXISTING BOUNDARY WALL AND FENCE WITH NEW WALL AND FENCE AND WIDENING OF DRIVEWAY ACCESS (AMENDMENT TO PREVIOUS APPROVAL REF: LA04/2021/2501/F (RETROSPECTIVE))	Permission Granted
LA04/2023/4210/WPT	LOC	11 Glenmachan Drive, Belfast, BT4 2RE	Works to 2 trees.	Works to TPO Granted
LA04/2023/4218/CLOPUD	LOC	81 Antrim Road, Belfast, BT15 2BJ.	Change of use from HMO to airbnb.	Application Invalid

LA04/2023/4230/CLEUD	LOC	Flat 1, 49 Eglantine Avenue, Belfast, BT9 6EW	3 bedroom flat - HMO - House in Multiple Occupation	Permitted Development
LA04/2023/4231/CLEUD	LOC	Flat 2, 49 Eglantine Avenue, Belfast, BT9 6EW	5 Bedroom Flat - HMO - Houses in Multiple Occupation	Permitted Development
LA04/2023/4250/CLOPUD	LOC	10 Riverside View, Wellington Square, Belfast, BT7 3LE	Single storey extension	Permitted Development
LA04/2023/4342/F	LOC	9 Pirrie Park Gardens, Belfast, BT6 0AG	Erection of fire enclosure to the existing external fire staircase at Downey House School, Belfast	Permission Granted
LA04/2023/4270/NMC	LOC	Westbank Road, Belfast, BT3 9LJ	Addition of plant room with external refrigerator equipment as indicatively approved in stamped approved drawing 02B.	Non Material Change Granted
LA04/2023/4266/F	LOC	3 Toronto Street, Belfast, BT6 8EQ	TWO STOREY REAR EXTENSION	Permission Granted
LA04/2023/4282/CLEUD	LOC	Flat 1 189 Cliftonpark Avenue, Belfast, BT14 6DT	Short term holiday let accommodation	Permitted Development
LA04/2023/4283/DC	LOC	Admin Building Former Belvoir Park Hospital, Belfast, BT8 8SJ	Discharge of condition 10 of application LA04/2022/2098/F A window sample as specified within the wording of the condition has been shown and approved by HED.	Condition Discharged
LA04/2023/4277/DC	LOC	20 North Circular Road, Belfast, BT15 5HB	Discharge condition 2 LA04/2022/1071/F Lighting Verification Report	Condition Discharged

LA04/2023/4278/DC	LOC	Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.	discharge of condition 44 application Brick specification sheets	Condition Partially Discharged
LA04/2023/4323/F	LOC	Unit 7a Connswater Retail Park, Connswater Link, Belfast, BT5 4AF	Alteration of front elevation to provide additional window opening	Permission Granted
LA04/2023/4326/A	LOC	Unit 7a Connswater Retail Park, Connswater Link, Belfast, BT5 4AF	Replacement of existing high level facia signage with new Specsavers corporate signage along with 2 No. projecting signs and 2 No. rows of manifestation dots to glazing.	Consent Granted
LA04/2023/4296/F	LOC	10 Strathearn Mews, Belfast, BT4 2QU	Single storey extension to rear with internal alterations	Permission Granted
LA04/2023/4297/DC	LOC	Vacant lands at access road to Olympia Leisure Centre, directly opposite and approx. 70m east of, Nos 9-15 Boucher Road, Belfast	Discharge of condition 21 Final Construction Environmental Management Plan	Condition Discharged
LA04/2023/4306/DC	LOC	Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.	Discharge of condition 25 Vibration Impact Assessment; Foundations and floor construction details	Condition Discharged

LA04/2023/4371/F	LOC	177 Malone Road, Belfast, BT9 6TB	Demolition of existing garage, two storey side extension to dwelling, single storey external covered patio to rear. Detached replacement garage, new first floor rear window to dwelling and associated site works. (in substitution of LA04/2022/1092/F)	Permission Granted
LA04/2023/4328/F	LOC	6 Hazel Drive, Dunmurry, Belfast, BT17 0ZH	Single storey accessible rear bedroom and bathroom extension.	Permission Granted
LA04/2023/4308/NMC	LOC	Site to the rear of, 30, 30A and 32 Ballysillan Road, and between 10 and 41 Faburn Park, Belfast BT14 8AJ	With reference to the 6 new dwellings only, complete removal of chimney stacks from the design. Non material change Z/2013/0797/F.	Non Material Change Granted
LA04/2023/4310/F	LOC	2 Ballymurphy Parade, Belfast, BT12 7LB	Proposed single storey extension to side and rear of dwelling.	Permission Granted
LA04/2023/4354/DC	LOC	Former Belfast Telegraph complex at 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN	Discharge condition 4 LA04/2018/1991/F Heating System Specification	Condition Discharged
LA04/2023/4319/DC	LOC	140 Donegall Street, Belfast, BT1 2FJ	Discharge condition 16 LA04/2021/0516/F Disabled Parking Provision Plan	Condition Discharged
LA04/2023/4321/F	LOC	8 Kylemore Park, Belfast, BT14 6SA	Single-storey rear and side extension with external terrace.	Permission Granted
LA04/2023/4331/DC	LOC	333-339 Albertbridge Road, Ballymacarret, Belfast, BT5 4PY	Discharge condition 5 LA04/2016/2183/F Details of enclosure for bin storage	Condition Discharged
LA04/2023/4341/WPT	LOC	70 Kings Road, Belfast, BT5 6JL	Works to trees in Conservation Area (Reduce height and width by approx 2-3 meters)	Works to Trees in CA Agreed
LA04/2023/4359/F	LOC	24 Glasvey Court, Dunmurry, Belfast, BT17 0DY	Single storey, level access extension.	Permission Granted

LA04/2023/4370/DC	LOC	10-16 Hill Street, Belfast, BT1 2LA	Discharge Condition 8 - LA04/2023/2685/F Archaeological programme of works	Condition Discharged
LA04/2023/4392/NMC	LOC	Lands at 13-23 Clarence Street and 26-28 Linenhall Street, Belfast, BT2 8ED	An application to alter the wording of existing planning conditions 2, 9, 10, 12 and 14 within application LA04/2015/0674/F under section 67 part 3.b of the Planning Act (2011).	Non Material Change Granted
LA04/2023/4402/DC	LOC	Danske Bank 10 Donegall Square West, Belfast, BT1 6JS	discharge of condition 2 Document detailing the cladding samples submitted for HED approval.	Condition Discharged
LA04/2023/4407/CLEUD	LOC	36 Beechmount Street, Belfast, BT12 7NG	Existing use: HMO	Permitted Development
LA04/2023/4411/LBC	LOC	38-40 University Road, Belfast, BT7 1NH	Removal of all existing 1970's softwood sashes to windows. Installation of new like-for-like hardwood sashes with upgraded slim-double glazed units.	Consent Granted
LA04/2023/4418/PAN	MAJ	ECIT Building Queens Road, Queen's Island, Belfast, BT3 9DT	Extension to the ECIT Building (Institute of Electronics, Communications and Information Technology), Queen's Road, Queen's Island to provide additional research and development space with associated landscaping and site works.	Proposal of Application Notice is Acceptable
LA04/2023/4475/PAN	LOC	15 Bloomfield Avenue, Belfast, BT5 5AA	Change of use of first and second floor of The Arches Centre into 44 No. apartments and erection of additional storey (new 3rd floor) to provide 21 No. apartments and associated and ancillary development.	Proposal of Application Notice is Acceptable

LA04/2023/4499/DC	LOC	30 Wellington Park, Belfast, BT9 6DL	All points regarding soft & hard landscaping as per condition No. 5 of permission LA04/2016/2649/F.	Application Invalid
LA04/2023/4490/WPT	LOC	70 Kings Road, Belfast, BT5 6JL	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2023/4529/WPT	LOC	34 Cleaver Park, Belfast, BT9 5HY	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2023/4536/DC	LOC	The Kings Hall Lisburn Road, Belfast, BT9 6GW	Discharge of condition 29 and 30 LA04/2020/0845/O Landscape Plan & Landscape Maintenance and Management Plan	Condition Discharged
				<u>Total Decisions 133</u>



Subject:	Pilot for amending the process for notifying Conservation Area Consent (DCA) applications to the Department for Infrastructure
Date:	16 th January 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

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

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

1.0	Purpose of Report or Summary of Main Issues
1.1	To report on a pilot for amending the process for notifying Conservation Area Consent applications to the Department for Infrastructure (DfI). The pilot is intended to reduce the number of such applications that the Council is required to notify to DfI, therefore reducing administrative processes and speeding up the application process for those applications.
1.2	The pilot will run from 1 st February 2024 and is expected to be for an initial period of 6-months with the option of extending.
2.0	Recommendation
2.1	The report is for notation.

3.0	Main Report
	<u>Background</u>
3.1	Section 105 of the Planning Act (Northern Ireland) 2011 (“the Act”) states that Conservation Area Consent is required for demolition of a building in a Conservation Area. Such applications are more commonly referred to as “Demolition in a Conservation Area” applications, or “DCA applications”. There are a number of exclusions for the requirement for Conservation Area Consent including, amongst others, where the cubic content of the building does not exceed 115 cubic metres or part of such a building; or demolition of a gate, wall, fence or other measure of enclosure which is less than 1 metre high where abutting a highway or public open space, or 2 metres high in any other case.
3.2	Section 90 of the Act empowers the Department for Infrastructure (DfI) to issue a direction requiring that DCA applications are referred to it. The current direction requires all DCA applications which councils intend to approve to be notified to DfI before the decision can be issued. Officers advise that this is wholly disproportionate since demolition in a Conservation Area is essentially a local matter and not generally of regional importance. This notification process is not required in other jurisdictions such as England and Wales.
3.3	Indeed, the requirement for councils to notify all DCA applications to DfI is unnecessary bureaucracy and an example of the excessive “red tape” which currently exists in the NI planning system. These notifications require additional administrative processes and adds to determination periods. It also causes uncertainty for applicants. BCC Planning Service has raised this issue with the Department from time to time and met DfI in 2019, requesting reform of the notification process.
3.4	Following its call for evidence in 2021, DfI published its review of the implementation of the Act in January 2022. As part of this review, DfI set out its commitment to reviewing the various current directions, including that relating to the notification of DCA applications by councils. The review of the Conservation Area Consent notification process also forms part of the regional planning improvement programme following publication of the NI Audit Office and Public Accounts Committee reports on the NI planning system in 2022.
	<u>Evidence base</u>
3.5	The Department has confirmed that between September 2018 and 04 November 2023, 415 DCA applications were notified to it. Of these, no DCA applications were referred (‘called in’) to the Department for determination. However, DfI is aware of six DCA applications that were called-in between April 2015 and September 2018.
3.6	However, the Committee will be aware of DfI’s more recent decision to call-in the DCA application relating to the proposed demolition of existing dwellings and erection of two new dwellings at 448 and 450 Lisburn Road (LA02/2021/1318/DCA). The Council is unaware of any further call-in decisions and therefore this would represent a single DCA application called-in over an approximate 5-year period. This equates to only 0.25% of all DCA applications called-in during that time. This clearly demonstrates that the current notification requirements are disproportionate.
	<u>Pilot notification process</u>
3.7	It is pertinent that for the period in question, 354 of the 415 DCA applications were notified by BCC, representing 85% of all DCA applications across the region. Clearly, BCC is responsible for the vast majority of DCA notifications in NI due to the number of Conservation Areas across the city and it has been approached by the Department about taking part in a pilot for reforming the DCA notification process.

3.8	<p>Under the pilot, BCC will only be required to notify DCA applications to DfI under the following circumstances:</p> <p>(a) where the proposal involves <u>full demolition</u> of the building and/or;</p> <p>(b) where, prior to a decision being taken, the council intends to grant consent and specialist conservation advice [from within the Planning Service] raises concern(s) about the proposed demolition.</p>
3.9	A copy of the draft temporary direction is provided at Appendix 1 .
3.10	<p>The pilot is exclusively with Belfast City Council, which is the only council involved in the pilot at this time.</p> <p><u>Aims and Objectives of the pilot</u></p>
3.11	<p>It is envisaged that the pilot will:</p> <ul style="list-style-type: none"> • reduce administrative processes and increase efficiency to improve performance against statutory targets, while safeguarding the character or appearance of conservation areas; • provide more certainty for applicants and stakeholders around the decision making process; • enable a review of the checks and balances of the conservation area consent process to deliver change addressed in the regional planning improvement programme; • guide and promote continuous improvement by identifying, constructively responding to, and exploring new ways in the delivery of planning; and • encourage collaboration and joined up working between stakeholders.
3.12	<p>Officers strongly welcome the pilot, which is expected to streamline the current DCA notification process, and acknowledge the positive role that the Department has played in proposing the pilot and helping to bring it forward.</p> <p>Monitoring and Review</p>
3.13	The pilot will commence on 1 st February 2024 and will be for an initial period of six months, with the option to extend.
3.14	Data will be collected during the pilot to enable the Department to review the impact on the DCA notification process. As well as recording the applications that have been notified, information will be captured in relation to the DCA applications that would have been required to notified to DfI under the old process.
3.15	The outcome of the pilot will be reported to the Committee.
4.0	Financial & Resource Implications
4.1	The pilot is expected to reduce administrative processes and speed up the application process for some Conservation Area Consent applications. This will have a positive impact on finances and resources.

5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	There are no equality or good relations / rural needs implications associated with this report.
6.0	Appendices – Documents Attached
	Appendix 1 – Copy of draft Conservation Area Consent Notification Direction.

The Conservation Areas (Removal of Duty to Notify) (Belfast City Council) Direction 2023

The Department for Infrastructure makes the following Direction in exercise of the power conferred on it by section 90(1) and (5) (as applied by section 105(6)) of the Planning Act (Northern Ireland) 2011¹. This direction applies to Belfast City Council.

Citation, Commencement and Expiry

1. This Direction may be cited as the Conservation Areas (Removal of Duty to Notify) (Belfast City Council) Direction 2023.

2. This direction comes into operation on xx and ceases to have effect on such a date to be notified to the Council by the Department in writing.

Interpretation

3. In this Direction:

“*the Act*” means the “Planning Act (Northern Ireland) 2011”;

“*conservation area consent*” has the meaning given in section 105(2) of the Act;

“*specialist conservation advice*” means advice obtained by, for and on behalf of the council from any person who has successfully completed;

the Royal Society of Ulster Architects (RSUA) course in Historic Building Conservation or;

can demonstrate that they have successfully completed an equivalent, or higher, course.

Determination by councils of certain conservation area consent applications without notifying the Department

4. Section 89 (as applied by section 105(6)) of the Act shall cease to apply to applications for conservation area consent save for those applications described at paragraph 5 below.

5. (a) for the demolition of all of the building and/or;

(b) where, prior to a decision being taken, the council intends to grant consent and specialist conservation advice raises concern(s) about the proposed demolition.

Sealed with the Official Seal of the Department for Infrastructure on xx ---

¹ 2011 c.25(N.I.)

(L/S)

ALISTAIR BEGGS

A senior officer of the Department for Infrastructure

DRAFT

Explanatory Note
(This note is not part of the Direction)

Paragraph 3 sets out the definition of “specialist conservation advice” for the purposes of this direction. The terms “the Act”, and “conservation area consent”, are also defined i.e. for the purposes of clarity.

Paragraph 4 of this Direction disapplies the requirement to notify the Department of applications for conservation area consent i.e. subject to the exceptions specified in paragraph 5.

Paragraph 5 retains the requirement to notify the Department, of applications for conservation area consent, in three circumstances i.e. where the council intends to:

- grant consent for the complete demolition of a building [sub-paragraph 5(a)];
- grant consent and specialist conservation advice obtained by, for and on behalf of the council raises concern(s) about the proposed demolition and those concerns remain even where mitigation measures and/or other material planning considerations have been accepted by the council to off-set those concerns [sub-paragraph 5(b)]; and
- grant consent:
 - for the complete demolition of a building [sub-paragraph 5(a)]; and
 - specialist conservation advice obtained by, for and on behalf of the council raises concern(s) about the proposed demolition and those concerns remain even where mitigation measures and/or other material planning considerations have been accepted by the council to off-set those [sub-paragraph 5(b)].

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Development Management Officer Addendum Report Committee Application

Addendum Report	
Application ID: LA04/2022/0097/F	Date of Committee: 16 th January 2024
Proposal: Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings)	Location: 22-30 Hopefield Avenue Belfast BT15 5AP
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approve with conditions	
Applicant Name and Address: NB Housing 282-290 Crumlin Road Belfast BT14 7ED	Agent Name and Address: Rolston Architects 49 Lisleen Road Belfast BT5 7SU
Addendum Report This full application was presented to Planning Committee on Tuesday 12 th December 2023 and was deferred to allow members of the Committee to visit the site. The site visit takes place on Wednesday 10 th January 2024. Shared Environmental Services (SES) Consultation SES provided a consultation response on 20 th December 2023. SES advised that following an appropriate assessment in accordance with the Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended) and having considered the nature, scale, timing, duration and location of the project, they were content that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. SES advised that this conclusion is subject to mitigation measures in relation to sewage disposal being conditioned in the event of approval. Recommendation The case officer recommendation is unchanged. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 Planning Agreement, and deal with any other issues that arise provided that they are not substantive.	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2022/0097/F	Committee Meeting Date: 12th December 2023
Proposal: Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings)	Location: 22-30 Hopefield Avenue Belfast BT15 5AP
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approve with conditions	
Applicant Name and Address: NB Housing 282-290 Crumlin Road Belfast BT14 7ED	Agent Name and Address: Rolston Architects 49 Lisleen Road Belfast BT5 7SU
Executive Summary: This application seeks full planning permission for a proposed three and a half storey residential development comprising of 18no. units and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works. The key issues are: <ul style="list-style-type: none"> Principle of development Affordable housing and Housing Mix Design, layout and impact on the character and appearance of the area of townscape character Climate change Accessible and adaptable accommodation Access and parking Drainage Noise, odour and other environmental impacts including contamination 	
Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and the Section 76 Planning Agreement, and deal with any issues arising from the outstanding SES response if necessary.	

Officer Report

1.0

Drawings

1.1

Fig 1.Site Location Plan



1.2

Fig 2. Proposed site Layout



2.0

Characteristics of the Site and Area

2.1

The site is situated on Hopefield Avenue, Belfast, which connects to both the Antrim Road and Cavehill Road. The surrounding area is characterised largely by residential terraces dating from the Victorian and Edwardian period.

2.2

The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site

2.3	<p>is a sustainable location for new housing with good access to amenities, shops, services, employment and public transport. The proposed development makes effective use of previously developed land, land being a finite resource.</p> <p>The site is un-zoned in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site is located within the Lower Cavehill Area of Townscape Character, in accordance with dBMAP.</p>
3.0	Description of Proposal
3.1	Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History <ul style="list-style-type: none"> - Z/2003/1206/F - Refurbishment of building as office and storage as existing use. Permission granted. - Z/2006/2781/F - Demolition of existing commercial buildings and erection of 16No. apartments and associated sitework. Permission granted. - Z/2008/0799/F - Demolition of existing commercial buildings and erection of 24No. apartments and associated site works. Permission granted.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – Content subject to conditions DfI Rivers – Content subject to conditions NI Water – Refusal DAERA NIEA – Content subject to conditions
5.2	Non-Statutory Consultations BCC Environmental Health – Content subject to conditions BCC Plans & Policy team – Advice provided Shared Environmental Services (SES) – Outstanding. NIHE – In support of the application
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.

