

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



**Belfast
City Council**

10th June, 2025

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, 17th June, 2025 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

(c) Pre-emptive Committee site visit:

LA04/2024/0569/F - Outline planning permission with all matter reserved for independent living (Use Class C3) units and up to 62no. assisted living units (Use Class C1), associated internal access roads, communal open space, revised access from Castleview Road, associated car parking, servicing, amenity space and landscaping (amended description and plans). - Stormont hotel, 587 Upper Newtownards Road

(d) Pre-emptive Committee site visit:

LA04/2024/0570/F - Change of use of from 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), associated access, car parking, landscaping and open space. - Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castleview Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and Summerhill Park (nos. 37 & 39).

(e) Pre-emptive Committee site visit:

LA04/2025/0288/F - Change of use from taxi passenger terminal, cafe, office and newsagent to a Homeless Day Centre, Category D1(B).
The centre will provide meals, washing and changing facilities and an internal social amenity area for users. The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4:00 pm up until 10:00 pm (Amended Description) - Existing taxi passenger terminal and former retail unit located within 35a King Street

3. **Notification of Vesting Order**

(a) Lands at Woodbourne Crescent (Pages 1 - 6)

4. **Planning Appeals Notified (Pages 7 - 10)**

5. **Planning Decisions Issued (Pages 11 - 34)**

6. **Live Applications for Major Development**

7. **Committee Decisions that have yet to issue**

8. **Miscellaneous Reports**

(a) LA04/2023/4194/F - 2 Storey side and rear extension with single storey flat floor flat roof extension to rear and additional site works. - 2 Lead Hill Park, Belfast, BT6 9RW.

(b) Pre-Determination Hearings

- (c) LA04/2023/2890/F - Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works - Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurray, BT17 0TG. - Use of Financial Developer Contribution.
- (d) Local Applications subject to NI Water Objections (Pages 35 - 40)

9. **Planning Applications previously considered**

- (a) LA04/2022/1046/F - Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking (amended description). - 18 Annadale Avenue (Pages 41 - 78)
- (b) LA04/2024/1466/F - Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans). - 41 Rosetta Road (Pages 79 - 98)
- (c) LA04/2024/1584/F - Subdivision of 6No. bed shared dwelling to provide 3No. self contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self contained flat. - 21 Skegoneill Avenue (Pages 99 - 112)
- (d) LA04/2024/0267/F - Change of Use from Dwelling to 6no bed/6person HMO (amended description) - 11 Friendly Way (Pages 113 - 126)
- (e) LA04/2024/0095/F - Change of use from Dwelling to Short term let (retrospective) - 3 Broadway Link

10. **New Planning Applications**

- (a) LA04/2024/1592/F - Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (8 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. (amended description) - Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street (Pages 127 - 164)
- (b) LA04/2024/2044/F - Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions - Lands at 39 Corporation Street

- (c) LA04/2024/0211/F - Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site. - Existing Football Stadium, The Oval, Parkgate Drive
- (d) LA04/2025/0535/F - Variation of conditions 1, 2, ,3, 4 ,5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location. - Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane, Glanaulin, 137-143a Glen Road & Airfield Heights & St Mary's CBG School
- (e) LA04/2024/1654/F - Change of use from a 7-bedroom dwelling house (C1) to a 7 bed/ 9 person House of Multiple Occupancy (Sui Generis) - 432 Falls Road (Pages 165 - 174)
- (f) LA04/2024/1865/O - 3no. detached dwellings part 2 storey part 3 storey (amended plans) - Land between No 22 Squires View and Nos 57 & 59 Squires Hill Road
- (g) LA04/2023/4543/F - Proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting - 885 Shore Road
- (h) LA04/2025/0122/F - Demolition of 4 no garages and erection of 2 no. semi-detached dwellings, part 2 storey part 3 storey (amended description) (additional plans) - Lands Between 14 and 16 Lancedean Road, Belfast, BT6 9QP
- (i) LA04/2022/1819/F - Demolition of existing buildings and erection of 32 apartments in 3No. blocks (7@ 1no. bedroom & 25@ 2no. bedrooms) (6no. wheelchair adaptable) and associated site works - 39 Upper Dunmurry Lane
- (j) LA04/2025/0242/F - Erection of hotel (164 beds) including ground floor bar / restaurant; proposed heights of 8 storeys (c. 26.8m to parapet) at Donegall Pass, reducing to 5 storeys at Botanic Avenue and 4 storeys at Ratcliffe Street; and associated works including demolition of existing building - 2 - 10 Botanic Avenue
- (k) LA04/2024/1761/RM - Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details - Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O (Pages 175 - 196)

- (l) LA04/2025/0399/F - Additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development (planning permission ref: LA04/2022/0311/F) - Lands at Plot 4 of Kings Hall Healthcare Village, west of 25 Harberton Park and north of 27 Harberton Crescent (Pages 197 - 202)
- (m) LA04/2024/1036/F - Lagan Gateway Phase 2 - Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works - Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA (Pages 203 - 220)