5.4	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received four objections to the proposal.</p>
5.5	<p>Objections: 4</p> <p>The objections raised the following issues:</p> <ul style="list-style-type: none"> • Impact on character and appearance of the Area of Townscape Character • Overdevelopment • Parking arrangements • Loss of light • Damage to street trees
5.6	<p>These issues have been fully assessed within the planning assessment section of the report, however the application is considered acceptable for the reasons set out in the below assessment.</p>
6.0	PLANNING ASSESSMENT
	Development Plan Context
6.1	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU1 – Accommodating new homes

	<ul style="list-style-type: none"> • Policy HOU2 – Windfall housing • Policy HOU4 – Density of residential development • Policy HOU5 – Affordable housing • Policy HOU6 – Housing mix • Policy HOU7 – Adaptable and accessible accommodation • Policy DES1 – Principles of urban design • Policy RD1 – New residential developments • Policy TRAN6 – Access to public roads • Policy TRAN8 – Car parking and servicing arrangements • Policy TRAN10 – Design of car parking • Policy ENV1 – Environmental quality • Policy ENV2 – Mitigating environmental change • Policy ENV3 – Adapting to environmental change • Policy ENV5 – SuDS • Policy OS3 – Ancillary open space • Policy NH1 – Protection of natural heritage resources • Policy BH3 – Area of townscape character • Policy TRE1 – Trees
6.7	<p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and Housing Mix • Design, layout and impact on the character and appearance of the area of townscape character • Climate change • Accessible and adaptable accommodation • Access and parking • Drainage • Noise, odour and other environmental impacts including contamination
6.8	The adoption of the Plan Strategy requires the following updated assessment.
6.9	<p><u>Additional Information</u></p> <p>Officers requested that the applicant provided a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p> <p>The Planning Service’s Plans and Policy team has been consulted on the applicant’s Plan Strategy and have provided advice. No further consultations have been considered necessary following adoption of the Plan Strategy.</p>
6.10	<p><u>Principle of development</u></p> <p>The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below. The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in Belfast City. Policy HOU2, Windfall Housing is also met as the proposal is situated on previously developed land.</p>

6.11

Design, layout and impact on the character and appearance of the area

The proposed development, by reason of its form, scale, layout, design and materials, is in keeping with the site and its surrounding area. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:

- a. *Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:*

The site is in a primarily residential area and the proposed layout will not conflict with the established uses in the surrounding area. There is a total of 18 social housing units proposed, comprising of 3person/2bed accommodation. The principal elevation is 3 storey with an additional floor above (attic) that is adjoined to a 3 storey terrace stretch and is therefore in keeping with the surrounding housing units. The proposed finishes are to consist of grey/black coloured roofs with red facing brick indicated on elevation drawings, which is in keeping with the surrounding area. The finishes reflect that of the surrounding area and compliment the traditional built form. The proposed development will be enhanced by quality hard and soft landscaping around the buildings.

It is considered that the overall design, scale and massing will not create conflict with adjacent land uses. The proposal will create a quality residential environment that creates an attractive, locally distinctive and appropriate design in relation to the surrounding area.

- b. *Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:*

The layout/aspect of all buildings within the site is such that there will be no significant overlooking into neighbour properties. There is a separation distance of approximately 15m from the rear wall of the proposed 2 storey element to the rear gable of the flats at Marsden Gardens. The separation distance is considered acceptable and in keeping with the guidance in Creating Places. There is also a similar separation distance between the existing properties located at Loughrey Court and those terraces situated on Marsden Gardens. The separation distance will ensure that dominance and overshadowing will not occur to an acceptable degree.

- c. *Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure*

The development site is approximately 1-200m from Bus Links that are situated on the on both the Antrim and Cavehill Road. The bus links form connections to all areas beyond the city centre. The surrounding area does not provide adequate cycling infrastructure, however there is accessibility to bus lanes to cycle to destinations within the city.

- d. *Provides adequate open space:*

The proposed units benefit from the provision of private rear amenity space bound by a 1800mm boarded fence and an area of private amenity space to the front bound by a red brick wall and metal railing at approximately 1350mm. The rear gardens are approximately 170sqm (not including gardens to the front) in size, this level of provision is in accordance with the standards set out in the Creating Places guidance document.

- e. *Keeps hard surfacing to a minimum*

Car parking is considered to not dominate the residential development as the rear of the property contains an abundance of soft landscaping.

<p>6.12</p> <p>6.13</p> <p>6.14</p> <p>6.15</p>	<p><i>f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.</i> The proposed scheme is in keeping with the space standards as set out in appendix C. The proposal consists of 3-person/ 2-bedroom apartments which are required to be 60sqm. The applicant's PS statement claims that all wheelchair units are between 80-85m2, and all other units are between 60-65m2.</p> <p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i> Whilst a number of the apartments are to the rear these can be accessed securely from the public street and from the private communal gardens.</p> <p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i> All units provide ample light through to living rooms, bedrooms and kitchens.</p> <p>Further to policy RD1, the proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.</p> <p>The proposal falls within the Lower Cavehill Area of Townscape Character. The area is largely residential with a townscape dating from the Victorian and Edwardian period with terraces hard to building edge or behind small front plots. Front facades are articulated with bay windows and cornice detailing. It is considered that the replacement building is sympathetic to the characteristics of the area and is an enhancement from what previously existed. Therefore, the proposal is in compliance with Policy BH3.</p> <p><u>Climate change</u></p> <p>The proposal maximises opportunities to incorporate sustainable design features where feasible. The applicant submitted a Climate Change Compliance Statement outlining the following features:</p> <ul style="list-style-type: none"> • A fabric first approach will be taken in choosing of materials and products within the development. This improves thermal comfort for the occupiers and reduced energy usage. • High performance insulation and energy efficient windows to improve the thermal envelope. • Lighting within stores, stairwells, communal hallways, and 'unpopulated' areas will be by means of movement sensor, thus minimising usage and wastage. • All white goods will be rated 'E' or above. • Each of the new apartments will be equipped with a 'pack' to inform occupiers about the efficient use of their heating and lighting systems. • Each of the new apartments will be equipped with an independent heating system, with individual time and temperature controls. • The 'common' entrance hallway leading from the main entrance and entrance stairwell, will be equipped with a separate independent heating system, with a separate temperature control system. • We will prioritise the use of sustainable materials during construction, focusing on those with low embodied energy and a minimal carbon footprint. The aim will be to source materials locally whenever possible, to reduce transportation related emissions. <p>It is accepted that the existing structure on site is unlikely to be beneficially changed to alternative uses and that the proposal has merit in terms of providing more sustainable/efficient buildings and uses.</p>
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6.16	By prioritising energy efficiency, sustainable materials, water conservation, waste management, and community engagement the proposal is compliant to Policy ENV 2- Mitigating Environmental Change in that it demonstrates opportunities to incorporate sustainable design features where feasible. It is considered that the proposal incorporates measures to adapt to environmental change including part d and h of Policy ENV3 of the Plan Strategy.
6.17	Furthermore, the submission states that there will be a considerable increase in trees and landscaping which will help improve the surface drainage and reduce run-off, as well as increase green infrastructure on site complying with Policy ENV2 and TRE1.
6.18	The LDP Environment team has accepted that the open space landscaped areas are an appropriate response to SuDS features but highlight that there are further opportunities to include more measures. However, the proposal on balance complies with Policy ENV5.
6.19	<u>Affordable housing and Housing Mix</u>
6.20	HOU5- Affordable Housing of the of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing. All 18 of the proposed units will be provided as affordable housing (100% provision).
6.21	However, Policy HOU5 requires that affordable housing should contain a mix of social rented housing/ and or intermediate housing. The affordable and housing mix SPG recognises at section 3.2.1 that a small-scale development involving 100% social housing may be deemed to meet the requirements of Policy HOU5 where an identified need is addressed and the proposal is able to contribute towards balanced communities and paragraph 4.4.11 notes that 'proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances'. Section 4.4.14 continues to state that whether a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by case basis using the following factors: <ul style="list-style-type: none"> - The level of social housing need in the vicinity of the site and the availability of land to address such needs; - The wider tenure and characteristics of and are, in order to minimise large areas of single tenure social housing; and - Whether a scheme is proposed as 'sharing housing'
6.22	NIHE have confirmed a need for social housing in this location based on the waiting list through a consultation response and are supportive of the proposal. Although there does appear to be other land available in the general area, the surrounding area is not dominated by social housing. Therefore, the proposal is complaint with Policy HOU5.
6.23	The proposed housing mix has been informed by an analysis of the prevailing housing need in the area. Support for the proposed housing mix has been confirmed by NIHE for social housing through consultation stating that there is a need for two-bedroom houses in the area. Therefore, the housing mix is considered acceptable having regard to policy HOU6 of the Plan Strategy 2035.
6.24	Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements.
6.25	Whilst the Settlement Areas are yet to be fully established in advance of the LPP, the site most logically aligns with the inner city character area and therefore in terms of Policy

	<p>HOU4 the assigned average density band of 75-150dph applies. The current application indicates that the number of residential units to be accommodated within the proposed scheme totals 18 units. Given the site area, the proposed density equates to around 151dph which is at the top end of the average density band for Inner city Belfast. Therefore, the proposal is compliant to Policy HOU4.</p>
6.26	<p><u>Adaptable and Accessible Housing</u></p> <p>Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible.</p> <p>The scheme contains 18 total units, meaning under HOU7, 2 of these would need to meet wheelchair accessible criteria. The proposal contains 3No. wheelchair accessible units, which appear to meet criteria g. to o., so HOU7 has been met in this case.</p>
6.27	<p><u>Access, movement, and parking</u></p> <p>DFI Roads have been consulted on the application and provide no objection subject to conditions. Therefore, Policy TRAN 6/8/10 have been complied with.</p>
6.28	<p><u>Drainage</u></p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and resolve any matters arising from the outstanding consultation response from SES in the event this is not received prior to Committee.</p>
6.29	<p><u>Waste-water infrastructure</u></p> <p>NI Water has objected to the proposal on grounds of insufficient capacity at the local wastewater treatment plant. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.</p>
6.30	<p>Accordingly, it has been necessary to consult SES and DAERA. SES are still outstanding, however should their response be that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects, mitigation in the form of a planning condition can be added to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. Delegated authority is requested to deal with any issues arising from the SES response when received, and the additional of any necessary conditions.</p>
6.31	<p><u>Noise, odour and other environmental impacts including Contamination</u></p> <p>The proposed site for social housing has been assessed by Environmental Health. Environmental Health have concluded that the remediation solutions to previously identified contaminated sources identified through a GQRA are acceptable. Conditions relating to contamination will be attached to an approved scheme.</p>
6.32	<p>With regards to air quality and noise, Environmental Health have recommended a condition that in the event that any centralised combustion sources (boilers, CHP or biomass) are proposed further details are to be submitted for review and approval. There were no concerns raised relating to general amenity and odour.</p>

7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and a section 76 to secure the social housing on the site.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the S.76, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans.

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

3. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

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

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

5. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

6. The vehicular access, including visibility splays, shall be provided in accordance with the approved Drawing, prior to the occupation of any other works or other development hereby permitted.

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

7. The development shall operate in accordance with the Travel Plan.

Reason: To encourage alternative modes of transport to the private car.

8. Prior to the occupation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation

measures outlined in the report entitled Hopefield Avenue, Belfast Detailed Remedial Strategy 787-B038678 First Issue Causeway Geotech Document prepared on behalf of Tetra Tech Consulting (Northern Ireland) Limited: No. NI667243. Dated June 2023 and the Tetra Tech cover letter entitled- Response to Belfast City Council Letter. Ref ST/JC/607104, 13th January 2022. Including Submission of Detailed Remediation Strategy. Ref: 787-B038678. Dated the 7th of June 2023.

The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use, residential without plant. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance (C748 CIRIA & C735) and British Standards BS8485:2015+ A1:2019.

In particular, the Verification Report must demonstrate that:

- a) The final site layout is as per the drawing entitled- ROLSTON Architects, Proposed Site Layout Plan and Ground Floor Plan dwg.no. 21.1064 SK01G. Included in Detailed Remedial Strategy 787-B038678
- b) All fuel storage tanks, and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27)
- c) All remaining soils beneath the tank locations are to be proven suitable for the proposed end-use (Residential without Plant Uptake).
- d) A minimum 500mm capping system has been emplaced in all communal landscaped areas formed from material that is demonstrably suitable for use (residential without plant uptake).
- e) Gas and VOC protection measures installed as per BS 8485:2015+A1:2019:
 - Cast in situ monolithic reinforced ground bearing raft with minimal penetrations or Precast suspended segmental subfloor
 - A gas resistant membrane which meets all requirements of Table 7 of BS 8485:2015+A1:2019.
 - Ventilation protection in the form of a 150mm passive sub floor void which provides at least good performance.
 - Gas protection measures must be verified in line with the requirements of CIRIA C735.
 - VOC vapour protection measures shall be installed and verified in accordance with the requirements of CIRIA C748.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

9. If during the carrying out of the development, new contamination is encountered that has not been previously identified, all related works shall cease immediately, and the Council shall be notified immediately in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

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

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

11. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 13 and 14 will apply.

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

12. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:

<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>.

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

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

14. After completing the remediation works under Condition 13; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

SES conditions to be added on receipt of consultation responses.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
 - 01 – Site location plan
 - 02e – Proposed site layout and GF plan
 - 03b – Proposed first and second floor plan
 - 04c – Proposed third floor plan
 - 05c – Proposed front elevation and section
 - 06c – Proposed rear elevation and section
 - 07a – Proposed gable elevation and section
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX

Date Valid	04/04/2022
Date First Advertised	12/04/2022
Date Last Advertised	12/04/2022
Details of Neighbour Notification (all addresses) 5 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN 2 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN 10 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN 8 Loughrey Court,Belfast,Antrim,BT15 5AU 20 Hopefield Avenue,Belfast,Antrim,BT15 5AP 13 Hopefield Avenue,Belfast,Antrim,BT15 5AP 10 Loughrey Court,Belfast,Antrim,BT15 5AU 11 Hopefield Avenue,Belfast,Antrim,BT15 5AP 22-30 Catherwood House,Hopfield Avenue,Belfast,Antrim,BT15 5AP Unit 1,22-30 Catherwood House,Hopfield Avenue,Belfast,Antrim,BT15 5AP 8 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN Unit B - Rear Yard,22-30 Catherwood House,Hopfield Avenue,Belfast,Antrim,BT15 5AP	

7 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
4 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
5 Hopefield Avenue,Belfast,Antrim,BT15 5AP
7 Loughrey Court,Belfast,Antrim,BT15 5AU
9 Hopefield Avenue,Belfast,Antrim,BT15 5AP
6 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
7 Hopefield Avenue,Belfast,Antrim,BT15 5AP
1 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
11 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
9 Loughrey Court,Belfast,Antrim,BT15 5AU
22-30 Catherwood House,Hopfield Avenue,Belfast,Antrim,BT15 5AP
3 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
9 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
Unit A - Rear Yard,22-30 Catherwood House,Hopfield Avenue,Belfast,Antrim,BT15 5AP
18 Hopefield Avenue,Belfast,Antrim,BT15 5AP
12 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
16 Hopefield Avenue,Belfast,Antrim,BT15 5AP

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Addendum Report 1	
Committee Meeting Date: 16/01/2024	
Application ID: LA04/2022/2103/F	Target Date:
Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.	Location: 1 and 2 Duncrue Pass Belfast BT3 9BS.
Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation (discretion of the Director of Planning and Building Control)	
Recommendation:	Approve
Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR	Agent Name and Address: Jobling Planning & Environment Ltd 1A Nixon Building LED COM Business Park 100 Bank Road Larne BT40 3AW
<p>Background</p> <p>This application was to be considered by the Planning Committee at its 17th October 2023 meeting. However, the application was deferred for two reasons. Firstly, in order that Members could undertake a site visit. A Committee site visit subsequently took place on Monday 13th November 2023, but because Members could not access the land during this visit a further site visit has been rescheduled to 10th January 2024.</p> <p>Secondly, that the issues raised by Shared Environmental Services (SES) in their consultation response can be resolved.</p> <p>Following clarification from the applicant on a number of technical matters, SES confirms that it has reviewed and considered the clarification provided by the applicant's consultant and that it does not require any further information. SES has undertaken an HRA assessment and advises that the project would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects.</p> <p>The applicant's consultant had provided the following information (SES points in black type and the clarification from the applicant in red type):</p> <ul style="list-style-type: none"> <i>Appendix 14.1 describes the methodology, inputs and baseline review of air quality considered. It would be considered standard for an AQIA to provide <u>full details of all modelled outputs</u>. The results as presented in Table 14:25 of Chapter 14 note that the presented PCs are based upon an average of the modelled 5-year dataset. SES require sight of the modelled outputs from which the presented PC has been determined. SLR: The modelled Process Contribution (PC) for each of the individual modelled 2016 – 2020 years can be provided. However, SLR notes that the approach to the presentation of a 5-year average PC is consistent with the applied H1 assessment methodology and as agreed within the Scoping Opinion.</i> 	

- *Chapter 14 Table 14.25 – As NED response (04/10/2023) the NH3 PC as % of CLe is incorrect. SLR: The stated ammonia (NH3) Process Contribution (PC) as a percentage of the Critical Level (CLe) is correct, based upon the applied annual mean CLe of 3µg/m³. SLR notes that all PCs are rounded to 3sf.*
- *Chapter 14 Table 14.17 – It is stated the NH3 Annual Mean baseline as presented on APIS for the 2018-2020 3-year average. APIS checked on 16/10/23 for the 2018-2020 3-yr average and the values presented in the Table do not correspond to the website, clarification on difference is required. SLR: It is noted that in the interim since the Air Quality Assessment / Air Quality Chapter to the ES has been completed, the Air Pollution Information System (APIS) has been updated to provide background concentrations (levels) and loads based a revised 2019 – 2021 base year. Furthermore, as stated within Section 3.3.1 Critical Levels of the Air Quality Technical Appendix, the presented baseline concentrations are based upon the area of impact (i.e. the location where the maximum PC occurs as identified through the modelling) and not the 'average' across the considered designation. Notwithstanding, and based upon the applied H1 assessment methodology, as the PCs remain below <1% of the applied CLe, consideration of Predicted Environmental Concentrations (PEC) (i.e. PC + background) is not required.*
- *The predicted process contribution on ER1 at the point of impact (POI) is not clear or defined. Grid reference for POI at European sites should be presented in NI Grid Reference format with the PC at this point presented to enable a robust assessment for the consideration of qualifying features. SLR: The National Grid Reference (NGR) for the location of the modelled PC can be provided if required. However, to provide a robust assessment, as stated with the Air Quality Chapter to the ES / Air Quality Technical Appendix, the assessment of Critical Loads has been completed based upon the most sensitive habitat type / Critical Load class as reported by APIS irrespective of whether that habitat type occurs at that given location.*

Further to the SES response and completion of the HRA, the proposal is considered compliant with Policy NH1 of the Plan Strategy.

SES and DAERA have been invited to attend the Committee to field any questions that the Committee may have.

This report should be read in conjunction with the report to the October 2023 Committee, appended.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

Development Management Officer Report

Committee Application

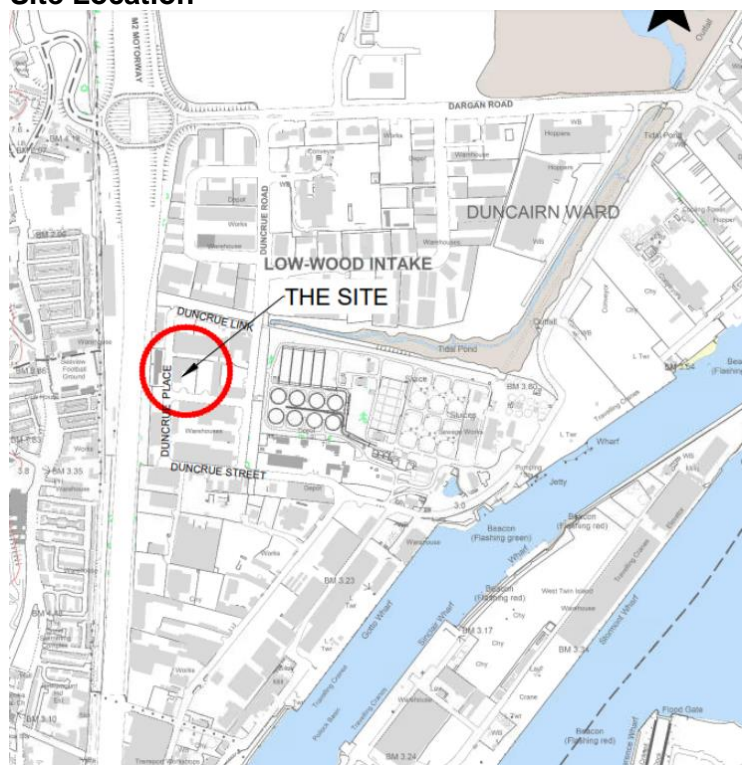
Summary	
Committee Meeting Date: 17/10/2023	
Application ID: LA04/2022/2103/F	Target Date:
Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.	Location: 1 and 2 Duncrue Pass Belfast BT3 9BS.
Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation	
Recommendation:	Approve
Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR	Agent Name and Address: Jobling Planning & Environment Ltd 1A Nixon Building LED COM Business Park 100 Bank Road Larne BT40 3AW
<p>Executive Summary:</p> <p>This application seeks full planning permission for a proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> Principle of development Natural Heritage and Impact on ecology Impact on water / marine environment Design, Layout and Visual Impact Impact on Amenity and Environmental Health (Noise, Air Quality and Land Contamination) Access, parking and transport Flood risk Waste Infrastructure <p>Recommendation</p> <p>It is considered the proposal complies with the policies of the PS in respect of waste management, environment, ecology, economic development, residential amenity, transport, flood risk and climate change. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and to a positive response from Shared Environmental Services in respect of Habitats Regulations Assessment.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Officer Report

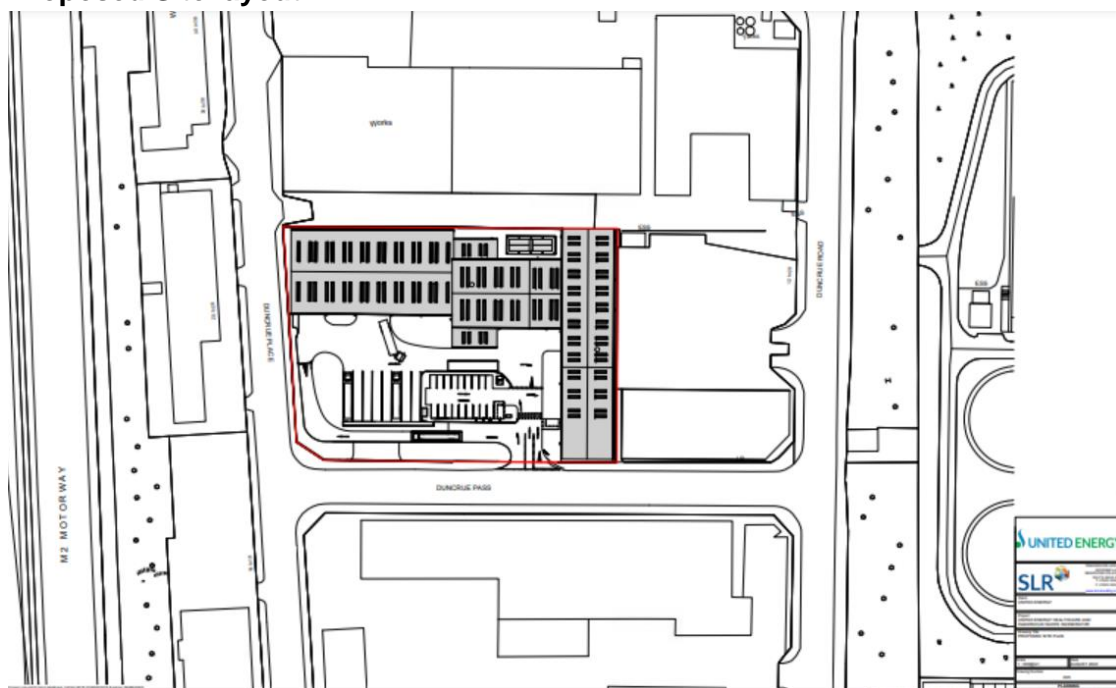
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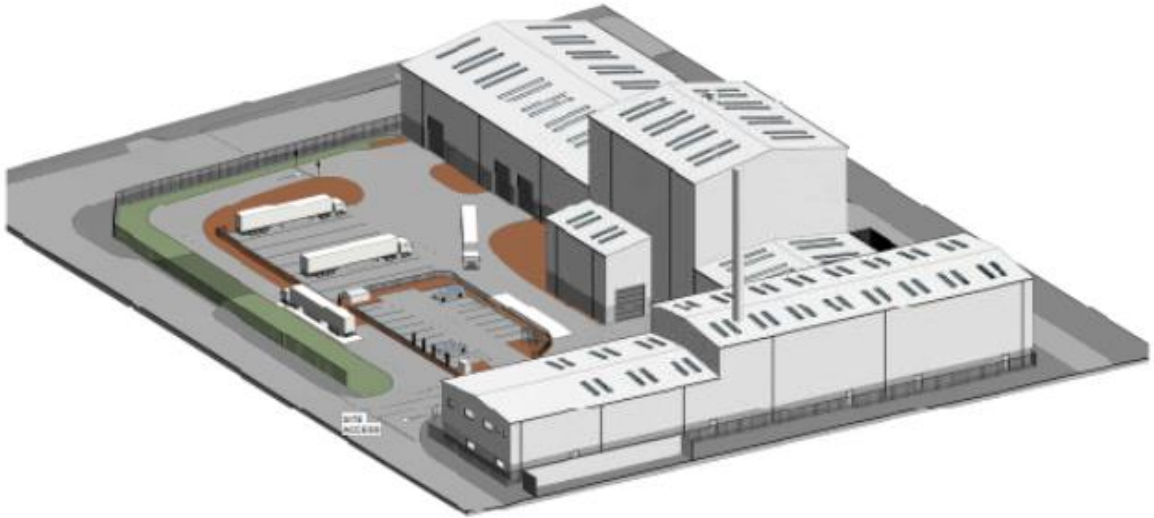
Drawings

Site Location



Proposed Site layout



Sketch Views:

2.0	Characteristics of the Site and Area
2.1	The site comprises Units 1 and 2 Duncrue Pass, and it lies within the Belfast Harbour Estate which is predominantly industrial in nature. The site is situated in the west of this industrial estate and is located on the corner of Duncrue Pass and Duncrue Place and extends to approximately 0.99 Ha in area.
2.2	The surrounding land uses comprise a mixture of Class B2 Light Industrial; B3 General Industrial; Class B4 Storage and distribution; and waste management facilities (sui generis). To the south and west, the site is abutted by the two roads, Duncrue Pass and Duncrue Place, which separate it from the adjoining industrial warehouse units. To the north is a former waste Materials Recovery Facility (Irish Recycling Services) which is

2.3	<p>now dormant. The M2 Motorway is located approximately 75 metres to the west of the site and this physically separates the Duncrue Industrial area from the rest of Belfast.</p> <p>Unit 1 currently comprises an existing waste transfer station and materials recovery facility operated by Ace Bates Skip Hire Ltd and planning permission was recently granted to extend this waste management use into the adjoining Unit 2. Unit 2 is currently leased by Speedy Hire, which operates a commercial plant hire business.</p>
3.0	Description of Proposal
3.1	The proposal seeks to change the use of the existing sui generis waste management use to create a thermal treatment facility for the incineration of clinical and hazardous waste streams. The proposal will have an annual intake capacity of circa 20,000 tonnes of healthcare and hazardous wastes and will generate an energy output capacity of up to 10MW of heat with potential for conversion to up to 2-3MW of electricity.
3.2	<p>The proposed waste management site operations will involve these 4 key stages;</p> <ul style="list-style-type: none"> • Reception and secure of incoming waste • Thermal treatment by incineration • Removal of recycle component parts • Energy Recovery
3.3	<p>It is anticipated the facility will accept healthcare waste (hazardous & non-hazardous) from the following streams:</p> <ul style="list-style-type: none"> • Hospitals • Pharmacies • Dentists • Care Homes • Veterinary • Sanitary wastes • Waste from Shipping / Air Travel industry • Other hazardous waste contractors and waste producers
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – Operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Relevant Planning Site History <u>Application Site:</u> Z/2006/2897/F - Erection of waste processing plant, with associated car parking and siteworks – Approved</p> <p>Z/2010/0585/F - Proposed extension to existing waste sorting and treatment facility building to provide additional storage and processing area and permit the acceptance of road sweeping wastes – Approved</p>

	<p>Z/2012/1294/F - Proposed modifications to existing WTS/MRF facility to include an extension to the existing building, covered yard area, changes to internal layout and additional processing infrastructure. Including internal storage bays, storage of baled RDF, biomass boiler and the acceptance of additional EWC codes – Approved</p> <p>LA04/2020/0791/F - Proposed extension to existing MRF facility to include extension to existing building no.1. Change of use of adjoining site to provide additional floorspace - Approved</p> <p>LA04/2021/2145/PAN - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works – Decided</p>
5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DfI Roads – No objection, subject to conditions.</p> <p>NI Water – No objection.</p> <p>DAERA NIEA – No objection.</p> <p>DFI Rivers – No objection.</p>
5.2	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health – No objection, subject to conditions.</p> <p>Shared Environmental Services (SES) – Response outstanding.</p> <p>NIE – No objection.</p>
5.3	<p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>
5.4	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received one non-committal representation dated 24th August from a representative of clients in the vicinity of the proposal. The representation requested assurances that the application will not be determined until they have had sufficient time to review the proposal and reserved the right to make further representation, either in support of or objection to the proposal.</p>
6.0	PLANNING ASSESSMENT
6.01	<p>Environmental Impact Assessment</p> <p>An Environmental Statement (ES) was submitted as part of the application in line with the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. This assessed the environmental impacts of the proposed development.</p>
6.02	<p>Habitats Regulations</p> <p>This planning application is being considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p>
6.03	<p>Shared Environmental Services were consulted on 4th October 2023 and their comments are currently outstanding on date of publication.</p>

6.04	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.05	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.06	<p>The Development Plan is the Belfast Local Development Plan (LDP), which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The LDP is in two parts: Part 1 is the Plan Strategy (PS), which was adopted on 02 May 2023. Part 2 is the Local Policies Plan (LPP), which will provide the zonings and proposals map for Belfast and has yet to be published.</p>
6.07	<p>Operational policies – the LDP PS contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.08	<p>Proposals Maps – until such time as the LPP is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the BUAP, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process.</p>
6.09	<p>The site is located within the development limits of Belfast and is un-zoned whiteland within the adopted BUAP. dBMAP identifies the site as being located within Belfast Harbour Area (Designation BHA 08-v2004) (Designation BHA 06-v2014) and is classified as a Major Area of Existing Employment/ Industry.</p>
6.10	<p>Relevant Planning Policies/Guidance</p> <p>The following policies/guidance in the Plan Strategy are relevant to consideration of the application.</p>
6.11	<p>Regional Development Strategy for Northern Ireland (RDS) 2035 Strategic Planning Policy Statement (SPPS) Policy SP1A – Managing growth and supporting infrastructure delivery Policy SP2 – Sustainable development Policy EC3 – Major employment and strategic employment locations Policy W1 – Environmental impact of a waste management facility Policy W2 – Waste collection and treatment facilities Policy TRAN 3 – Transport Assessment Policy TRAN 6 – Access to Public Roads Policy TRAN 8 – Car Parking and Servicing Arrangements Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV 4 – Flood Risk Policy NH1 – Protection of Natural Heritage Resources</p> <p>Supplementary Planning Guidance – Waste Infrastructure</p> <p>Principle of development</p>

6.12	The site is located within the development limits of Belfast and is un-zoned whiteland within the adopted Belfast Urban Area Plan 2001. The draft Belfast Metropolitan Area Plan 2015 identifies the site as being located within Belfast Harbour Area (Designation BHA 08-v2004) (Designation BHA 06-v2014) and is classified as a Major Area of Existing Employment/ Industry. Policy EC3 states that appropriate sui generis uses will be directed towards Major employment locations, such as Belfast Harbour. Para 8.1.23 states that such areas are considered suitable for certain 'sui generis' uses as they could potentially harm residential amenity and are therefore considered most suited to an industrial estate.
6.13	There are multiple waste management facilities within the wider Duncrue area, including Irish Waste, McKenzies NI, River Ridge and McKinstry Waste Transfer Station, which are all located in very close proximity to the site. The proposed use is in keeping with the mixed industrial and waste uses within the Belfast Harbour Estate. The Industrial Estate comprises a coarse urban grain, with large, condensed blocks of industrial development, arranged around wide streetscapes, reflective of the industrial nature of the context. The scale and massing of the built form is large and dense and comprises mainly substantial industrial buildings.
6.14	Regional Development Strategy for Northern Ireland 2023 The RDS identifies the Belfast Harbour Industrial Estate as a location for growth through its Strategic Planning Guidelines and encourages opportunities for job creation.
6.15	Policy RG5 relates to the delivery of a sustainable and secure energy supply. It states that Northern Ireland needs a robust and sustainable energy infrastructure and advises that new generation infrastructure should be designed to avoid adverse environmental impacts, particularly on or near to protected sites.
6.16	Strategic Planning Policy Statement (SPPS) The SPPS advises that Planning authorities should take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Planning authorities should also recognise and encourage proposals that could make an important contribution to sustainable economic growth when drawing up new plans and taking decisions. The proposal represents an economic development proposal, supporting and enabling sustainable growth through job creation and retention within the local area.
6.17	The SPPS position on Waste Management is a key operational policy for this proposal. There is a presumption in favour of development unless it will cause demonstrable harm. The SPPS also acknowledges that the provision of waste facilities and infrastructure can make a valuable contribution towards sustainable development. The aim of the SPPS in relation to waste management is to support wider government policy focused on the sustainable management of waste and a move towards resource efficiency. The key objectives of the SPPS are to promote waste development in appropriate locations, ensure that detrimental impacts on people, the environment and local amenity are avoided or minimised and secure appropriate restoration of sites for after-use.
6.18	General Overview of Development This proposal primarily relates to the treatment of healthcare and hazardous waste and a small proportion of other wastes such as those arising from planes and the cruise ship industry. In addition, a small number of hazardous waste streams that are currently collected and exported out of the country shall be treated at this facility.
6.19	This proposed waste management facility will meet a deficit in the infrastructure in Northern Ireland (NI) and Ireland (ROI) and will offer a solution for the Island of Ireland for the treatment of healthcare waste, that is currently shipped to the UK or other parts of Europe

	for disposal or recovery. There is currently no high temperature incineration facility for healthcare and hazardous waste currently in NI / ROI, other than at industrial sites operated by individual waste producers. A proportion of the less difficult healthcare waste is still currently landfilled in Ireland.
6.20	The proposed facility will deliver a self-sufficient and safe way of disposing of these types of waste within the country of origin, reducing reliance on overseas transport, traditional landfill disposal and will remove the need to export this waste to other countries for treatment, as is currently the practice.
6.21	The proposal will have an annual intake capacity of circa 20,000 tonnes of healthcare and hazardous wastes and will generate an energy output capacity of up to 10MW of heat with potential for conversion up to 1-2MW of electricity. It is proposed that the energy generated onsite will be used to provide the operation of the plant, and other nearby businesses with a source of heat energy and electricity.
6.22	<p>Impact on Water Environment</p> <p>DAERA NIEA Marine and Fisheries Division (MFD) note that the proposed development is in close proximity to Belfast Lough, a Shellfish water protected area. DAERA NIEA Water Management Unit (WMU) advise that if NI Water are content that both Belfast WWTW and associated sewer network can take the additional load from the proposal, they will have no objection to that aspect of the proposal. WMU have recommended a condition in relation to sewage disposal agreement in the event of approval. NIW have offered no objection in respect of the proposal.</p>
6.23	<p>Impact on Ecology</p> <p>DAERA NIEA Natural Environment Division (NED) note the application site is in close proximity and hydrologically linked to the following national, European and international designated sites:</p> <ul style="list-style-type: none"> • Belfast Lough Ramsar • Belfast Lough Special Protection Area (SPA) and Belfast Lough Open Water SPA • Inner Belfast Lough Area of Special Scientific Interest (ASSI), Outer Belfast Lough ASSI, Belvoir ASSI and Craigantlet Woods ASSI.
6.24	A Biodiversity checklist and additional environmental information were submitted in support of the proposed development. NED noted potential impacts on the designated sites, specifically contamination of aquatic environment and associated habitats via sedimentation hydrocarbon spills and leachate from building materials and airborne pollutants that can affect aquatic and terrestrial environments. NED also acknowledged that the proposal is located within an existing operational industrial unit. NED concluded that they had considered the potential impacts and are content with the proposal.
6.25	<p>Impact on Amenity and Environmental Health</p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The development has taken wider health considerations into account through the design process and the effects on wider human health are anticipated to be negligible. The nearest residential properties are located over 250 metres from the application site in the Shore Road area to the west.</p>
6.26	<p>Air Quality</p> <p>An Air quality impact assessment (AQIA) has been submitted as part of the Environmental Statement. BCC Environmental Health (EHO) have advised that long and short-term ambient air quality impacts from the development are predicted to result in a 'not significant' effect at considered human receptor locations. Consequently, EHO conclude that the</p>

	submitted AQIA adequately demonstrates that the proposal will not have an adverse impact upon air quality in the vicinity of the proposal and that relevant human health receptors will not be exposed to air quality concentration exceeding air quality objectives. EHO also advise they have no concerns regarding air quality during the construction phase.
6.27	<p>Contamination</p> <p>A Preliminary and Generic Quantitative Risk Assessment (PRA & GQRA) report has been provided in support of the planning application. The GQRA is informed by site investigations and environmental monitoring data. Following consultation with both NIEA Land and Regulation Unit and EHO, it is considered that no unacceptable risks to environmental receptors have been identified for the development. Conditions have been provided in relation to contamination from both consultees, in the event of approval.</p>
6.28	<p>Noise</p> <p>A Noise impact assessment (NIA) has been submitted as part of the Environmental Statement. The NIA presents predicted levels and conclusions which suggest that the development is acceptable in principle in terms of noise impact. EHO also note that the proposed process will be subject to the legislative requirements under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 which as a part A process, will be enforced by DAERA. The subsequent application for a Part A permit will require a BS4142 noise assessment to be conducted and submitted to DAERA for review and a decision to issue the permit with or without conditions. Consequently, EHO have not suggested conditions in relation to noise.</p>
6.29	<p>Economic Development</p> <p>The proposal represents an economic development proposal, supporting and enabling sustainable growth through job creation and retention within the local area. The proposal would also be compliant with Policy EC3 – Major employment and strategic employment locations. A key priority is to focus economic development in the city's key employment area and directs new employment development towards Belfast Harbour Major Employment Location.</p>
6.30	<p>Design, layout and Visual Impact</p> <p>In terms of the physical development, this proposal involves four component parts, relating to Building 1, Building 2 and Yard. The proposal involves the change of use and physical modification of the existing Building 1, to remove existing bay involving a reduction in the total floorspace. The proposal also includes an extension to Building 1, to extend it laterally to connect to building 2. This extension measures 29.36 m to the ridge and forms the highest building within the site. The use of Building 2 is proposed to change from Class B2 & B4 and includes modifications to extend the ridge height of part of the building (to 17.37 m) and the installation of a flue, 36 m in height. The proposal also includes the reconfiguration of the external yard area.</p>
6.31	<p>The scale and massing of the built form of the area is large and dense and comprises mainly substantial industrial buildings. It is acknowledged that the proposed buildings and flue are large, however given the existing character of the surrounding area, it is not considered that the visual impact of the proposal will be detrimental.</p>
6.32	<p>Access, parking and transport</p> <p>The proposal has been assessed against Policy TRAN3, TRAN 6 and TRAN8. In assessing the proposal, DFI Roads considered a number of supporting documents, including a Traffic Flow Assessment and Transport section within the environmental statement (Chapter 15). DFI Roads offer no objection to the proposal, subject to conditions.</p>