11. **Restricted Items**

- (a) Building Control Outstanding Accounts (Pages 221 - 222)

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Subject:	Notifications from statutory bodies
Date:	17 th June 2025
Reporting Officer:	Kate Bentley, Director of Planning & Building Control
Contact Officer:	Dermot O’Kane, Acting 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 a notification received from the Department for Communities (DfC) (see Appendix 1) of their intention to make a Vesting Order relating to land at Woodbourne Crescent/Suffolk Road, Belfast.
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 notification from DfC:
3.2	<p>Notice of Intention to vest land at Woodbourne Crescent/Suffolk Road, Belfast</p> <p>Received on 19th May 2025 this notification concerns a notice of intention to make a Vesting Order under The Planning (NI) Order 1991 and the Local Government Act (NI) 1972 to acquire four parcels of land totalling 247 square metres at Woodbourne Crescent/Suffolk Road (Appendix 1). The purpose of the Vesting Order is to facilitate the implementation of an Environmental Improvement Scheme which received planning approval from the Council in February 2020 (Application Ref. LA04/2019/1232/F).</p>
3.3	A previous notification relating to the vesting of four different parcels of land totalling 1,686 square metres at Woodbourne Crescent/Suffolk Road for the same purpose was brought to, and noted by the Planning Committee on 19 th September 2023.
3.4	In considering this notification other services within the Council were consulted – City & Neighbourhood Services, Estates and City Regeneration & Development and no issues or concerns were raised. There is no requirement for the Council to respond to this consultation and it is recommended that the Committee notes this report.

3.5	<u>Financial & Resource Implications</u> There are no resource implications associated with this report.
3.6	<u>Equality implications or Good Relations implications / Rural needs assessment</u> None.
4.0	Appendices – Documents Attached
	Appendix 1: Vesting Order Notice of Intention – Woodbourne Crescent



To whom it may concern

Building Successful Communities
Level 4
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

15 May 2025

RE: Land at Woodbourne Crescent, Belfast

I enclose for your information and attention a copy of a Notice of Intention to make a Vesting Order in relation to land at Woodbourne Crescent, Belfast, together with a map which outlines in red the area of land which the Department proposes to acquire.

The Notice of Intention to make a Vesting Order will be published in the three regional daily newspapers on 22 May 2025 and also on 29 May 2025.

Please contact BSCWoodbournevesting@communities-ni.gov.uk if you require any further information or clarification.

Yours faithfully

SEAMUS HILLOCK

Housing Investment – Building Successful Communities

DEPARTMENT FOR COMMUNITIES

THE PLANNING (NORTHERN IRELAND) ORDER 1991 THE LOCAL

GOVERNMENT ACT (NORTHERN IRELAND) 1972

NOTICE OF INTENTION TO MAKE A VESTING ORDER

WOODBOURNE CRESCENT/ SUFFOLK ROAD BELFAST

TAKE NOTICE that the Department for Communities ("the Department") in pursuance of the provisions of the above Act and Order intends to make an Order vesting the lands described in the schedule annexed hereto in the Department in accordance with and subject to the provisions of the above Act and Order; the Department desires to acquire the said lands otherwise than by agreement for the purpose of securing the treatment of the lands as a whole by development or redevelopment.

A map showing the lands proposed to be acquired may be inspected by appointment. E-mail your contact details to BSCWoodbournevesting@communities-ni.gov.uk and a department official will contact you to arrange an appointment.

Any objections to the proposed Order must be presented in writing setting out the grounds thereof to Department for Communities, Housing Investment Branch, Building Successful Communities, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG or via email to BSCWoodbournevesting@communities-ni.gov.uk, on or before 30 June 2025.

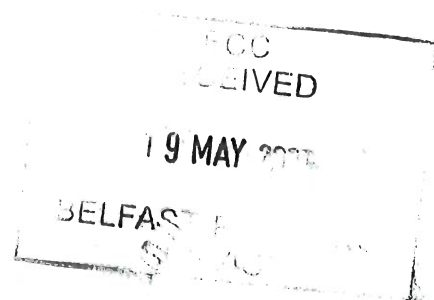
Information you provide in your response, including personal information, could be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR). For further details on confidentiality and FOIA please refer to www.ico.org.uk.

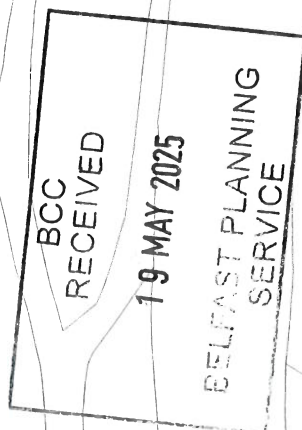
For information regarding the Departmental Privacy Notice following the introduction of UK GDPR please go to the Department website at www.communities-ni.gov.uk/dfc-privacy-notice or phone the Data Protection Officer on 028 9082 9200.