6.33	<p>Flood Risk, Drainage & Infrastructure capacity</p> <p>The application has been assessed against Policy ENV4 - Flood Risk. The application site is not impacted by the floodplain, however a Drainage assessment was submitted as part of the Environmental Statement. DFI Rivers provided comments on the submitted information and accept the logic, therefore offering no objection. The proposal is suitably designed to meet the drainage requirements.</p>
6.34	<p>Mitigating Environmental Change</p> <p>The proposal includes the part demolition of some of the existing buildings on site, however the proposal incorporates the re-use of two large buildings on the site, in accordance with policy ENV2 of the PS.</p>
6.35	<p>Waste Infrastructure</p> <p>As per policy W1 – Environmental impact of a waste management facility. Planning permission will be granted for a waste management facility when the following criteria are met:</p>
6.36	<p><i>(a) The proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment;</i></p> <p>All waste storage and thermal treatment will be carried out internally and this will mitigate against any potential risks. A full environmental assessment of this land use has been undertaken and the Environmental Statement accompanies this application. This demonstrates that the proposal will not result in adverse harm to human health or the environment.</p>
6.37	<p><i>(b) The proposal is designed to be compatible with the character of the surrounding area and adjacent land uses;</i></p> <p>The proposal is compatible with an approved adjacent land use and the pre-existing use of the Building 1 as a waste management facility and equally the site is compatible with adjacent land uses which comprise a mix of industrial and other waste management uses.</p>
6.38	<p><i>(c) The visual impact of the waste management facility, ... is acceptable in the landscape and the development will not have an unacceptable visual impact on any area designated for it landscape quality'</i></p> <p>Similar built form is already established. It is acknowledged that the building is significantly higher than existing, however the visual impact is not considered detrimental in the context of the existing built form and will read as part of the pre-established built development. Furthermore, the proposal will not impact visually on any area designated for its landscape quality.</p>
6.39	<p><i>(d) The access to the site and the nature and frequency of associated traffic movements will not prejudice the safety and convenience of road users or constitute a nuisance to neighbouring residents by virtue of noise, dirt or dust;</i></p> <p>The annual throughput of waste to be treated at this site is significantly reduced. It is currently licensed to accept 100,000 tonnes per annum and this proposal will reduce that to 20,000 tonnes per annum. This will result in a 59% reduction of daily car/ van movements and 75% reduction of heavy goods vehicles. Therefore, there is a net benefit to road network. Environmental Health have been consulted with regards to noise, dirt and dust and raised no issues.</p>
6.40	<p><i>e) The public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated;</i></p> <p>As per point (d), this proposal will result in a net reduction of vehicle movements and the network can therefore accommodate this. DFI Roads were consulted and have no objection.</p>

6.41	<p><i>(f) Adequate arrangements shall be provided within the site for parking, servicing and circulation of vehicles;</i></p> <p>Adequate parking, turning and servicing of vehicles is proposed as indicated on the drawings.</p>
6.42	<p><i>(g) Wherever practicable, the use of alternative transport modes, in particular, rail and water, has been considered;</i></p> <p>Not applicable to this application.</p>
6.43	<p><i>(h) The development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests;</i></p> <p>There are no features of nature conservation or archaeological/built heritage interests in close proximity to the site. This is fully demonstrated through the Environmental Statement and Shadow Habitats Risk Assessment.</p>
6.44	<p><i>(i) The types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures;</i></p> <p>A full environmental assessment of this land use has been undertaken and the Environmental Statement accompanies this application. The Environmental Statement has been assessed by external consultees with no objections, therefore it is considered the proposal will not pose a serious environmental risk to air, water or soil resources.</p>
6.45	<p><i>(j) the proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere;</i></p> <p>The site is not within a flood plain and would not be at risk from flooding nor exacerbate flooding elsewhere.</p>
6.46	<p><i>(k) the proposal avoids (as far as practicable) the permanent loss of the best and most versatile agricultural land;</i></p> <p>There is no impact on agricultural land.</p>
6.47	<p><i>(l) in the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site.</i></p> <p>The proposal does not involve landfilling.</p>
6.48	<p>As per policy W2 – Waste collection and treatment facilities, planning permission will be granted for a treatment facility where:</p>
6.49	<p><i>a. There is a need for the facility as established through the council's WMP or in consultation with the council in relation to projected need for a particular stream.</i></p> <p>The need for this facility is established through the WMS and WMP and will offset the need to export the waste for incineration in other jurisdictions. Furthermore, para 9.2.13 states that the targets contained within the WMS require a significant shift away from landfill to enable a move towards a circular economy, which this proposal supports.</p>
6.50	
6.51	<p>The proposal also complies with criterion b1 of policy W2 as it is located within an industrial / port area and the proposal is appropriate to the character of the area.</p> <p>With regard to criterion c of policy W2:</p> <ul style="list-style-type: none"> • The location of the proposed facility relates closely to and benefits from easy access to key transport corridors, including road and water.

6.52	<ul style="list-style-type: none"> The building will be modified to meet the specific requirements of the proposed development; The waste handling, storage, treatment and processing techniques will be managed and appropriate to the waste stream, with heat and electricity recovery appropriately addressed. The thermal treatment by incineration will maximise energy recovery in the form of heat and electricity and will be used locally to power adjoining users; and, The proposal has been subject to a robust Environmental Impact Assessment to ensure the scheme will not result in an unacceptable adverse impact.
6.53	In assessment of the above waste policies, the proposal is considered acceptable.
7.0	Recommendation
7.1	It is considered the proposal complies with the policies of the PS in respect of waste management, environment, ecology, economic development, residential amenity, transport, flood risk and climate change. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and to a positive response from Shared Environmental Services in respect of Habitats Regulations Assessment.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The vehicular access shall be provided in accordance with the approved drawings, prior to the operation of any other works or other development hereby permitted.

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

3. The development hereby permitted shall not become operational until the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated.

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

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawings, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

REASON: To ensure adequate provision has been made for parking within the site.

5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the City Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable

human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. No development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: <http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>.

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

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

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

9. After completing the remediation works under Condition 8; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

10. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance


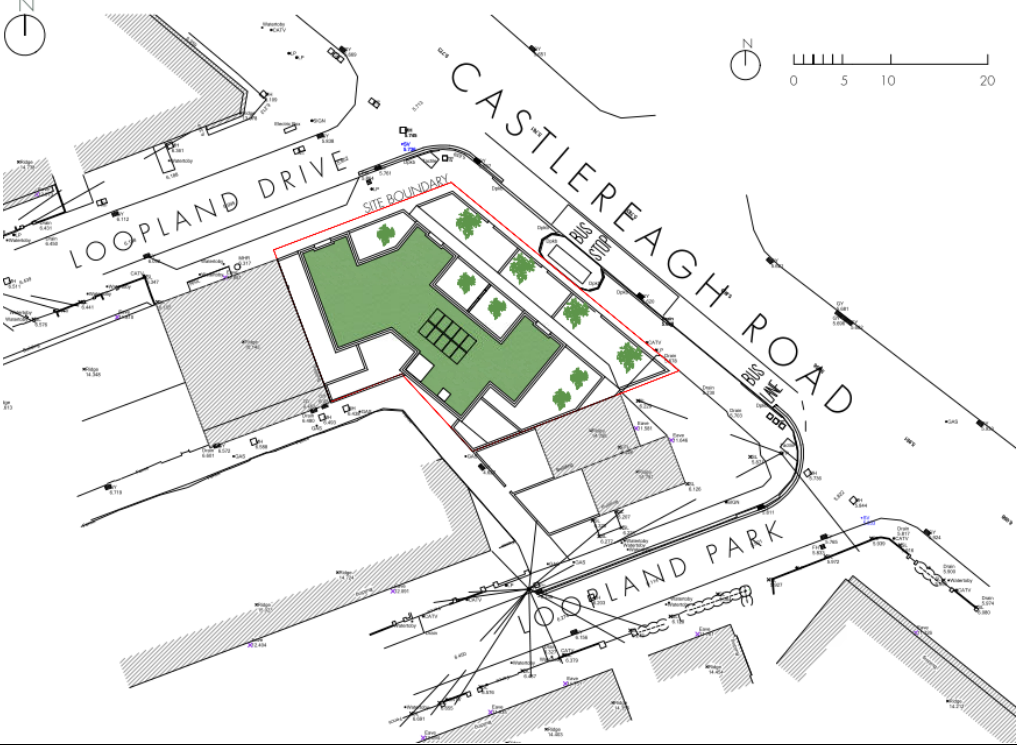
(PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 9 will apply.

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

ANNEX	
Date Valid	03/10/2022
Date First Advertised	17/02/2023
Date Last Advertised	17/02/2023
Details of Neighbour Notification (all addresses)	
1 DUNCRUE PLACE, LOW-WOOD INTAKE BELFAST, ANTRIM, BT3 9BU 13A DUNCRUE ROAD, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BP 1B DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1D DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1J DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1P DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 1R DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS 2-10 DUNCRUE ROAD, LOW-WOOD INTAKE, BELFAST, ANTRIM BT3 9BN (6 Occupiers) 5 DUNCRUE PLACE, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BU 9 DUNCRUE PLACE, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BU DFP WORKS DUNCRUE LINK, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9DL MEAT PLANT, 1 DUNCRUE LINK, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/2418/F	Committee Meeting Date: 16 th January 2024
Proposal: Demolition of existing retail units and vehicle drop off area of 215-225 Castlereagh Road, Belfast and erection of 4 storey apartment building containing, 16 no apartments with associated development and ancillary works.	Location: 215-225 Castlereagh Road, Belfast, BT5 5FH
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval	
Applicant Name and Address: Richard Steenson 32-38 Linenhall St Belfast BT2 8BG	Agent Name and Address: Ciaran Shields 1 Church Square Banbridge BT32 4AS
<p>Executive Summary: This application seeks full planning permission for the demolition of existing units and vehicle drop off area of 215-225 Castlereagh Road, Belfast and erection of 4 storey apartment building.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Design, scale, layout and impact upon the character and appearance of the area including residential amenity • Impact on Amenity • Affordable Housing and Housing Mix • Accessible and Adaptable Accommodation • Climate Change • Drainage • Traffic, Movement and Parking • Waste-water Infrastructure <p>Noise, odour and other environmental impacts including contamination</p> <p>Recommendation Having regard to the development plan and other material considerations, including the extant planning permission, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement being entered into to secure affordable housing.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding Rivers Agency consultation, provided that they are not substantive.</p>	

Officer Report	
1.0	Drawings
1.1	<div><div><div>Fig 1. Site Location Plan</div><div></div></div><div><div>Fig.2 Proposed Site Layout</div><div></div></div></div>

2.0	Characteristics of the Site and Area
2.1	The site is located at 215-225 Castlereagh Road. The current building on site is single storey and is occupied by retail businesses. There is a drop off area to the front of the site for cars included in the application site. Further in front of this is a bus stop. Loopland Drive and Loopland Park are adjacent to the site and are predominantly residential, with a takeaway and patisserie immediately adjacent to the site on the Castlereagh Road. Opposite the site there is a large retail park and an apartment complex. Boundary treatments in the area are comprised of low brick walls with metal railings and hedgerows.
3.0	Description of Proposal
3.1	Demolition of existing retail units and removal of vehicle drop off area at 215-225 Castlereagh Road, and erection of a 4 storey apartment building containing 16 no apartments with associated development and ancillary works.
3.2	The proposed building will range in height from three to four storeys along the front elevation facing onto the Castlereagh Road.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History
4.6	No significant recent history on the application site.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – Content subject to conditions DfI Rivers – Content NI Water – Approval
5.2	Non-Statutory Consultations BCC Environmental Health – Content subject to conditions BCC Senior Urban Design Officer– Advice.
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.

5.4	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received the following representations in support and objection.</p> <p>Objections: 6</p> <p>The objections raise issues regarding the below:</p> <ul style="list-style-type: none"> - Loss of privacy - Loss of light - Scale and massing of the proposal - Parking and traffic - Disruption during construction - Contamination - Air quality - Sewage and drainage
6.0	<p>PLANNING ASSESSMENT</p>
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p>

<p>6.7</p>	<p><i>Strategic Policies</i> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SP8 – green and blue infrastructure network</p> <p><i>Spatial Development Strategy</i> Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i> Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of Residential Development Policy HOU5 – Affordable Housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and Accessible Accommodation Policy DES1 – Principles of Urban Design Policy RD1 – New Residential Developments</p> <p><i>Transport</i> Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p><i>Building a Smart Connected and Resilient Place</i> Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p><i>Promoting a Green and Active Place</i> Policy OS1 – Protection of Open Space Policy OS3 – Ancillary Open Space Policy TRE1 – Trees Policy LC1 – Landscape</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development</p> <p>6.8 Key Issues The key issues are:</p> <ul style="list-style-type: none"> • Principle of development
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	<ul style="list-style-type: none"> • Design, scale, layout and impact upon the character and appearance of the area including residential amenity • Impact on Amenity • Affordable Housing and Housing Mix • Accessible and Adaptable Accommodation • Climate Change • Drainage • Traffic, Movement and Parking • Waste-water Infrastructure <p>Noise, odour and other environmental impacts including contamination</p>
	<p>The adoption of the Plan Strategy requires the following updated assessment.</p>
6.9	<p><u>Additional Information</u></p> <p>Officers requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p>
6.10	<p>The Planning Service’s Plans and Policy team has been consulted on the applicant’s Plan Strategy. No further consultations have been considered necessary following adoption of the Plan Strategy.</p>
6.11	<p><u>Principle of development</u></p> <p>The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site is also designated as shopping/commercial area within the draft Belfast Metropolitan Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below.</p>
6.12	<p>The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in the Belfast City Council area. Policy HOU2, Windfall Housing is also met as the proposal is situated on previously developed land and is currently white land within the BMAP 2004 and 2015 versions. The proposed scheme is considered to be a suitable site for an apartment scheme, it is accessible and convenient to public transport and walking and cycling infrastructure.</p>
6.13	<p><u>Design, layout and impact upon the character and appearance of the area including residential amenity:</u></p> <p>Policy RD1 seeks to promote quality residential development that creates places that are attractive, locally distinctive, and appropriate to their surroundings. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:</p>
6.14	<p><i>a. Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:</i></p> <p>The site is located within an area which has a mix of residential and commercial units. The proposal is for 16 apartments. There are four storeys in height with the GF, 1F and 2F comprising four apartments per floor with three apartments proposed at the upper 3F.</p>

	<p>The proposed elevations, at the upper parapet height at 3F level equates to 12.45m with the parapet at 2F level measuring approximately 9.45m. Due to the proposed design approach whereby the upper 3F apartments include generous private terraces in addition to a larger communal terrace, the building will visually read as being predominately three storeys in height with intermittent 'bays' rising to four storeys. This is illustrated in the proposed elevation and upper floor plan.</p> <p>Along the Castlereagh Road elevation the proposal drops to three and then to two storeys where it meets the adjacent two storey terrace at Loopland Park. Along Loopland Drive the building drops to three storeys and reflects the eaves of the adjacent three storey building. It is considered that the scale, height and massing of the building are contextually appropriate and are keeping with the surrounding area.</p>
6.15	<p><i>b. Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:</i></p> <p>Concerns have been raised with regards to overlooking and loss of privacy. However, the layout/aspect of the building within the site is such that there will be no significant overlooking into neighbouring properties. The front elevation facing onto the Castlereagh Road is approximately 58m to the apartment development on the opposite side of the road. With regards to the Loopland Drive elevation the proposed window openings are not considered to cause any unacceptable overlooking to the neighbouring properties with the separation distance remaining the same to what already exists on the street. The rear elevation of the proposed scheme has no window openings and therefore there will be no unacceptable overlooking or loss of privacy to those residents at Loopland Park. The proposed terrace on this elevation is considered acceptable as it will not overlook directly into the surrounding resident's' properties or their private amenity space. It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.</p>
6.16	<p><i>c. Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure</i></p> <p>The development site is located on a major arterial route linking to Belfast and the outer ring, with regular bus services along the Castlereagh Road.</p>
6.17	<p><i>d. Provides adequate open space:</i></p> <p>Each apartment is provided with private amenity space in the form of a terrace/terraced balcony ranging from approximately 4sqm-17/5sqm, with the exception of apartment nos 9, 11, 12 and 13 not availing from their own private amenity space. Although the abovementioned apartments do not have their own private amenity, there is the provision of a communal terrace area of approximately 43.5sqm which would provide approximately 10.8sqm of open space for the four apartments which do not avail of their own private amenity space. Creating Places states that the appropriate level of provision should be determined by having regard to the context. Taking this into account, there is a park (Greenville Park) approximately 0.5 miles (10 min walk on google maps) to the proposal also which is easily accessed and links to the Connswater Greenway. Therefore, on balance, it is considered that there an appropriate amount of private and private communal space to create a quality residential environment.</p>

6.18	<p><i>e. Keeps hard surfacing to a minimum</i> Car parking is considered to not dominate the residential development as parking is provided on street</p>
6.19	<p><i>f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.</i> There are twelve proposed 1 person 2 bed apartments ranging from 47sqm-66sqm and four 2 bed, 2 person apartments ranging from 63.5sqm-85sqm. The proposed scheme is in keeping with the space standards as set out in appendix C.</p>
6.20	<p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i> The entrances to the properties are from the Castlereagh Road elevation allowing for safe access from the footpath. The ground floor apartments avail from defensible structures to the front and sizable terraces, providing a sense of security and safety for residents and visitors, maximising opportunities for natural surveillance.</p>
6.21	<p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i> In terms of prospective residents, each unit has adequate outlook. All apartments benefit from adequate outlook and access to natural light.</p>
6.22	<p>Further to policy RD1, the proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.</p>
6.23	<p><u>Climate change</u> Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.</p>
6.24	<p>ENV2 also states that development proposals should, where feasible, seek to avoid demolition and should consider how their main structures could be reused. The proposal involves the demolition of an existing building, which was previously occupied by commercial businesses. It is single storey in height and opportunities to reuse and extend the existing structures were considered but their design precluded their reuse.</p>
6.25	<p>On balance, the council are satisfied that the existing building is not fit for the purpose of a new residential apartment scheme. In conclusion, the existing building is not viable or suitable for redevelopment. The proposed demolition is necessary to facilitate the proposal.</p>
6.26	<p>The applicant has submitted a Climate Change Statement setting out that the following features are incorporated into the design:</p> <ul style="list-style-type: none"> • Sustainable design features to include photovoltaic panels and a sedum roof which will provide habitat for insects and bird life and will assist and reduce the surface

	<p>run off of rainfall. Energy from the PV panels will contribute towards the running of air source heat pumps.</p> <ul style="list-style-type: none"> • All apartments will be designed to exceed the new building regulations requirements and will therefore be highly efficient. • Glazing and ventilation systems will be designed to ensure all dwellings do not overheat and therefore no air conditioning systems should be required.
6.27	There will a net gain 9 trees, on the proposed private and public terrace areas. Therefore, on balance the proposal is considered to mitigate and adapt to climate change and comply with Policy TRE1.
6.28	The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. A pre commencement condition is proposed to ensure delivery of the above measures and that soft landscaping within the site introduces SuDS measures to partially meet ENV3 and comply with ENV 5.
6.29	<p><u>Density of Residential Development</u></p> <p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements.</p>
6.30	The site is located within on an arterial route, the Castlereagh Road as designated in 2014 version of draft BMAP and therefore in terms of Policy HOU4 the assigned average density band of 100-175 would apply within the inner-city corridor. At approximately 0.06 ha, the provision of 16 units represents a density of over 266 units, which is above the density threshold. However, given the location of the development, the surrounding residential context and the ability to meet other the design requirements, of policies DES1 and RD1, the density is considered acceptable in this instance.
6.31	<p><u>Affordable housing and Housing Mix</u></p> <p>HOU5- Affordable Housing of the of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing.</p>
6.32	The applicant has provided two 1 bed apartments and one 2 bed apartment as discount market rented price which meets the definition of affordable housing. The delivery and monitoring of the DMR units will require a Section 76 planning agreement and delegated authority is requested to allow officers to finalise this.
6.33	The application is considered to comply with HOU5 of the Plan Strategy subject to the S.76.
6.34	<p>Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities

6.35	The development contains a mix of one- and two-bedroom apartments. A total of sixteen units are proposed with twelve one-bedroom units proposed on the ground, first, second and third floors. The four two-bedroom apartments are proposed at ground first and second floor levels. The apartment building design and layout was informed by the surrounding urban context and the desire to develop a relatively high-density development in a sustainable location on one of Belfast's main arterial routes. Taking these considerations into account, on balance, the proposed housing mix is acceptable.
6.36	<p><u>Adaptable and Accessible Housing</u></p> <p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet. The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f.</p>
6.37	The four-ground floor apartments are all wheelchair accessible. A lift is also provided in the centre of the apartment building to allow access to the upper floors for wheelchair users. Three of the apartments (10%) are designed to meet 'Lifetime Homes' standards. These standards have been developed to ensure that a home is flexible, adaptable and accessible. The applicant also provided a response to each of the criteria a-o. . Criteria h. stipulates that in-curtilage or designated car parking meets disabled parking standards. The proposal is "car free" development with no dedicated parking proposed. However, future occupants of the development will be able to avail of a car parking space within the immediate area as the parking survey demonstrated there were available spaces.
6.38	<u>Access, movement, and parking</u>
6.39	<p>The proposal has been assessed against Policy TRAN 8- Car Parking and Servicing Arrangements. It is considered that adequate parking has been provided for the proposal. Policy TRAN 10 has been met in that the design of car parking meets the following criteria:</p> <ul style="list-style-type: none"> a. It respects the character of the local townscape/landscape b. It will not adversely affect visual and residential amenity c. Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site; and d. Provision has been made for accessible parking bays which facilitate safe, convenient access for people with a disability or impaired mobility.
6.40	<p>The means of access to the development would be safe. There is sufficient parking available having regard to the location and sustainability of the site.</p> <p>DfI Roads were consulted and is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety.</p> <p>A condition has been proposed to ensure sufficient secure cycle parking is provided to meet TRAN 1.</p>
6.41	<u>Drainage</u>
6.42	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development

6.43	proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.
6.44	According to Flood Maps NI an area along the northeast of the site may be affected by surface water flooding. However, the Council advised DfI Rivers that this site should be treated as an exception under ENV4, as the site is previously developed/brownfield land. We are awaiting a final response from DfI Rivers and delegated authority is sought for the Director of Planning and Building Control to resolve these outstanding issues.
6.45	The proposal is deemed compliant to ENV4.
6.46	<u>Waste-water infrastructure</u> NI Water has offered no objection to the proposal; therefore, it is acceptable having regard to Policy SP1A of the Plan Strategy.
6.47	NIEA Regulation were consulted and identified no unacceptable risks to the ground water environment from RSKs' PRA. The Land and Groundwater Team have no objections to the development.
6.48	The proposal is also considered compliant with Policy NH1 of the of the Belfast Local Development Plan, Plan Strategy 2035, and paragraphs 6.176 and 6.177 of the Strategic Planning Policy Statement; and taking account of all relevant material considerations.
6.49	<u>Noise, odour and other environmental impacts including Contamination</u> Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.
6.50	<u>Contaminated land</u> Environmental Health (EH) has reviewed the information within the Preliminary Risk Assessment. EH recommends conditions in the event that planning permission is granted. The proposal is therefore considered to accord with Policy ENV1.
6.51	<u>Air quality</u> EH has reviewed the Air Quality Impact Assessment and find that both sufficiently demonstrate that future occupants of the development will not be exposed to air quality concentrations exceeding UK air quality objectives. In terms of potential operational air quality impact from combustion plant, EH has no concerns given the information presented that ASHPs are to be installed. If the proposal changes whereby ASHPs are no longer proposed to serve hot water heating needs of the development, the applicant shall present details to the planning service for review and approval. The proposal is therefore considered to accord with Policy ENV1.
6.52	<u>Noise and vibration</u> Having considered the applicant's noise impact assessment, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.
6.53	<u>Representations:</u> Six objection raises issues regarding overlooking and loss of privacy, traffic and parking, contamination and air quality, drainage and sewage, scale and massing of the proposal and disruption during construction. These issues have been fully assessed above;

	however, the application is considered acceptable for the reasons set out in the above assessment.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions and a S.76 planning agreement to secure 20% affordable housing.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding Rivers Agency consultation, provided that they are not substantive.

DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans.

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

3. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

4. The development shall operate in accordance with the Service Management Plan.

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

5. The development shall operate in accordance with the Travel Plan. The offer of Residential Travel cards shall suffice.

Reason: To encourage alternative modes of transport to the private car.

6. A three year Residential Travel Card Scheme shall be implemented for this development. The Scheme shall begin upon the date of first occupation and terminate three years later. The Scheme shall provide the offer of a free Residential Travel Card to one occupier of each dwelling (within one month of their occupation) which is valid for the remainder of the scheme period, or until the property is vacated, whichever comes first. This provision shall extend to any subsequent occupants until termination of the scheme.

Reason: To encourage alternative modes of transport to the private car.

7. Prior to commencement of development the applicant shall submit to the Planning Service for review and approval, the final details of the ventilation strategy to habitable rooms. The final details shall confirm that any vents (when in the open position) have a sound reduction equivalent to or greater to the sound reduction achieved by the glazing. Where any element of mechanical or active means of ventilation is proposed, the final details shall include a Noise

Impact Assessment that confirms that the noise associated with its operation will not exceed internal target levels for habitable rooms in line with BS 8233:2014 Guidance on sound insulation and noise for buildings/ProPG 2017.

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

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

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

9. Prior to occupation of the development, glazing of a sound reduction specification identified as necessary by the acoustic consultant Irwin Carr Consulting shall be installed. The specification must be installed in habitable rooms at various receptors as per the colour coded plan in appendix C of the submitted Irwin Carr Consulting letter, dated 21 September 2023 referenced LT001N 2022255 (Castlereagh Road). The colour coded plan in appendix C shall be cross referenced with the technical sound reduction specification for each receptor identified as necessary within Table 7 of the Irwin Carr Consulting report titled 'A noise impact assessment Castlereagh Road, Belfast', referenced Rp001N2022255 (Castlereagh Rd) dated 21 December 2022.

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

10. Prior to occupation of the hereby permitted development. Vibration isolation mounts shall be installed to all the air source heat pumps and be retained at all times.

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

11. Prior to occupation of the hereby permitted development, the glazed barriers to external amenity areas shall be of a height, mass and specification recommended in Section 3.3 of the submitted Irwin Carr Consulting Letter, dated 21 September 2023 referenced LT001N 2022255 (Castlereagh Road). The glazing barriers as approved shall be retained thereafter.

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

12. Prior to occupation of the hereby approved development the applicant shall submit to the planning service, for review and approval in writing, a verification report to demonstrate that the rating level (dBLar, T) from the combined operation of the ASHPs does not exceed the representative daytime or night time background sound level (dBLA90) to the rear of the development)

Reason: Protection of residential amenity

13. Prior to the occupation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measure outlined in the RSK report entitled-Killutagh Estates Preliminary Risk Assessment 215 to 225 Castlereagh Road, Belfast BT5 5FH 604438- R1 (00) A Dated November 2022, have been implemented and contain an affirmative statement that no unexpected contamination was encountered during the development.

The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use

(residential without plant uptake). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

14. In the event that unexpected contamination is encountered during the carrying out of the development, all related works should cease, and the applicant should contact the council. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with current Environment Agency and CIRIA guidance and British Standards.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

15. Prior to the commencement of the development hereby approved a landscape management plan shall be submitted and agreed in writing with the council. The landscape management plan should detail all soft landscaping including species, size and type, and include details of appropriate SUDs measures to assist in minimising flood risk. All agreed landscaping and SUDs measures shall thereafter be retained and managed as agreed.

Reason: In the interests of mitigating against environmental change.

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

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

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers: 01 02 03A 04A 05A 07A 08A 09A 10A 11A 17 18 19 20 24
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

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

ANNEX

Date Valid	21/12/2022
Date First Advertised	17/02/2022
Date Last Advertised	17/02/2022
100 LOOPLAND PARK 104 LOOPLAND DRIVE 188-204 CASTLEREAGH ROAD 192 CASTLEREAGH ROAD 210-220 CASTLEREAGH ROAD 227 CASTLEREAGH ROAD 229 CASTLEREAGH ROAD 87 LOOPLAND DRIVE 89 LOOPLAND DRIVE 96 LOOPLAND PARK 98 LOOPLAND PARK 1 to 47 THE COURTYARD, 222 CASTLEREAGH ROAD	

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2021/1531/F	Committee Meeting Date: 16 th January 2024
Proposal: Construction of 3 No. apartment blocks (2 x 3 Storey and 1 x 2 Storey) consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments	Location: 7 & 9 Ballygomartin Road Belfast BT13 3LA
Referral Route: Para 3.8.2 (a) (i) of the Council's Scheme of Delegation: <i>Housing schemes up to and including 12 units other than proposals for change of house type on an approved scheme below 50 units</i>	
Recommendation:	<u>Approval</u>
Applicant Name and Address: CYM Properties 181 Templepatrick Road Ballyclare BT39 0RA	Agent Name and Address: Footprint Architectural Design 181 Templepatrick Road Ballyclare BT39 0RA
<p>Executive Summary:</p> <p>The proposal is for 'Construction of 3 No. apartment blocks (2 x 3 Storey and 1 x 2 Storey) consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments'.</p> <p>The Council has received 12 objections in respect of this planning application, in relation to issues such as character, design, residential amenity, bin stores, parking, loss of view and property values.</p> <p>The application site is located on undesignated white land, in accordance with the BUAP. However, the site is partially zoned for housing in both versions of dBMAP, with the eastern portion of the site remaining whiteland. The site is also designated a draft Area of Townscape Character in both versions of dBMAP.</p> <p>The key issues for consideration in this application are:</p> <ul style="list-style-type: none"> - Principle of residential development - Impact on character of the area / design issues - Impact on residential amenity - Impact on parking and road safety - Impact on trees / landscaping - Impact on Sewage infrastructure and Drainage - Proposed Waste management <p>Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.</p> <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including completion of the Section 76 Legal Agreement to secure affordable housing, in accordance with Policy HOU5, provided that they are not substantive.</p>	

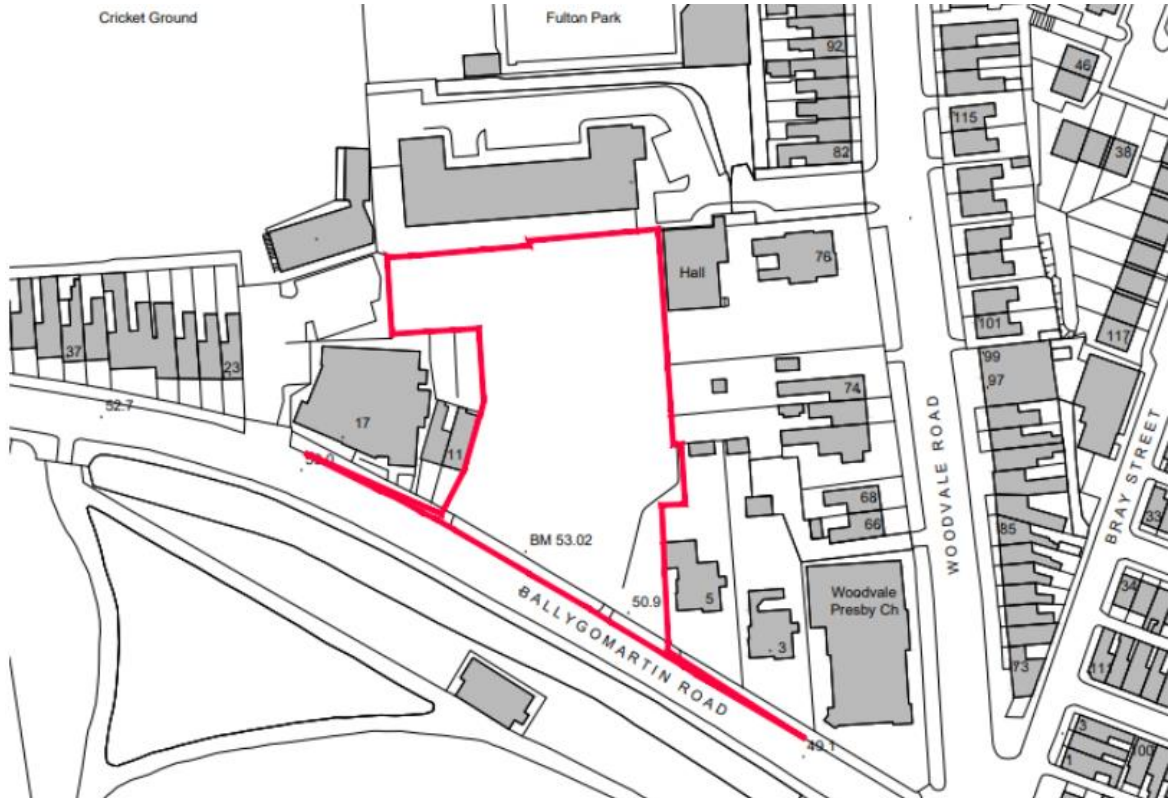
Officer Report

1.0

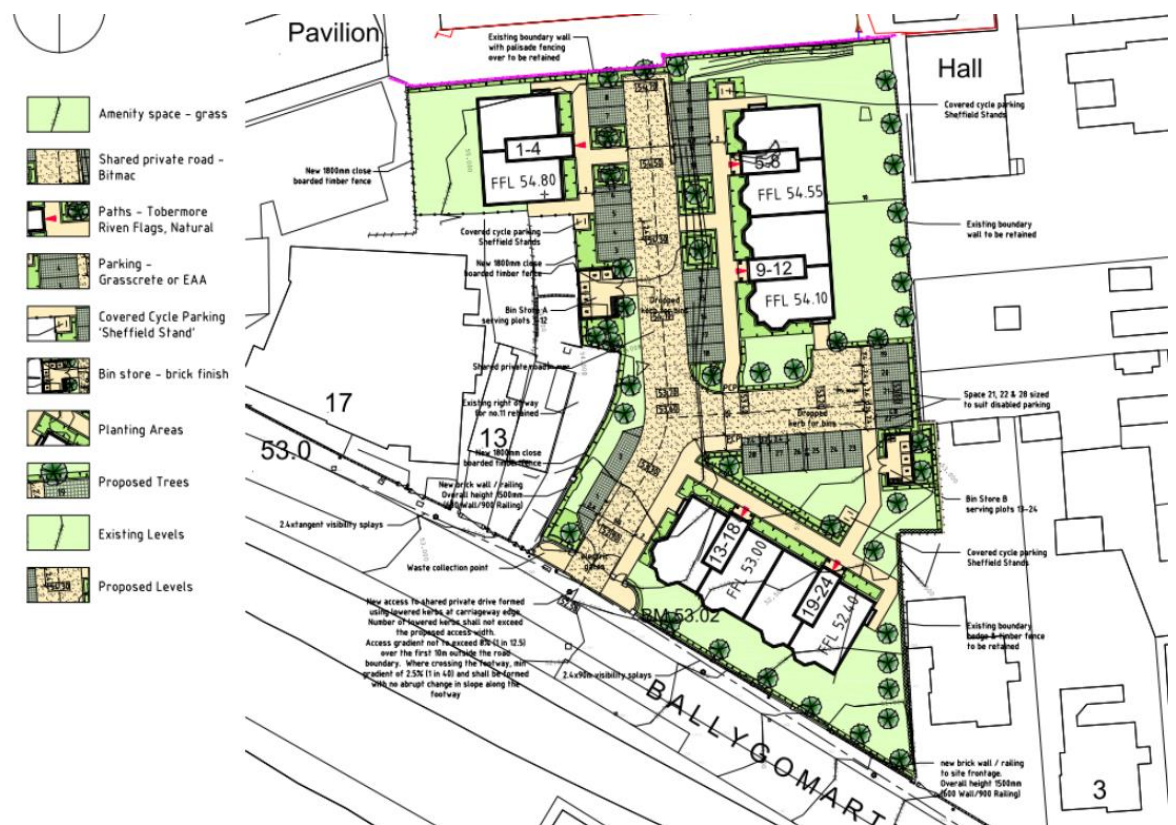
Drawings

1.1

Site Location Plan



Proposed Site Layout



2.0	Characteristics of the Site and Area
2.1	The application site is an irregularly shaped site, located on the northern side of the Ballygomartin Road. The site is relatively flat and measures approximately 0.43 Hectares in area, with the roadside boundary approximately 58 metres in length.
2.2	The eastern boundary of the site is well established with existing vegetation and borders existing residential dwellings. The northern boundary is defined by an existing red brick wall, which separates the site from McCallum Court, an existing Retirement housing complex. The western boundary is not as well defined, particularly closer to the road. This part of the site borders a dwelling at No. 11 Ballygomartin Road and the grounds of Woodvale Cricket Club.
2.3	There are a number of mature trees located along the boundaries of the site, however there is little vegetation within the application site. There are a number of street trees located along the Ballygomartin Road boundary.
2.4	The surrounding area is characterised by a mix of uses, including residential, medical, recreational and ecclesiastical. It is noted Woodvale Park is located directly across the road from the application site.
3.0	Description of Proposal
3.1	The proposal is for ' Construction of 3 No. (2 x 3 Storey and 1 x 2 Storey) apartment blocks consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments (Amended drawings) .
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Belfast Agenda
4.5	Relevant Planning History Z/2009/0161/F - Demolition of existing properties and construction of a new 69 bed residential/nursing home with 8 visitor beds accommodation within footprint (Amended scheme and description) – Permission Granted 4 th April 2012.
5.0	Consultations and Representations
5.1	Statutory Consultations DFI Roads – No objection, subject to conditions NI Water (NIW) – No objection, subject to condition. DFC Historic Environment Division (HED) – No objection DAERA Northern Ireland Environment Agency (NIEA) – No objection, subject to conditions