Dated this 22 day of May 2025

HELOISE BROWN

**A Senior Officer of
the Department for Communities**





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Agenda Item 4

PLANNING COMMITTEE – 17 JUNE 2025

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO	1	PAC REF	2025/E0010
PLANNING REF:	LA04/2022/0223/CA		
APPLICANT:	Conway Estates Ltd		
LOCATION:	Land or premises at 11-19 Corporation Street, (accessed from Tomb Street), Belfast, BT1 3AS		
PROPOSAL:	Alleged unauthorised change of use of vacant land for a car park extension (sui generis) The Planning (Use Classes) Order (NI) 2015 without the benefit of planning permission		
PROCEDURE:			
ITEM NO	2	PAC REF	2025/A0017
PLANNING REF:	LA04/2024/1118/F		
APPLICANT:	Ms Paula Durbano		
LOCATION:	90 Maryville Street, Belfast, BT7 1AE		
PROPOSAL:	Retrospective Change of Use (CoU) for one bedroom from permanent residential use (Class C1) to short term let accommodation (STLA) (Sui Generis). Appeal against Condition 2: The short-term let use hereby permitted may not operate unless the bedrooms as annotated on Drg 02B are occupied by a person as their primary, permanent residence.		
PROCEDURE:			
ITEM NO	3	PAC REF	2025/A0022
PLANNING REF:	LA04/2023/4482/F		
APPLICANT:	Mrs Jayne Hughes		
LOCATION:	Apartment 7 City Gate, 2 Sussex Place, Belfast, BT2 8LN		
PROPOSAL:	Retrospective change of use from apartment to short-term let		
PROCEDURE:			

APPEALS NOTIFIED (CONTINUED)

ITEM NO	4	PAC REF	2025/A0024
PLANNING REF:	LA04/2023/3101/F		
APPLICANT:	Enagh Investments Ltd		
LOCATION:	22 Wolseley Street, Belfast, BT7 1LG		
PROPOSAL:	Change of use from 3 No HMO flats (14 No total bedrooms) to 7 No one bedroom short-term stay flats including internal and external alterations		
PROCEDURE:			
ITEM NO	5	PAC REF	2025/A0025
PLANNING REF:	LA04/2024/1623/F		
APPLICANT:	Mr Paul Kennedy		
LOCATION:	49 Woodcot Avenue, Belfast, BT5 5JB		
PROPOSAL:	Change of use from 4 bed dwelling (C1) to 4 bed House of Multiple Occupancy (Sui Generis)		
PROCEDURE:			
ITEM NO	6	PAC REF	2025/A0026
PLANNING REF:	LA04/2024/0086/F		
APPLICANT:	Mr Venugopal Bhaskaran		
LOCATION:	Apartment 3, 1 Utility Street, Belfast, BT12 5JS		
PROPOSAL:	Retrospective application for the conversion of a flat to short-term let accommodation		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2024/A0087
PLANNING REF:	LA04/2024/1139/A		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Martin Heatley		
LOCATION:	Rear of 88 Great Victoria Street, Belfast, adjacent to Bruce Street car park, Belfast, BT2 7JD		
PROPOSAL:	1 Digital Advertising Sign (Retention)		
ITEM NO	2	PAC REF:	2022/A0052
PLANNING REF:	LA04/2021/2300/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Ms Claire Hamilton		
LOCATION:	25 Laganview Court, Belfast, BT5 4AR		
PROPOSAL:	Retrospective change of use application from residential to short term holiday let accommodation		
ITEM NO	3	PAC REF:	2024/A0101
PLANNING REF:	LA04/2024/0214/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Rajith Atapattu		
LOCATION:	5 Ashburne Place, Belfast, BT7 1SE		
PROPOSAL:	Retrospective application for material change of use from C1 (residential) to short term let (sui generis)		

APPEAL DECISIONS NOTIFIED (CONTINUED)

ITEM NO 4 PAC REF: 2023/A0015

PLANNING REF: LA04/2022/1821/F

RESULT OF APPEAL: ALLOWED

APPLICANT: Ms Toni Rooney

LOCATION: 31 Castle Gardens, Belfast, BT15 4GB

PROPOSAL: Appeal against Condition 02 of planning permission LA04/2022/1821/F: The wall on the northern boundary of the balcony and frosted privacy screen at the rear, shown on drawing 04A shall be erected within 3 months from the date of this permission

ITEM NO 5 PAC REF: 2024/A0118

PLANNING REF: LA04/2023/2297/F

RESULT OF APPEAL: ALLOWED

APPLICANT: Cornerstone UK

LOCATION: On footpath adjacent to Wandsworth Drive, c.27m east of No 186 Belmont Road, Belfast, BT4 2AD