<p>5.2</p> <p>5.3</p> <p>5.4</p>	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health (EHO) – No objection, subject to conditions. DFI Rivers – No objection, subject to condition. Shared Environmental Services (SES) – No objection, subject to condition. NI Housing Executive (NIHE) – Sufficient supply of social housing. BCC Tree officer – No objection, subject to conditions. BCC Urban Design – No objection.</p> <p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p>Representations</p> <p>The applications have been advertised and neighbours notified. The Council has received 12 objections in respect of this planning application, although it is acknowledged 2 objectors have objected on 3 occasions. The issues raised by objectors include:</p> <ul style="list-style-type: none"> • Issues with height of proposed apartment buildings. • Detrimental impact on character of the surrounding area. • Overall design of the scheme is weak and unimaginative. • Proposed apartments will be an eyesore. • Impact on neighbouring property at No. 5 Ballygomartin Road – potential overlooking from upper floor apartments towards the rear of No. 5 and potential overshadowing / lack of light. • Impact on neighbouring property at No. 74 Woodvale Road – loss of privacy, impact on light in rear garden. • Impact on adjacent sheltered housing scheme – issues regarding loss of privacy, loss of sunlight, existing apartments overlook the application site. • Issue with location of bin stores – directly adjacent to boundary with existing dwellings and could result in environmental issues for neighbouring residents, i.e. odour, vermin etc. Visual impact of bin stores from neighbouring developments. • Issues with proposed parking plans. • Area already has traffic and parking issues. • Potential anti-social behaviour as a result of the proposed development. • Noise / nuisance impact of proposed development during construction. • Concerns regarding distance of proposal to boiler house at McCallum Court. • Loss of view • Detrimental impact on value of neighbouring property. <p>It is noted that loss of view and value of property are not material planning considerations, however all other issues will be discussed within the report.</p>
<p>6.0</p>	<p>PLANNING ASSESSMENT</p>
<p>6.1</p>	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>

6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.4	<u>Operational policies:</u> the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	<u>Proposals Maps:</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker.
6.6	The application site is located on undesignated white land, in accordance with the BUAP. However, the site is partially zoned for housing in both versions of dBMAP, with the eastern portion of the site remaining whiteland. The site is also designated a draft Area of Townscape Character in both versions of dBMAP.
6.7	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p>Policy HOU1 – Accommodating New Homes Policy HOU2 – Windfall Housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable Housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy RD1 – New Residential Developments</p> <p>Policy BH1 – Listed Buildings Policy BH3 – Areas of townscape character Policy BH4 – Works to grounds affecting built heritage assets</p> <p>Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to Public Roads Policy TRAN8 – Car Parking and Servicing Arrangements</p> <p>Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change</p>

	<p>Policy ENV3 – Adapting to Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable urban drainage systems (SuDS)</p> <p>Policy NH1 – Protection of natural heritage resources Policy TRE1 – Trees</p> <p>Key Issues</p>
6.8	<p>The key issues for consideration in this application are:</p> <ul style="list-style-type: none"> - Principle of residential development - Impact on character of the area / design issues - Impact on residential amenity - Impact on parking and road safety - Impact on trees / landscaping - Impact on Sewage infrastructure and Drainage - Proposed Waste management
6.9	<p>Principle of residential development</p> <p>As noted in para 6.6, the application site is located on undesignated whiteland, in accordance with the BUAP and is partially zoned for housing within dBMAP. The surrounding area is characterised by a mix of uses, including residential. It is considered that the proposed residential use is acceptable in principle.</p>
6.10	<p>Impact on character of the surrounding area / Design</p> <p>The application site is located at the eastern end of the Ballygomartin Road, approximately 80 metres from the junction with the Woodvale Road. Woodvale Presbyterian Church, a grade B1 listed building, is located beside this junction, approximately 40 metres from the site. On the eastern side of the site lies a pair of 2 storey detached dwellings, finished in a mix of red brick and render. On the western side lies a pair of semi detached 2.5 storey dwellings, finished in red brick with render detailing. At the rear of the site, there is a large 3 storey sheltered housing scheme, finished in red brick. Further along to the west of the site lies a row of terraced dwellings, 2.5 storeys in height. Woodvale Park lies directly opposite the site, with that roadside boundary well defined by mature trees.</p>
6.11	<p>The proposed development includes 3 apartment blocks of varying sizes, with uniform materiality. Apartments 13-24 are located directly adjacent to the Ballygomartin Road (Block A), Apartments 5-12 are located on a north-south axis in the north eastern portion of the site (Block B) and Apartments 1-4 (Block C) are located in the north western corner of the site.</p>
6.12	<p>Block A is a 3 storey apartment building, finished in a mixture of red brick and render, with grey roof slates. The block includes double height bays on the Ballygomartin Road (south) and the access road (west) elevation. This block is accessed to the rear. There is a slight incline along this part of the Ballygomartin Road, therefore there is a slight variation in finished floor levels along the block (approximately 0.6 m). The height of the block varies from 11.25 m on the eastern gable to 12 m on the western gable. Block A is in general conformity with the established building line along this part of Ballygomartin Road. It is set slightly in front of the line of No's 11 and 13, however these dwellings are set further back than other neighbouring building, such as No's 3, 5 and 17. Block A is set approximately 5.6 m back from the site boundary, which provides effective relief within the streetscape.</p>
6.13	<p>Block B is also a 3 storey apartment building, finished in a mixture of red brick and render, with grey concrete roof tiles. This block is accessed from the front and measures approximately 12.1 m to ridge level. Block B is not as visually prominent as Block A, as it</p>

	is set back within the site. It is located approximately 14 m from McCallum Court to the north and at least 33 metres from the dwellings along Woodvale Road.
6.14	Block C is a smaller apartment building, 2 storeys in height and finished in red brick. Block C measures approximately 10 m to ridge level. It is located approximately 9.4 m to McCallum Court to the north and approximately 18 metres from the rear of No. 13 Ballygomartin Road.
6.15	The proposal includes the construction of a new boundary treatment along the front of the site, with the provision of a 600 mm brick wall with 900 mm railing on top. Furthermore, 6 new trees are proposed along the front boundary to aid visual amenity and integration.
6.16	It is considered that the proposed development responds positively to the local context and character through architecture and urban form and it addresses matters such as height, scale, massing, proportion, plot width, building line, rhythm, roofscape, materials etc.
6.17	<p>Residential Density</p> <p>The density of the proposed development equates to approximately 55 dwellings per Hectare, which fits into the density band of 50-150 for city corridors within outer Belfast, in accordance with Policy HOU4.</p>
6.18	<p>Residential Amenity</p> <p>A number of concerns were raised with regard to impact on residential amenity from neighbours. With regard to overlooking, it is not considered that there will be any impact from either Block A or Block C as the gable windows that have potential for overlooking towards neighbours will serve bathrooms / shower rooms. In the event of approval, these windows will be condition to be obscure glazed thereby mitigating against overlooking. Block B is located to the rear of existing residential development along Woodvale Road (Even No's 70 – 76). These 4 dwellings are located within quite long, linear plots, with the rear elevation approximately 33 – 42 metres from Block B, however it is noted that the main windows on the rear elevations are located further away. Furthermore, in relation to No. 76, there is an existing building located between the two buildings which will partially screen views into and out of the site. It is acknowledged that the rear amenity areas of these dwellings extends to the site boundary, which is located 10 metres from Block B. The existing boundary treatment is a large wall proposed for retention. This wall will assist in providing screening to these dwellings, and vice versa. Given the enhanced separation distances within this urban area and retention of existing boundary treatment, it is considered that the proposed development will not unduly affect neighbouring residents in terms of overlooking.</p>
6.19	Block A is located approximately 10 – 14 metres from the neighbouring dwelling at No. 5 Ballygomartin Road, due to the orientation of both buildings. Block A is located to the west of this dwelling, therefore it is likely that the rear garden area of No. 5 will experience some minor overshadowing in the evening during the summer. Furthermore, Block B is located to the west of the aforementioned dwellings on Woodvale Road and to the south of McCallum Court. Similarly to the relationship of Block A and No. 5, it is likely that Block B will create some minor overshadowing on the rear gardens of No. 72 – 76 Woodvale Road in the evening during the summer. Block B is located approximately 14 m to the south of McCallum Court. The southern elevation of McCallum Court is dominated by apartment windows, therefore providing outlook to the residents. It is likely that Block B will create some shadow impact on McCallum Court, particularly in the winter, however given the orientation and gable width of Block B (10.3 metres), this impact will be limited in time. During the summer, shadow impact is unlikely to have a major affect on McCallum Court as the sun is higher in the sky. Similarly, Block C is located approximately 9.4 m to the south of McCallum Court and it is likely to have a similar impact to Block B. Although the

	proposal will likely cause overshadowing, the impact is considered to be relatively minor and it will not unduly affect neighbouring properties. Furthermore, it is not considered that the proposal will result in a loss of daylight to any nearby properties.
6.20	The application site does not lie within any Air quality management area, or within an area of concern for poor air quality. EHO have also concluded that estimated transport emissions as a result of the proposal, will have a negligible impact on nitrogen dioxide concentrations in the locality. The agent has also confirmed that heating and hot water will be provided by gas heating within individual apartments. EHO conclude that there are no objections in relation to air quality, subject to condition. Additionally, there is no concern in relation to noise or proximity to the boilers associated with McCallum Court.
6.21	<p>Amenity Space</p> <p>The proposed development includes three main areas of amenity space, in proximity to each apartment block. Whilst the location of the amenity space around Block A is not ideal as it is located beside the roadside boundary, the overall provision of space is generous. The useable amenity space measures approximately 700 square metres; this calculation does not include the small areas of landscaping around the apartments and parking areas etc. It is also noted that the application site is located directly across the road from Woodvale Park, which offers additional amenities to potential occupants.</p>
6.22	<p>Contaminated land</p> <p>A Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA) was submitted in support of the proposal. The Assessment concluded that no unacceptable risks to environmental receptors have been identified and that no specific remedial measures are deemed necessary for the purposes of the proposal. EHO and NIEA provided commented, advising of no objections, subject to conditions.</p>
6.23	<p>Affordable Housing</p> <p>NIHE have confirmed that there is sufficient supply of social housing currently within the Social Housing Development Programme and through other supported schemes in the area, therefore there is no demand for social housing at this location. NIHE confirmed that they would welcome the provision of intermediate or discount rental market rate units.</p>
6.24	The agent has advised that the developer is proposing that 5 no. units will be provided as intermediate housing for sale, therefore complying with the tests of policy HOU5. This will be secured by a Section 76 Legal Agreement, in the event of approval.
6.25	<p>Housing Mix</p> <p>The proposed development includes an overall mix of 3 no. 1 bedroom apartments, 17 no. 2 bedroom apartments and 4 no. 3 bedroom apartments. It is considered that the proposed development provides a suitable mix of house types and sizes which promotes choice and assists in meeting community needs. In accordance with para 4.3.4 of the SPG, the provision of 3 bedroom apartments is welcomed as this apartment type historically is under provided and helps creation of balanced communities.</p>
6.26	<p>Adaptability and Accessibility</p> <p>All new homes should be designed in a flexible way to ensure that housing is adaptable for occupants throughout all stages of life. The proposed development complies with all of the criteria in relation to parking provision, sheltered entrances, living spaces, entrance level WCs, accessible bathrooms and acceptable outlook in living areas.</p>
6.27	For residential developments of 10 units or more (such as this one), 10% of the units shall be wheelchair accessible. In this case, 3 of the 24 units have been designed specifically to enable use and accessibility for wheelchair users.

6.28	<p>Access, Road Safety & Parking</p> <p>The proposed parking layout includes 28 no. parking spaces, three of which are suitable for disabled parking. Throughout the application process, the scheme was amended, with a reduction in unit numbers from 30 to 24. Consequently, the required parking standards was also reduced downwards from 45 to 34.5 (35), resulting in a shortfall of 7 spaces. A parking survey was submitted in support of the proposal, which demonstrated that there is capacity for on street parking associated with the proposal and this is unlikely to have a significant impact on the local transport network. In addition to car parking, appropriate provision has been made for cycle parking.</p>
6.29	<p>DFI Roads have confirmed that the proposed access is safe and should be provided prior to commencement of development. DFI Roads confirmed no objections to the proposal, subject to conditions and acknowledged the issues raised by objectors.</p>
6.30	<p>Impact on Listed Building</p> <p>The proposed development is located in close proximity to a Grade B1 Listed Building, Woodvale Presbyterian Church (ref. HB26/38/001). HED have advised that the proposed development is sufficiently removed in situation and scale of development as to have a negligible impact on the significance of the listed church or on the quality and character of its setting. It is considered that the proposal complies with the tests of policy BH1.</p>
6.31	<p>Impact on Trees / Proposed landscaping</p> <p>An amended landscaping scheme has been submitted in support of the proposal. BCC Tree and Landscaping officer has provided comments, noting that there are no trees located along the front boundary, however there is one ash tree situated along the eastern boundary of the site. This tree is dominated in ivy and showing signs of stress within the upper crown and is recommended to be inspected by an arborist. Following this inspection, if the tree is to be retained, appropriate mitigation measures should be taken. With regard to proposed planting, 38 trees are proposed comprising a mix of birch, oak, lime, rowan, cherry and apple. The proposed trees are to be planted throughout the site and will assist with site integration and promote future amenity value. It is considered that the proposal complies with the tests of policy TRE1, subject to conditions.</p>
6.32	<p>Ecology</p> <p>A Biodiversity Checklist, Preliminary Ecological Assessment, Invasive Weeds Management Plan and Outline Construction Environmental Management Plan were submitted in support of the proposed development.</p>
6.33	<p>NIEA Natural Environment Division (NED) have advised that the site may be hydrologically linked to Inner Belfast Lough Area of Special Scientific Interest (ASSI), Belfast Lough RAMSAR site, Belfast Lough Special Protection Area (SPA) and Belfast Lough Open Water SPA; these sites are of international importance and protected by the Habitats Regulations. NED have advised that as the site is approximately 4km south west of these sites, the proposal is unlikely to have a significant impact.</p>
6.34	<p>The submitted information shows that invasive species are present on the site, however there is no evidence of badgers, bats or newts on or adjacent to the site. NED have advised of no objection.</p>
6.35	<p>Habitats Regulations</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 Habitats Regulations Assessment (HRA) report, and conclusions therein, prepared by our consultees SES, dated 23/11/2022. The</p>

	<p>HRA found that the project would not have an adverse effect on the integrity of any European site.</p> <p>Sewage</p> <p>6.36 NIW initially advised that there was insufficient waste water treatment capacity to serve the development. However, the developer engaged with NIW by way of a Wastewater impact Assessment, which identified a solution to mitigate downstream wastewater network capacity constraints. NIW confirmed the feasibility of the solution on-site and the developer has agreed to requisition a new storm sewer. Consequently, NIW confirmed they have no objection to the proposal, subject to a condition to ensure the wastewater engineering solution is delivered prior to occupation.</p> <p>6.37 NIEA Water Management Unit (WMU) advised of concerns that the sewage loading associated with the proposal had potential to cause an environmental impact if transferred to a Waste water treatment works (WWTW). However, WMU advised that they would have no objection to the proposal if NIW indicated that the WWTW could accept the additional load. Following the recent positive response from NIW, it is therefore concluded that the concerns of WMU have now been addressed.</p> <p>Drainage</p> <p>6.38 A Drainage Assessment has been submitted in support of the proposed development. DFI Rivers Agency have provided comment, advising that they accept the logic of the DA and it only lacks a Pre Development Enquiry response from NIW. The DA states that the drainage design is preliminary, therefore DFI Rivers have requested that a condition to provide a final Drainage Assessment is imposed on any potential approval. It is concluded that the proposal complies with Policy ENV4.</p> <p>Climate Change</p> <p>6.39 The proposal incorporates a number of measures designed to ensure it contributes to sustainable development, adapting to environmental change and providing sustainable drainage solutions. The proposal includes the construction of all parking bays with grasscrete and the planting of 38 new trees within the site, as well as other landscaping. The grasscrete parking bays will provide further permeable surfaces within the site which will help manage surface water effectively on site and reduce runoff.</p> <p>Waste management</p> <p>6.40 The proposed development includes two generously sized bin storage areas. The bin stores are finished to a high standard and are enclosed by a brick wall 2.1 m in height. Timber trusses are also included along the roof of the bin store. Although the bin stores have been well designed, there is a slight concern regarding the location within the development, particularly in relation to bin store A, which is proposed to serve Apartments 1-12 (Blocks B and C). The bin store is situated approximately 17 m, 18.5 m and 22 m from the front door of these apartments. However, on balance, given the proposed development complies with all relevant planning policies and the bin stores are designed to a high standard, the arrangement is considered acceptable.</p>
7.0	Recommendation
7.1	Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.
7.2	It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including completion of the Section 76 Legal Agreement to secure affordable housing, in accordance with Policy HOU5.

CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan dated August 2021 and uploaded to the Planning Register on 4th January 2024.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

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

Reason: To ensure adequate car parking within the site.

4. No development shall commence on site (other than that required to fulfil this condition) unless the new access has been provided in accordance with the approved plans. The access shall be retained in accordance with the approved plans at all times.

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

5. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

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

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

Reason: In the interests of visual amenity.

7. All hard and/or soft landscaping works, including bin storage and boundary treatments, shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other

trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

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

8. 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.

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.

9. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPAs.

10. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.

Reason: In the interests of amenity.

11. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), all windows serving bathrooms, shower rooms and ensembles shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent).

Reason: To safeguard the privacy of adjacent properties.

12. Prior to the commencement of development on site, a final drainage assessment, compliant with policy ENV4 of the Belfast Local Development Plan: Plan Strategy 2035, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted to and approved by the Council.

Reason: To safeguard against flood risk.

13. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried

out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

14. Prior to the occupation of the hereby approved development, a verification report shall be submitted to and approved in writing by the Council demonstrating that the approved wastewater network engineering solution to mitigate the downstream foul capacity issues has been delivered in accordance with the approved details.

Reason: To ensure a practical solution to sewage disposal from this site.

15. The development shall not be carried out unless in accordance with the approved Sustainable Urban Drainage System (SuDS) measures. The porous / permeable grasscrete car parking bays shall be incorporated prior to occupation of the development, in accordance with the approved details. The SuDS measures shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development.

16. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

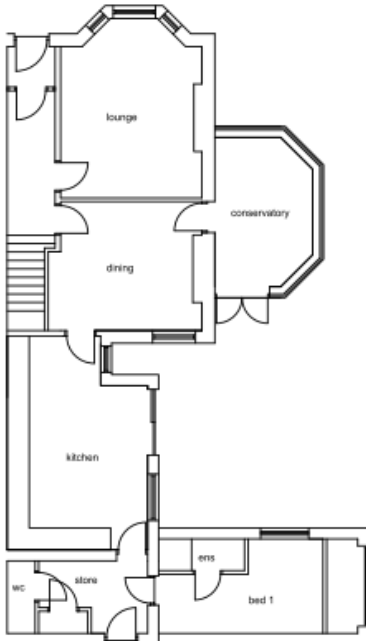
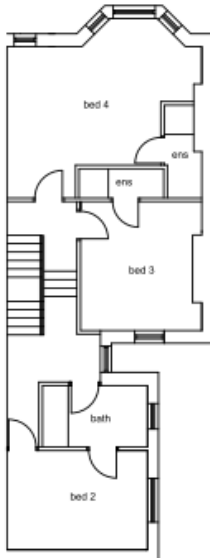
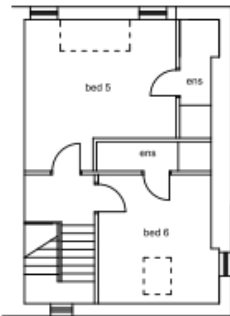
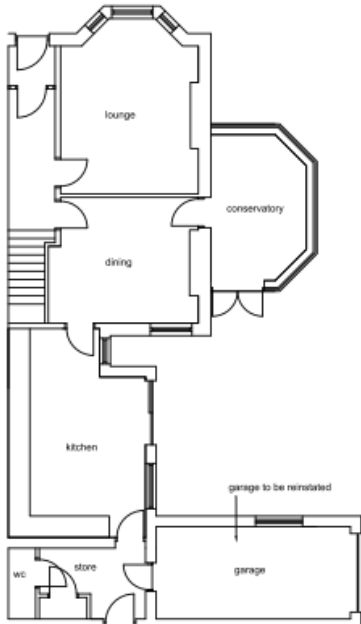
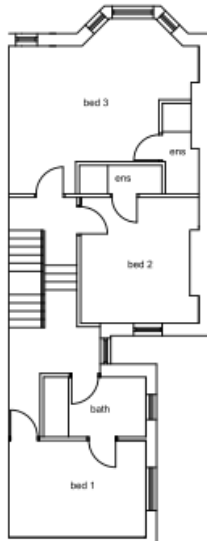
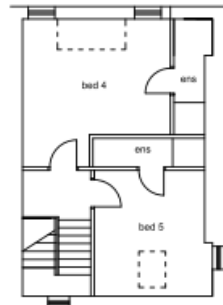
17. In the event that pollution sources, to include any substantial combustion sources (boilers/CHP, biomass) are proposed as part of this development, and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an Air Quality Impact Assessment shall be submitted to and approved by the Council prior to occupation of the development.

Reason: Protection of human health and amenity.

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Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/4021/F	Committee Meeting Date: 16 th January 2024
Proposal: Change of use from dwelling to 5 Bed House in Multiple Occupation.	Location: 166 Upper Newtownards Road, Belfast, BT4 3ES
Referral Route: Request to be presented to Planning Committee by Elected Member (Cllr Anthony Flynn)	
Recommendation:	Approval
Applicant Name and Address: Sikkim Properties 34 Dufferin Ave Bangor BT20 3AA	Agent Name and Address: Gravis Planning Unit 1, Pavilions Office Park Kinnegar Drive Holywood
<p>Executive Summary: This application seeks full planning permission for Change of use from dwelling to 5 Bed House in Multiple Occupation.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location; • Impact on surrounding residential amenity/character including policy analysis • Traffic, Parking and Access • Waste and refuse collection • Over-occupation/anti-social behaviour • Climate change <p>22 objections have been received with the issues raised addressed within the main report.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>	

Officer Report											
1.0	Drawings										
1.1	Existing Floor Plans										
<div><div><p>Ground Floor Plan 114.1sqm</p></div><div><p>First Floor Plan 73.5sqm</p></div><div><p>Second Floor Plan 48.1sqm</p></div><div><table><tr><td>Project</td><td>CHANGE 166 UPP BELFAS</td></tr><tr><td>Drawing</td><td>EXISTING</td></tr><tr><td>Orig.No:</td><td></td></tr><tr><td>Scale:</td><td></td></tr><tr><td>1 Bramble Gr</td><td>BT23 1GE</td></tr></table></div></div> <div><h3>Proposed Floor Plans</h3><div><div><p>Ground Floor Plan 114.1sqm</p></div><div><p>First Floor Plan 73.5sqm</p></div><div><p>Second Floor Plan 48.1sqm</p></div></div></div>		Project	CHANGE 166 UPP BELFAS	Drawing	EXISTING	Orig.No:		Scale:		1 Bramble Gr	BT23 1GE
Project	CHANGE 166 UPP BELFAS										
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	Please note there are no external alterations and therefore elevations have not been shown here.
2.0	Characteristics of the Site and Area
2.1	The application site is located at 166 Upper Newtownards Road, a corner plot that adjoins Oakland Avenue.
2.2	The building is three storey semi-detached dwelling finished in white render. There is a small amount of amenity space to the front with pedestrian access, characterised by vegetation which screens the site from the road. There is a small amenity space to the rear/side between the rear return and the side boundary which also hosts an in-curtilage garage.
2.3	The site falls within houses in multiple occupation (HMOS) subject plan for Belfast city council area 2015 - zoning HMO 4/10 HMO development node.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for change of use from dwelling to 5 Bed House in Multiple Occupation (amended description).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History N/A
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections
5.2	Non-Statutory Consultations BCC Plans & Policy team – No objections
5.3	Representations The application has been advertised and neighbours notified. The Council has received 22 objections which are summarised as follows: <ol style="list-style-type: none"> 1. Parking, traffic, road safety and enforcement 2. Waste and refuse collection 3. Adverse impact on the sewage network

	<ol style="list-style-type: none"> 4. Anti-social behaviour/noise 5. Negatively impact on the character of the area 6. Non-compliance with Policy RD2 7. Lack of cycle parking provision 8. Additional guests staying over/anti-social behaviour 9. Precedent for further HMOs in the area 10. Alleged previous internal works to the property 11. Impact on the provision of family homes in the area <p>Issues 1-8 are covered in the main body of the report. Additional points are considered as follows:</p> <p>9. Precedent for further HMOs in the area/domino effect - Each application is decided on its own merit. Officers consider that this scheme is compliant with policy considerations.</p> <p>10. Alleged previous internal works to the property - This would be outside the remit of planning and not relevant to the assessment of the application as internal works do not require planning permission.</p> <p>11. Impact on the provision of family homes in the area - This HMO is for 5 bedrooms, the licensing process will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located within one of three HMO Development Nodes on the Upper Newtownards Road which are designated due to their proximity to services and access to public transport.</p>
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.1.1	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.2	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published. For this reason, the assessment of this application still considers that the property is in an HMO Node, as designated under the HMO Subject Plan (2015) and will remain so until the LPP is adopted.
6.2	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.3	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its

6.4	<p>advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location; • Impact on surrounding residential amenity/character including policy analysis • Traffic, Parking and Access • Waste and refuse collection • Over-occupation/anti-social behaviour • Climate change
6.5	<p>Principle of development</p> <p>The Upper Newtownards Road is not within a HMA however the site is located within the Upper Newtownards Road HMO Development Node (HMO 4/10) as designated in the HMO Subject Plan for Belfast City Council Area 2015.</p>
6.5.1	<p>Policy HOU11 states “Within designated intensive housing nodes, planning permission will be granted for HMOs and flats/apartments. This will be subject to meeting all other policy requirements.”</p>
6.5.2	<p>Para 7.1.76 of Policy HOU 11 states that proposals for HMOs and flats/apartments within intensive housing areas will still be carefully assessed against the relevant residential design requirements set out in policies RD1, RD2 and RD3.</p>
6.6	<p>Impact on surrounding amenity/character of the area</p> <p>When considering the policy context, the proposed development in terms of scale, layout, design and materials must be in keeping with the site and its surrounding area. The character and appearance of the area in this case would be preserved. Appropriate open space is provided and/or the site has good access to existing open space infrastructure. The proposal complies with the HMO space standards for a 5 bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment. The HMO will further require to be licensed with BCC which mitigates amenity concerns by enforcing an anti-social behaviour plan and ensuring the HMO operator runs the property effectively.</p>
6.6.1	<p>The property is a large three-storey dwelling which has been extended over the years and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards.</p>
6.6.2	<p>The proposal is compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties, including unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The policy context is set out in Policies HOU 11, RD1, RD3 and TRAN8 below.</p>
6.7	<p>Policy HOU 11</p> <p>Policy HOU 11 para 7.1.76 states that proposals for HMOs and flats/apartments within intensive housing areas will still be carefully assessed against the relevant residential design requirements set out in policies RD1, RD2 and RD3, which have been addressed above. Policy RD2 is not relevant to this application as no extensions are proposed.</p>
6.7.1	<p>Local character, environmental quality and residential amenity, privacy of existing residents and scale and massing will continue to be particularly important considerations within intensive housing areas.</p>

6.7.2	The proposed change of use of an existing dwelling into a HMO is located within an intensive housing node where HMOs are acceptable in principle under policy HOU11 of the BPS. The use is therefore considered appropriate to the local character and surrounding area.
6.8	Policy RD1 Policy RD1 states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:
6.8.1	a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU 11 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and sufficient bin storage.
6.8.2	b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance - Officers consider that the scheme will not give rise to any of the issues listed in criterion B. Overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan.
6.8.3	c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure - The proposal is located on a glider bus stop and has good access to services and amenities. There is sufficient space for cycle parking.
6.8.4	d) Provides appropriate open space - The proposal maintains the current level of open space, and in addition, the area has good access to open space such as the Comber Greenway.
6.8.5	e) Keeps hard surfacing to a minimum - No hard standing is proposed as part of this application.
6.8.6	f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C - The proposal exceeds the requirements set out in the space standards and provides a significant amount of living space for the occupants of the 5 bedrooms.
6.8.7	g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street - All units have safe and secure access from the front door of the dwelling.
6.8.8	h) Ensures that living rooms, kitchens and bedrooms have access to natural light - All habitable rooms in the dwelling have access to natural light.
6.9	Policy RD3 Policy RD3 states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:
6.9.1	

6.9.2	a) Any units are self-contained - Officers consider that this criterion is met.
6.9.3	b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm - Officers consider that this criterion is met. The property will provide 3 refuse bins for general waste, recycling and food waste.
6.9.4	c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling - The property is 237.5 sq metres in total.
7.0	d) Conversions above commercial premises do not prejudice the commercial functions of the business - This criterion is not relevant to this application.
	<p>Traffic, Parking and Access</p> <p>Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU11 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy. Policy TRAN8 – Car parking and servicing arrangements states, 'Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements'. However, existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development. The applicant has however, following amendments, retained the in-curtilage parking space to the rear in the garage and there is ample space for cycle storage. Furthermore the site is located in an extremely sustainable location with the glider service running alongside the site. In this context adequate provision is considered provided to meet TRAN8.</p>
7.0.1	Objectors raised concern regarding parking and parking enforcement, both the PSNI and DFI would be responsible for dealing with any congestion or enforcement issues.
7.1	<p>Waste and Refuse Collection</p> <p>Objectors have alluded to previous issues with bin lorries getting down Oakland Avenue, builders' vehicles which will block the street during construction and build-up of waste in the alleyway to the rear of the site which is the main refuse collection point on Oakland Avenue.</p>
7.1.1	Policy RD3 criterion B, states that adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm. Officers consider that this policy is complied with. The alleyway to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. These three bins should be collected in the same manner as before.
7.2	<p>Impact on the sewage network</p> <p>There is no evidence that change of use from a dwelling to a HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street.</p>
7.3	<p>Over-occupation/anti-social behaviour</p> <p>Officers consider that the scheme complies with space standards and provides a suitable number of bedrooms. The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties.</p>
7.3.1	

<p>7.3.2</p> <p>7.4</p>	<p>The NIHMO Unit within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.</p> <p>Climate Change The proposal will incorporate measures such as improved insulation which will increase the energy efficiency of the building. The proposal is also located in a prime location with access to public transport.</p> <p>Summary The proposal is acceptable having regard to policies within the Belfast local development plan: plan strategy 2035; and paragraphs 6.135, 6.136 and 6.137 of the Strategic Planning Policy statement for Northern Ireland 2015 and taking account of all material planning considerations.</p>
8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none"> 1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from 	

consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX

Date Valid	25/09/2023
Date First Advertised	06/10/2023
Date Last Advertised	15/12/2023

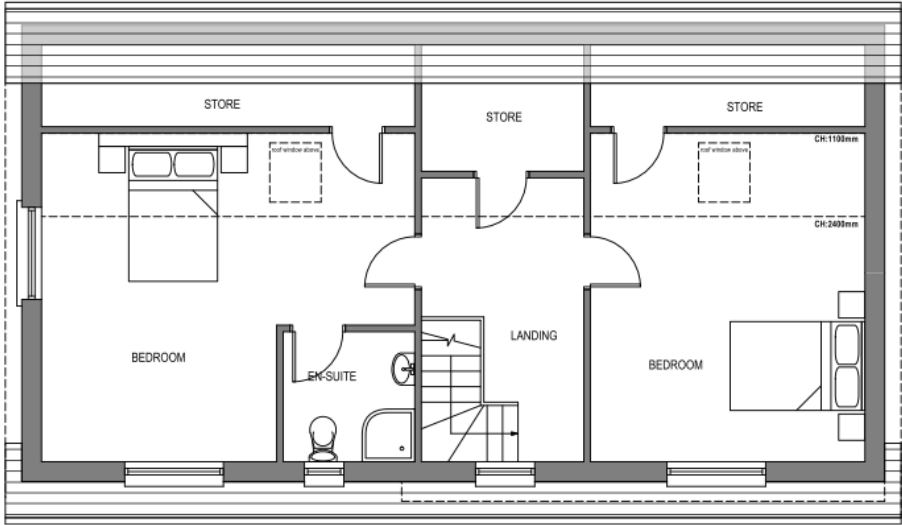
Details of Neighbour Notification (all addresses)

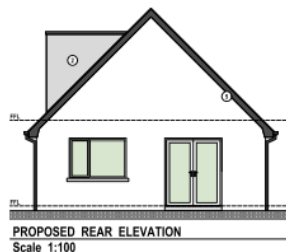
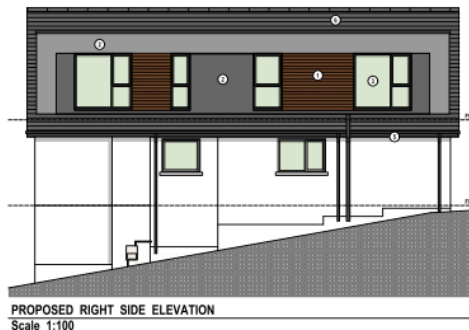
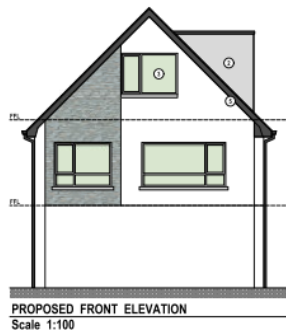
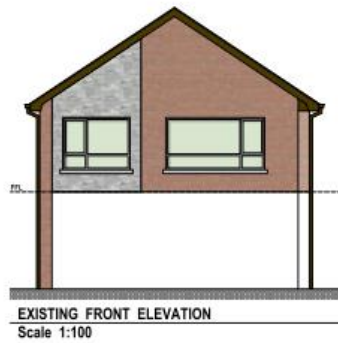
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 170 UPPER NEWTOWNARDS ROAD
 172 UPPER NEWTOWNARDS ROAD
 2 OAKLAND AVENUE
 2A OAKLAND AVENUE
 2B OAKLAND AVENUE
 3 OAKLAND AVENUE
 5 OAKLAND AVENUE
 7 OAKLAND AVENUE

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/4093/F	Committee Meeting Date: Tuesday 16 th January 2024
Proposal: Raise ridge to accommodate dormer to side elevation and fenestration changes to front and rear elevation and 2x skylights.	Location: 5 Squires Hill Road, Belfast, BT14 8FJ
Referral Route: Paragraph 3.8.5 (a) of the Scheme of Delegation (application by an Elected Member)	
Recommendation:	Approval
Applicant Name and Address: 5 Squires Hill Road, Belfast, BT14 8FJ	Agent Name and Address: Andrew Hair 17 Drumcree Place Newtownabbey BT37 9JA
<p>Executive Summary:</p> <p>The application seeks full planning permission for raising the ridge to accommodate a dormer to the side elevation and fenestration changes to front and rear elevation and 2no skylights.</p> <p>The main issues to consider are:</p> <ul style="list-style-type: none"> - Scale, Massing & Design - Impact on neighbouring amenity - Impact on character of area <p>One third party representation was received and is considered in the report below.</p> <p>Due to the minor nature of the proposals, no consultation was necessary.</p> <p>Recommendation - Approval</p> <p>Having regard to the policy context, the proposal is considered to be acceptable and planning permission is recommended for approval.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>	

Officer Report	
1.0	Drawings
1.1	<div>Proposed first floor plan</div> <div><p>PROPOSED FIRST FLOOR PLAN Scale 1:50</p></div> <div>Existing elevations</div>



2.0	Characteristics of the Site and Area
2.1	The dwelling is a detached, 1.5 storey dwelling finished in red brick, render and decorative brick and a pitched roof. The site is designated within the Belfast limits under BMAP/dBMAP.
2.2	The prevailing character of the area is predominantly detached houses with front & rear dormers, finished in a mixture of red brick and render.