PROPOSAL: 17.5m telecommunications column with 6 No antennae, 3 No RRU's, 2 No radio dishes and 1 No equipment cabinet and associated ancillary works

ITEM NO 6 PAC REF: 2023/A0081

PLANNING REF: LA04/2023/2922/F

RESULT OF APPEAL: ALLOWED

APPLICANT: Artemis Development Ltd

LOCATION: Site bounded by Glenalpin Street, wellwood Street and Norwood Street, Belfast

PROPOSAL: Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354 No units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping

Planning decisions issued May 2025 - No.154

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2022/0612/F	MAJ	Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast.	Residential scheme of 53 no. dwellings comprising 34 no. semi-detached and 4 no. detached) and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed), amenity space, bin and bicycle storage, landscaping, access, car parking and all associated site works.(revised description & amended plans).	Permission Granted
LA04/2019/0081/F	LOC	Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.	Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	Permission Granted
LA04/2020/2325/F	LOC	Lands at Former Maple Leaf Club 41-43 Park Avenue Belfast.	Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	Permission Granted
LA04/2022/0907/PAD	LOC	Site at 194-294 Kingsway Dunmurry Belfast BT17 9AD	Mixed use development - coffee shop on ground floor 13 apartments on upper levels	PAD Concluded

LA04/2022/2214/F	LOC	Units 2 and 3 Block A, 332-338 Ormeau Road, Belfast, BT7 2GE.	Modification to approval LA04/2018/1415/F involving the reconfiguration and extension of approved restaurant use into Unit 3 and associated part change of use from retail. Alterations to elevations to install ventilation equipment.	Permission Granted
LA04/2023/2537/F	LOC	1A Derryvolgie Avenue, Belfast, BT9 6FL	Extension and alteration to Listed Building. Change of use from church to community and cultural use in connection with a Musical Theatre academy, with provision for education and amateur dramatics theatre under use classes D1 (community and cultural uses) and D2 (assembly and leisure).	Permission Granted
LA04/2023/2535/LBC	LOC	1A Derryvolgie Avenue, Belfast, BT9 6FL	Extension and alteration to Listed Building Change of use from church to community and cultural use in connection with a Musical Theatre academy, with provision for education and amateur dramatics theatre under use classes D1 (community and cultural uses) and D2 (assembly and leisure).	Consent Granted

LA04/2023/2753/PAD	LOC	Site of the Former Dunmurry Cricket Club 23 Ashley Park, Dunmurry, Belfast, BT17 0QQ	Redevelopment of the former Dunmurry Cricket Groups, to provide a mixed use development, comprising residential development, community parkland with play area, walking routes and associated landscaping and sports facility including a basketball court, and associated works.	PAD Concluded
LA04/2023/3487/F	LOC	92 & 94 Sandy Row, Belfast, BT12 5EX	Demolition of existing building and replacement of new 3 storey building with cafe to ground floor and 3no. apartments on the first and second floor.	Permission Granted
LA04/2023/4148/F	LOC	15 GALWALLY PARK GALWALLY BELFAST DOWN BT8 6AG	Housing development for 3no. dwellings	Permission Granted
LA04/2023/4263/PAD	LOC	49-57 Ladas Drive, Belfast, BT6 9FR	Proposed erection of 38no. apartments (4 blocks)	PAD Concluded
LA04/2024/0024/PAD	LOC	Remaining vacant 3no. listed pavilions at former Belvoir Park Hospital site. Land 80 - 150m to the east and 170m south east of West House, Belvoir Park	Conversion of 3no. vacant listed building pavilions to residential dwellings and associated development	PAD Concluded
LA04/2024/0143/F	LOC	42 Deramore Park, Belfast, BT9 5JU	Proposed 2 storey extension to side and rear of dwelling. Proposed front porch and associated front boundary wall alterations.	Permission Granted
LA04/2024/0463/F	LOC	484 Upper Newtownards Road, Belfast, BT4 3GZ	Section 54 application to remove Conditions 7, 8 and 9 of LA04/2022/0061/F	Permission Granted

LA04/2024/0549/F	LOC	34 Knockdene Park, Belfast, BT5 7AD	Addition of single storey extension to side and rear and changes to elevations (amended plans).	Permission Granted
LA04/2024/0762/DCA	LOC	34 Knockdene Park, Belfast, BT5 7AD	Demolition of existing single storey attached outbuilding located to rear party wall. Removal of return wall ground floor yard elevation Enlargement of existing rear window opening. Formation of door opening to return side elevation ground floor. Removal and blocking up of existing window opening to return side elevation ground floor.	Consent Granted
LA04/2024/0840/F	LOC	377 Woodstock Road, Belfast, BT6 8PU	Erection of external staircase to access upper floors of the property	Permission Granted
LA04/2024/1081/PAD	LOC	St Malachys College, Antrim Road, BT15 2AE	Refurbishment and Extensions to existing 4 storey seminary block to provide accommodation for technology hub to include demolition of existing first floor link to listed school building and construction of new double height link to listed school buildings	PAD Concluded

LA04/2024/1138/F	MAJ	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	Permission Granted
LA04/2024/1141/DCA	LOC	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses	Consent Granted
LA04/2024/1207/F	LOC	18 Hamel Court, Belfast, BT6 9HX	New entrance wall, gates and side walls to carpark, carpark lighting and associated works.	Permission Granted
LA04/2024/1256/F	LOC	Apartment 1, 31 Eglantine Avenue, Belfast, BT9 6DW	Retrospective single storey rear extension including partial demolition of external store and fenestration changes to existing facade	Permission Granted
LA04/2024/1239/F	LOC	The Phoenix Bar, 179 Antrim Road, Belfast, BT15 2GW	Removal of existing ground floor frontage and replacing with a traditional tiled finish frontage, retractable awning and fenestration changes (Part Retrospective)	Permission Granted

LA04/2024/1260/F	LOC	The rooftop of Stranmillis University College Central Building, Belfast, BT9 5DY	Removal of 3no. 4m wall mounted support poles and replacement with 2no. (3.5m) and 1no. (6m) proposed tripods. The removal and replacement of 6no. antennas for 18no. proposed antennas. installation of 1no. GPS modules and the relocation of 1no. GPS module. Installation of 2no. 300mm and 2no. 600mm dishes, and all ancillary works thereto.	Permission Granted
LA04/2024/1261/LBC	LOC	The rooftop of Stranmillis University College Central Building, Belfast, BT9 5DY	Removal of 3no. 4m wall mounted support poles and replacement with 3no. proposed 6m tripods. The removal and replacement of 6no. antennas for 18no. proposed antennas. installation of 1no. GPS modules and the relocation of 1no. GPS module. Installation of 2no. 300mm and 2no. 600mm dishes, and all ancillary works thereto.	Consent Granted
LA04/2024/1328/F	LOC	8 Pims Avenue, Belfast, BT4 1PJ	Proposal of conversion from a 4 bedroom dwelling house (C1) to a 5 bedroom/ 5 person HMO property (Sui Generis). (Additional Documents)	Permission Granted
LA04/2024/1419/F	LOC	6 Bladon Drive, Belfast, BT9 5JL	Replacement dwelling, to include demolition of existing dwelling, development of a new dwelling house and garage with associated site works.	Permission Granted

LA04/2024/1428/F	LOC	17 Fitzwilliam Street, Belfast, BT9 6AW	Change of use from Offices to 6no. Short-term Stay Apartments including 3 storey rear extension, replacement ground floor bay and internal alterations.	Permission Granted
LA04/2024/1577/DC	LOC	Blacks Gate, Blacks Road, Belfast, BT10	Discharge of Condition 30 of planning approval Z/2013/1434/F, Phase 1- Noise Verification Report.	Condition Partially Discharged
LA04/2024/1588/F	LOC	43 Airfield Heights, Belfast, BT11 8QU	Proposed two storey side extension and single storey rear sunroom extension.	Permission Granted
LA04/2024/1665/F	LOC	46 Hillfoot Street, Belfast, BT4 1PR	Change of use from 2 bedroom dwelling (C1) to 5 bedroom 5 person House of Multiple Occupancy (Sui Generis) with extension over existing garage and alterations to the existing dwelling. (Amended Description)	Permission Granted
LA04/2024/1777/LBC	LOC	Cathedral Buildings 62-64 Donegal Street, Belfast, BT1 2GT	Amendments to previous approval (LA04/2023/3174/LBC) to include revisions to roof covering, proposed new gable wall windows, replacement of existing staircase, revisions to door types and placements; ground floor build up; room orientations; wall finishes and additional fireplace and associated works. (AMENDED DESCRIPTION)	Consent Granted
LA04/2024/1788/PAD	LOC	Land to the west and south of the Church of the Nativity, Bell Steel Road, Dunmurry, Belfast, BT17 0PB	Residential development comprising of c. 46 no. units including a mix of dwellings and apartments, car parking, landscaping and associated site and access works	PAD Concluded