2.3	The rear garden contains a detached garage. The boundaries are a mixture of mature hedging and timber fencing.
3.0	Description of Proposal
3.1	Raise ridge to accommodate dormer to side elevation and fenestration changes to front and rear elevation and 2no. skylights
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History N/A
5.0	Consultations and Representations
5.1	Statutory Consultations N/A
5.2	Non-Statutory Consultations N/A
5.3	Representations Due to the minor nature of the proposal, no consultation was necessary with statutory or non-statutory consultees.
5.4	The application has been advertised and neighbours notified. The Council has received one objection to the proposal.
5.5	The objection raised the following issues: <ol style="list-style-type: none"> 1. Plans being unclear 2. Negative impact on resale value of neighbouring dwelling 3. The proposal not being in keeping with the character of the area 4. Negative impact on light and therefore mental health of neighbouring dwelling
5.6	These issues have been considered as follows: <ol style="list-style-type: none"> 1. The plans were to scale and acceptable, however an additional annotated plan was provided by the applicant to assist 2. House values are not a material planning consideration

	<p>3. This is considered within the planning assessment section of the report at Section 6.9</p> <p>4. This is considered within the planning assessment section of the report at Section 6.8</p>
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.
6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.6	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.7	<p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Scale, Massing, Design • Impact on neighbouring amenity and character • Climate Change
6.8	<p>Scale, Massing, Design</p> <p>Policy RD2 of the Belfast Plan Strategy 2035 states that planning permission will be granted for extensions or alterations to an existing residential property where the scale, massing, design and external materials of the proposal are appropriate to the built form and appearance of the existing property and will not detract from the character of an established residential area.</p> <p>This proposal seeks to raise the ridge of the existing dwelling to accommodate a side dormer, a new window to the front elevation and replacing a window on the rear elevation with a door. The plans were amended as the original scheme had the dormer extend above the ridge, which is contrary to 4.1.3 of SPG 2023 Residential extensions and alterations.</p>

6.9	<p>Paragraph 4.1.21 of the SPG states that extensions or alterations to the roof profile of any building can be particularly sensitive as roofs make an important contribution to a building's appearance and the overall character of the area. Officers acknowledge that the proposal will result in the dwelling having a steeper pitch than the surrounding dwellings, however, the orientation of the houses in this location makes attic conversions difficult resulting with an asymmetrical roof profile. All of the dwellings from No. 11 Squires Hill Road onwards have front and rear dormers. The orientation of this dwelling is such that only a side dormer is possible. The site sits at a lower level to most of Squires Hill Road which reduces the impact of the proposal.</p> <p>Officers consider that the proposal is of an appropriate scale. The dormer will be stepped down from the new ridge by 0.7 metres, 0.7 metres to the eaves and approx. 0.3 metres from the side of the roof. Therefore, on balance, whilst dormers on side elevations are often resisted, the dwelling presents a unique context subject to there being no issues with overlooking as considered below.</p> <p>Due to the significant difference in levels, No. 11's garden will not be detrimentally impacted in terms of loss of light or overshadowing their garden.</p>
6.10	<p>Impact on Neighbouring Amenity and Character</p> <p>Paragraph 4.3.8. of SPG 2023 Residential Extensions and Alterations states that the protection of the privacy of occupants of residential properties is an important element of the quality of a residential environment. Paragraph 4.1.26 also states that dormer windows to the front or side of a property are unlikely to be acceptable in areas where they are uncharacteristic. The council acknowledge that the proposal is contrary to this policy, however, given the unique challenges of the host dwelling's orientation, it is considered that the proposed dormer windows on the side elevation will not unacceptably constitute overlooking to No. 03 Squires Hill Road. Whilst the windows may facilitate enhanced views of No. 03, the views are from bedrooms and not habitable rooms and will form primarily oblique views of the side elevation/roof of No. 03 due to the level difference. Furthermore, No. 03's rear amenity space is largely screened by their detached garage.</p> <p>Paragraph 1.1.4 of the SPG states that it is important that the desire to extend or alter an existing property is balanced against consideration of the impact of such works on the character and appearance of the individual property and its wider surroundings. It also states that it is important to mitigate potential impacts of dormers, particularly on side elevations. Paragraph 4.3.1 of the SPG states that in the case of dormer windows, restricting the size of the windows and setting it back from the eaves is usually an adequate solution that can protect neighbouring amenity. It is considered by the council that the appropriate window sizes on the rear dormer, the orientation of the site and the prevailing area significantly reduce any potential adverse impact from the dormer. The front proposed window on the front elevation will onlook onto the Squires Hill Road and the proposed rooflights minimally interfere with the roof and are therefore not considered to be an issue.</p>
7.0	<p>Climate Change</p> <p>The scheme is considered to comply with ENV policies in that recycled materials will be used throughout the construction process and all insulation will be upgraded beyond the current building regulations to vastly improve the energy efficiency of the full house and significantly reduce the energy costs. These interventions comply with policy RD2 and will future proof the home for modern family living.</p>
7.0	<p>Recommendation</p>
7.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p>

7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.
DRAFT CONDITIONS: <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. DRAFT INFORMATIVES: <ol style="list-style-type: none"> This decision relates to the following approved drawing numbers: Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 	

ANNEX	
Date Valid	10/10/2023
Date First Advertised	01/12/2023
Date Last Advertised	01/12/2023
Details of Neighbour Notification (all addresses) 11 SQUIRES HILL ROAD 13 SQUIRES HILL ROAD 3 SQUIRES HILL ROAD 4 SQUIRES HILL ROAD 7 SQUIRES HILL ROAD 9 SQUIRES HILL ROAD 11 SQUIRES HILL ROAD	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/3888/F	Committee Meeting Date: 16h January 2024
Proposal: Proposed two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers.	Location: Cathedral Gardens Belfast BT1 2GT
Referral Route: Belfast City Council is the applicant.	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9-21 Adelaide Street Belfast Belfast BT2 8DJ	Agent Name and Address: Belfast City Council 9-21 Adelaide Street Belfast Belfast BT2 8DJ
<p>Executive Summary:</p> <p>This application seeks full planning permission for a two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers. One container will house active travel operators and the other will store bicycles and other equipment. The application is seeking an extension of time due to an offer of additional funding which will enable the continuation of services at the Active Travel Hub as a meanwhile/pilot project within the Cathedral Gardens site.</p> <p>The proposal is a temporary project which seeks to increase active travel and push for modal shift to sustainable modes of transport. As a time limited project, it is in general conformity with the relevant policy and area designations.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> a) Principle of development; b) Impact on the character and appearance of the area including the Conservation Area and adjacent listed buildings; c) Noise, odour and other environmental impacts <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions, for a temporary two year period.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Officer Report

1.0

Drawings

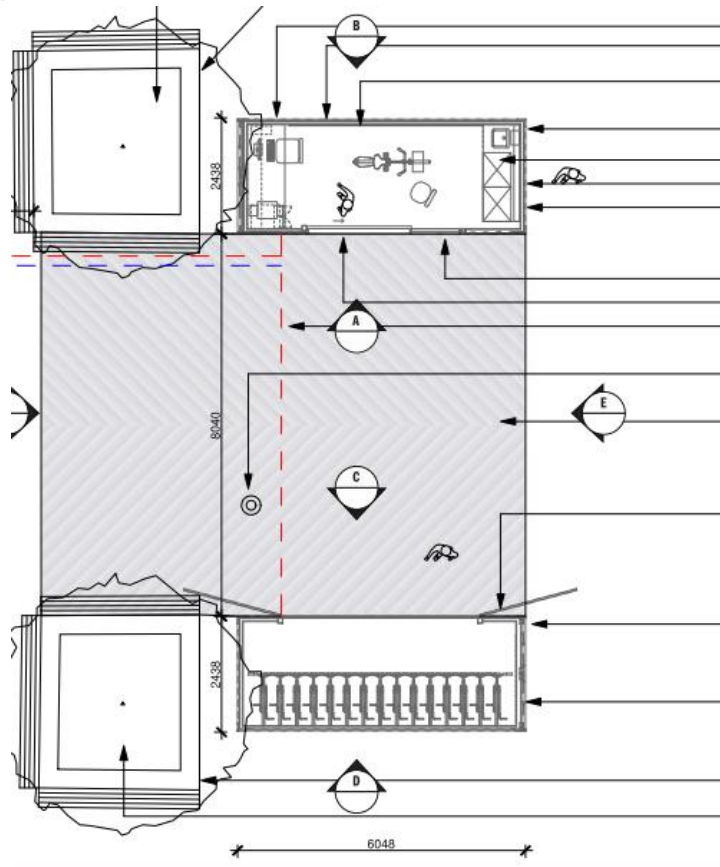
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Site Location Plan



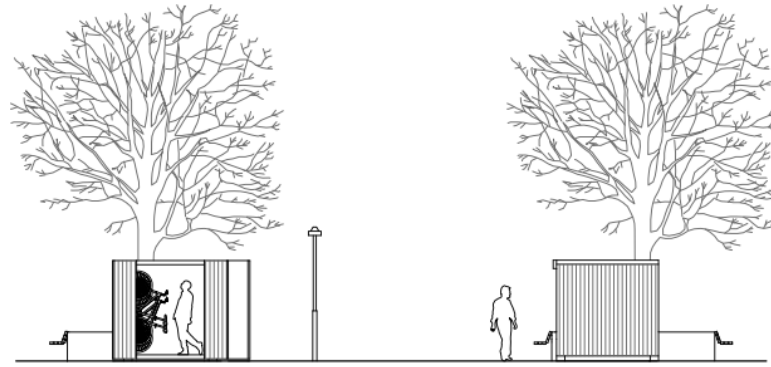
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Site Layout Plan

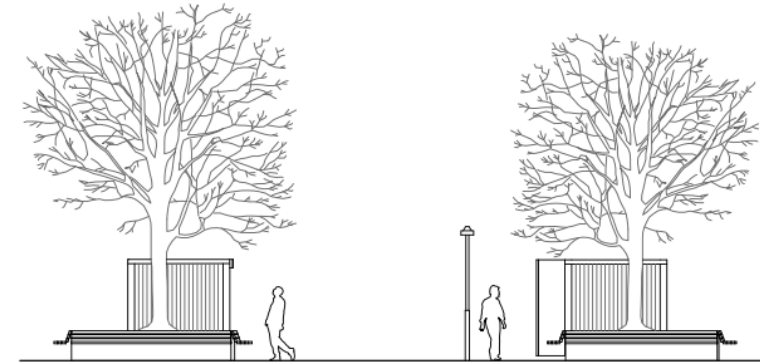


1.3

Proposed Elevations



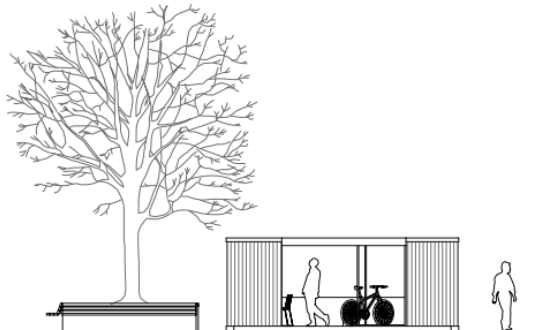
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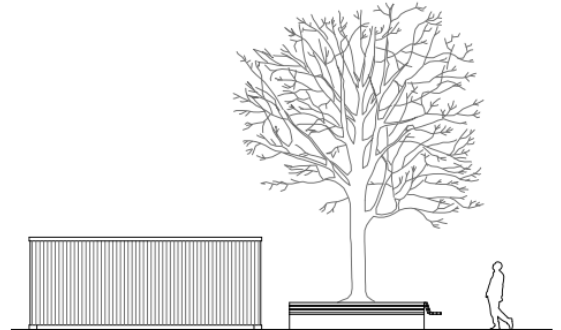
F - ELEVATION EAST

1.4

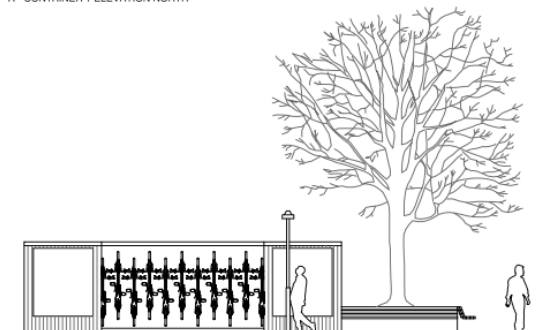
Proposed Elevations



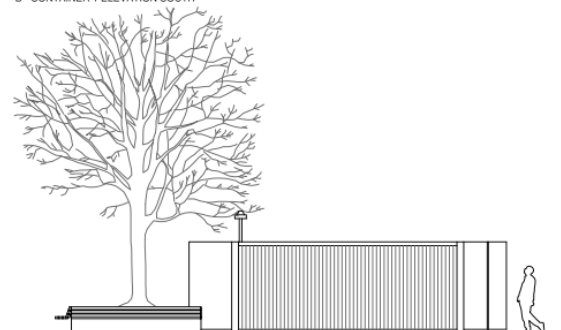
A - CONTAINER 1 ELEVATION NORTH



B - CONTAINER 1 ELEVATION SOUTH



C - CONTAINER 2 ELEVATION SOUTH



D - CONTAINER 2 ELEVATION NORTH

2.0	Characteristics of the Site and Area
2.1	The site is located within an area of public space at Cathedral Gardens within Belfast City Centre and Cathedral Conservation Area. St Anne's Cathedral is located South-East of the proposal and University of Ulster Campus is situated North of the proposal. The 2no. shipping containers already exist on site on a temporary basis, this application seeks to extend the period by a further two years. The surrounding area is characterised by a mix of uses including office, retail, community and educational.
3.0	Description of Proposal
3.1	Proposed two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers.
3.2	The painted shipping containers measure 6m x 2.4m with standard steel container doors.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Cathedral Conservation Design Guide Belfast Agenda
4.5	Planning History LA04/2015/0184/F - Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral Gardens – Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high-quality natural stone paving, street furniture, trees, lighting, and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens. Permission Granted - 26.11.2015 LA04/2021/1707/F – Cathedral Gardens - Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years Permission Granted – 29.11.2021

5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – Content Historic Environment Division – Content
5.2	Non-Statutory Consultations BCC Environmental Health - No objection Conservation Officer - No objection
5.3	Representations The application has been advertised and neighbours notified, no representations have been received.
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted
6.1.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.1.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.2	Key Issues The key issues are: <ul style="list-style-type: none"> a) Principle of development b) Impact on the character and appearance of the area including the Conservation Area and adjacent listed buildings c) Noise, odour and other environmental impacts

6.3	Principle of development
6.3.1	The principle of a temporary development of this nature on the site has already been established under planning approval LA04/2021/1707/F for an 'Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years'. The Active Travel Hub is a facility for cycling and walking activities and a base to provide information and knowledge on modal shift change to encourage a new outlook on sustainable green travel measures within the city. The 2no. shipping containers house travel operators with office space, cycling storage and workshop capabilities.
6.3.2	The site is located on undesignated land within the city centre boundary, an Area of Parking Restraint and the Cathedral Conservation Area. The Active Travel Hub is compliant with these designations and will remain ancillary to the existing use of the site as public open space and will not impact the urban landscape. The proposal is considered to comply with Policy OS1- Protection of Open Space of Belfast Local Development Plan, Plan Strategy 2035.
6.3.3	This application seeks a two-year extension to planning approval LA04/2021/1707/F. It is considered that allowing the shipping containers to remain in situ for an additional two years would enable the continuation of service at the Active Travel Hub as a meanwhile project. It is considered that this permission for a further two years should be the last temporary permission allowed as the shipping containers would not be deemed an appropriate permanent structure on this site.
6.4	Impact on the character and appearance of the area including the Conservation Area and adjacent listed buildings
6.4.1	<p>The proposal is in close proximity to the following listed buildings which are of special architectural and historic importance and are protected by Section 80 of the Planning Act (NI) 2011:</p> <ul style="list-style-type: none"> • HB26 50 067 The Cathedral Church of St. Anne, Donegall Street, Belfast • HB26 50 279 Cathedral Buildings, 60-68 Donegall Street, Belfast • Historic Environment Division (HED) has considered the impact on the listed buildings and are content with the proposal. A condition was recommended ensuring the containers are below 2.5m. There are scaled drawings accompanying the application which demonstrate that they are 2.4m in height and therefore the condition is unnecessary. The proposal complies with Policy BH1 (Listed Buildings) of Belfast Local Development Plan, Plan Strategy 2035.
6.4.2	<p>The site is within the Cathedral Conservation Area. Section 104 of the Planning Act sets out that where an area is for the time being designated as a conservation area 'special regard must be had in the exercise with respect to any buildings or other land in that area of any powers under this act to the desirability to: -</p> <ol style="list-style-type: none"> a. preserve the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise b. enhancing the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does arise'.
6.4.3	The Conservation Officer has been consulted on the application and has no objection to the proposal. It is considered that the proposal is for a time limited duration and allowing the containers to remain in situ for an additional two years will not cause unacceptable impact on the character and appearance of the area. The proposal is compliant with policy BH2 – Conservation Areas of Belfast Local Development Plan, Plan Strategy 2035.

6.5 6.5.1	Noise, odour and other environmental impacts Environmental Health have been consulted and have no objection to the proposal subject to a condition.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.
DRAFT CONDITIONS: <ul style="list-style-type: none"> The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission. <p>Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained permanently.</p> DRAFT INFORMATIVES: <ul style="list-style-type: none"> Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 	
ANNEX	
Date Valid	18.09.2023
Date First Advertised	29.09.2023
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses) 51 YORK STREET TOWN PARKS BELFAST ANTRIM BT15 1AA 76-78 DONEGALL STREET TOWN PARKS BELFAST ANTRIM BT1 2GU 95-97 DONEGALL STREET TOWN PARKS BELFAST ANTRIM BT1 2AH ART & DESIGN CENTRE 25-51 YORK STREET TOWN PARKS BELFAST BT15 1ED METROPOL HOUSE 2-10 YORK STREET TOWN PARKS BELFAST BT15 1AQ ST ANNE'S CATHEDRAL DONEGALL STREET TOWN PARKS BELFAST BT1 2HB	

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