LA04/2024/1783/DC	LOC	Former Visteon Factory Blacks Road, Belfast BT10	Discharge of Condition 30 of planning approval Z/2013/1434/F Phase 5 - Noise Verification Report.	Condition Partially Discharged
LA04/2024/1819/F	LOC	23 Knockvale Park, Belfast, BT5 6HJ	Single storey extension to side and new porch to front of dwelling.	Permission Granted
LA04/2024/1862/A	LOC	7 University Road, Belfast, BT7 1NA	1 Projecting sign, 9 Other - Parking sign, 4 Other - Hotel advertisement signage, 14 Other - Informative Signage (Retrospective)	Consent Partially Granted
LA04/2024/1906/F	LOC	Riddel's Warehouse 87-91 Ann Street, Belfast, BT1 3GH	Restoration of the ground floor of the property to the front of building and change of use from offices to include use as offices and event space. (Amended Description).	Permission Granted
LA04/2024/1883/LBC	LOC	Riddel's Warehouse 87 Ann Street, Belfast, BT1 3GH	Restoration of the ground floor of the property to the front of building and change of use from offices to include use as offices and event space. (Amended Description).	Consent Granted
LA04/2024/1915/DC	LOC	16 College Square North, Belfast, BT1 6AS	Discharge of Condition 16 of Planning Approval LA04/2018/1719F - Updated Sound Insulation Report and Window Glazing Configuration and Sound Performance	Condition Discharged
LA04/2024/1921/DC	LOC	Former Visteon Factory Blacks Road, Belfast BT10	Discharge condition 30 of application Z/2013/1434/F Noise Verification Report. Phase 6	Condition Partially Discharged
LA04/2024/1954/F	LOC	4 Malone Park, Belfast, BT9 6NH	Single storey side extension	Permission Granted
LA04/2024/1955/DCA	LOC	4 Malone Park, Belfast, BT9 6NH	Demolition of existing single storey side extension, rear wall and rear chimney.	Consent Granted

LA04/2024/1968/F	LOC	13 Wynchurch Walk, Belfast, BT6 0JS	Single storey extension to side and rear. New windows in side elevation and roof extension to change hip to gable with dormer to rear and replacement garage. (Amended Plans)	Permission Granted
LA04/2024/1996/F	LOC	27 Stormont Park, Belfast, BT4 3GW	Demolition of existing carport and construction of garage. (Amended Proposal Description)	Permission Granted
LA04/2024/1998/A	LOC	Pearl Assurance House, Retail unit 1, 1 Donegall Square East, Belfast, BT1 5HB	Four external illuminated signs, one internal illuminated sign and one projecting sign	Consent Granted
LA04/2024/2059/F	LOC	50 Parkmount Street Belfast BT15 3DX	Change of use from 3 bed dwelling (C1) to 4 bed/4 person HMO (Sui generis)	Permission Granted
LA04/2024/2079/F	LOC	13 Waterloo Park South, Belfast, BT15 5HX	2-storey extension to side of existing dwelling	Permission Granted
LA04/2024/2103/NMC	LOC	28 Malone Park, Belfast, BT9 6NJ	Non Material Change to Planning Application LA04/2019/1819/F- Internal and external alterations, Floor levels lowered, roof alterations, addition of chimney pots, hard and soft landscaping alterations.	Non Material Change Granted
LA04/2024/2128/F	LOC	Beaufort House, 31 Wellington Place, Belfast, BT1 6GS	Proposed change of use from offices (Class B1) to mixed-use apart-hotel (Sui Generis) comprising 98 beds on the upper floors, ancillary apart-hotel reception, services and retail/restaurant at ground floor as well as proposed elevation changes and all associated works (amendment to planning approval LA04/2022/1657/F).	Permission Granted

LA04/2024/2131/F	MAJ	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Section 54 planning application to revise the wording of the planning condition numbers 13 and 15 (Relating access gradient and visibility splays) of planning approval LA04/2023/3778/F.	Permission Granted
LA04/2024/2137/PAD	LOC	Washington House 14-18 High Street, Belfast, BT1 2BD	Proposed refurbishment and extension of 14-18 High Street and change of use from office space and upper floor conversion to a 36 no. bed hotel, with all associated site works.	PAD Concluded
LA04/2024/2148/DCA	LOC	Beaufort House, 31 Wellington Place, Belfast, BT1 6GS	Demolition of concrete columns, railing, pitched roof, glazed sections and windows to front façade and windows to rear and side elevations.	Consent Granted
LA04/2025/0019/F	LOC	1 Glenbawn Park, Belfast, BT17 0TS	Single storey side extension.	Permission Granted
LA04/2025/0035/F	LOC	Ulster Bank House, 140-142 Great Victoria Street Shaftsbury Square Belfast, BT2 7DL	Change the use of the ground floor office space to retail space (charity shop) and community drop in centre. Also, change of use of the first and second floors from office space to community use to include classrooms, games and social areas.	Permission Granted
LA04/2025/0036/F	LOC	2 Aberfoyle Park, Belfast, BT10 0DY	Single storey rear extension with roof light.	Permission Granted
LA04/2025/0044/F	LOC	20 Wynchurch Road, Belfast, BT6 0JH	Rear dormer with hip to gable extension	Permission Granted
LA04/2025/0039/DC	LOC	415 Holywood Road, Belfast, BT4 2GU	Discharge of Condition 4 LA04/2021/2833/F - Noise verification report	Condition Discharged

LA04/2025/0043/DC	LOC	30, 32 & 34 Corrib Avenue, Belfast, BT11 9JB (OFF THE SHAWS ROAD)	Discharge of condition 8 & 9 LA04/2020/1126/F- Drainage assessment and sewage disposal	Condition Discharged
LA04/2025/0051/LBC	LOC	Pearl Assurance House, Retail Unit 1, 1 Donegall Square East, Belfast, BT1 5HB	Four individual external illuminated signs, each with 1.2 mm folded stainless steel letters, side-finished in RAL 9005 Jet Black and faced with 5 mm Apal 050 acrylic. Additionally, one internal illuminated roundel sign with fret-cut lettering and logo, also faced with 5 mm Apal 050 acrylic and i Internal fit-out of coffee shop (Retrospective)	Consent Granted
LA04/2025/0067/DC	LOC	Apartment 1, 157 Falls Road, Belfast, BT12 6AF	Discharge of condition 4 and 6 LA04/2019/2836/F- Construction Management Plan and Boundary Treatment	Condition Discharged
LA04/2025/0087/F	LOC	202 Upper Malone Road, Belfast, BT17 9JZ	Two Storey Replacement dwelling and Garage with all associated site works.	Permission Granted
LA04/2025/0101/F	LOC	1 Gortgrib Drive, Belfast, BT5 7QX	Single storey side/rear extension	Permission Granted
LA04/2025/0120/F	LOC	1 Ravensdene Park Gardens, Belfast, BT6 0DD	Single storey rear and side extension	Permission Granted
LA04/2025/0119/F	LOC	4 Balmoral Park Gardens, Finaghy, Belfast, BT10 0FA	Single storey rear and side extension to existing dwelling including internal alterations	Permission Granted
LA04/2025/0127/F	LOC	7 William Alexander Park, Belfast, BT10 0LW	Single storey extension to rear of dwelling with associated raised patio.	Permission Granted
LA04/2025/0170/A	LOC	Bus Shelter set 22 metres South of No. 115-119 North Street Belfast.	1 Digital sign on bus shelter	Consent Granted

LA04/2025/0152/F	LOC	28 Downshire Park South, Belfast, BT6 9JT	Single storey extension to side/rear. Extended patio area to rear with steps. Existing Garage reduced in size. (Amended description).	Permission Granted
LA04/2025/0151/F	LOC	35 Orby Gardens Ballyrushboy Belfast BT5 5HS	Single storey extension to rear of dwelling.	Permission Granted
LA04/2025/0161/F	LOC	35 Osborne Park, Belfast, BT9 6JP	New rear glazed extension and terrace, new stair access and roof extension to existing loft and new side entrance into utility space.	Permission Granted
LA04/2025/0162/DCA	LOC	35 Osborne Park, Belfast, BT9 6JP	New rear glazed extension and terrace, new stair access and extension to existing loft and new side entrance into utility space.	Consent Granted
LA04/2025/0171/F	LOC	51 Alliance Avenue, Belfast, BT14 7PJ	Single storey extension to rear.	Permission Granted
LA04/2025/0179/F	LOC	90 Upper Newtownards Road, Belfast, BT4 3EN	Single-storey rear kitchen extension. Addition of a rear window to existing rear extension. Demolition of existing walls at the rear of the property. Removal of 2 windows and patio doors. (AMENDED DESCRIPTION).	Permission Granted
LA04/2025/0181/F	LOC	Aisling House, 50 Stranmillis Embankment, Malone Lower, Belfast, BT9 5FL	Installation of a photovoltaic array on the roof and an EV charging point to the front elevation at Aisling House, Belfast. LBC Application LA04/2025/0183/LBC	Permission Granted
LA04/2025/0183/LBC	LOC	Aisling House, 50 Stranmillis Embankment, Malone Lower, Belfast, BT9 5FL	Installation of a photovoltaic array on the roof and an EV charging point to the front elevation at Aisling House, Belfast. Full Application LA04/2025/0181/F	Consent Granted

LA04/2025/0249/F	LOC	Dwelling to the rear of no.46 Myrtlefield Park, Belfast (change of address)	Part demolition of boundary walling, formation of additional vehicular access and car parking along with formation of new internal boundary treatment (landscaping) and minor works to dwelling.	Permission Granted
LA04/2025/0250/LBC	LOC	Dwelling to the rear of no.46 Myrtlefield Park, Belfast (change of address)	Part demolition of boundary walling, formation of additional vehicular access and car parking along with formation of new internal boundary treatment (landscaping) and minor works to dwelling.	Consent Granted
LA04/2025/0198/F	LOC	8 Old Coach Lane, Belfast, BT9 5PS	Retrospective 2 storey extension and alterations to dwelling	Permission Granted
LA04/2025/0200/F	LOC	Holy Evangelist Primary School Glasvey Drive Belfast BT17 0DB	Proposed single storey extension to rear of building and school meals dining extension to front	Permission Granted
LA04/2025/0223/NMC	LOC	Our Lady of Lourdes Primary School 700 Antrim Road, Belfast, BT15 5GQ	proposed alterations to LA04/2022/0594/F - Alteration to the window design, comprising the introduction of an additional transom to reduce opening vent sizes.	Non Material Change Granted
LA04/2025/0239/F	LOC	21a Cyprus Avenue, Belfast, BT5 5NT	Renewal of LA04/2019/2651/F - Demolition of existing garage, carport, porch and roof to dwelling. Single storey extension to side and rear. Porch extension to front, new roof creating a new ridge level and associated site works.	Permission Granted
LA04/2025/0240/DCA	LOC	21a Cyprus Avenue, Belfast, BT5 5NT	Renewal of LA04/2019/2628/DCA - Demolition of existing garage, carport, porch and roof to dwelling.	Consent Granted

LA04/2025/0227/CLOPUD	LOC	88 Knock Eden Park, Belfast, BT6 0JG	Re-building of existing single storey, pitched roof rear return to improve thermal performance. Single storey flat roof extension.	Permitted Development
LA04/2025/0266/NMC	LOC	Lands to the south of Wolfhill Avenue and Ligoniel Road, Belfast.	Omission of previously approved landscape planting plan under LA04/2017/0923/F and replaced with the updated landscape planting plan.	Non Material Change Granted
LA04/2025/0252/F	LOC	22 Mount Merrion Avenue, Belfast, BT6 0FR	Single storey rear extension with fenestration changes.	Permission Granted
LA04/2025/0261/F	LOC	3 Greystown Park, Belfast, BT9 6UN	Proposed two storey rear extension including fenestration changes	Permission Granted
LA04/2025/0263/F	LOC	68 Stewartstown Park, Belfast, BT11 9GN	Single storey extension to side and rear of dwelling	Permission Granted
LA04/2025/0256/F	LOC	197 Belmont Road, Belfast, BT4 2AE	Demolish existing garage and single storey rear return and replace with a new single storey rear and side extension	Permission Granted
LA04/2025/0281/F	LOC	14 Mount Prospect Park, Belfast, BT9 7BG	Demolition of single-storey rear extension. Addition of two-storey rear extension.	Permission Granted
LA04/2025/0272/F	LOC	32 Gortin Park, Belfast, BT5 7EP	Rear single storey extension with fenestration changes, replacement raised terrace and steps.	Permission Granted
LA04/2025/0319/F	LOC	40 Belmont Church Road, Belfast, BT4 3FF	Roofspace conversion including rear dormer	Permission Granted
LA04/2025/0539/F	LOC	1 Airport Road, Belfast, BT3 9DY	Creation of 2 external windows on the South and East elevation.	Permission Granted
LA04/2025/0334/LBC	LOC	89-91 Royal Avenue, Belfast, BT1 1FE	Painting, maintenance and repair works to external elevations.	Consent Granted
LA04/2025/0343/F	LOC	Lands at Instonians Rugby, Cricket and Hockey Clubs, Milltown Road, Belfast BT8 7XP	Erection of two 4.2 x 33m metal screens	Permission Granted

LA04/2025/0330/A	LOC	Block E, The Arc, Abercorn Basin, Titanic Quarter, Queens Road, Belfast	External shop signage comprising of 3no slimline illuminated badge box sign and 2 projecting box sign	Consent Granted
LA04/2025/0447/F	LOC	Former Europa Buscentre 10 Glengall St, Belfast, BT12 5AH	Temporary change of use of the former Europa Bus Station, comprising vacated bus yard area and station building, connecting to the existing Europa Hotel to provide a hospitality use to include retail, food and beverage market, outdoor seating, landscaping, and entertainment space for a period of 5 years.	Permission Granted
LA04/2025/0339/F	LOC	12 Knocklofty Park, Belfast, BT4 3NA	Part demolition and erection of two storey extension to front and rear. Associated site works.	Permission Granted
LA04/2025/0357/NMC	LOC	44 Lagmore Dale, Dunmurry Belfast BT17 0TQ	Non-material change to planning application LA04/2024/1712/F - Extension mirrored to right hand side to minimize land to be retained, existing patio doors reduced to window.	Non Material Change Refused
LA04/2025/0360/DC	LOC	Site of the former Finlay's Factory south east of Ballygomartin Road, north of Moyard Crescent, northwest of Springfield Heights and Springfield Park, Belfast BT13 3QZ	Discharge of Condition 6 of planning approval LA04/2023/2338/F - Environmental Monitoring Plan (EMP)	Condition Discharged
LA04/2025/0364/DC	LOC	1-21 Castlereagh Road, Ballymacarret, Belfast, BT5 5FB	LA04/2023/2763/F condition 4- specification of materials.	Condition Discharged
LA04/2025/0391/F	LOC	Unit 75, 20 Wellwood Street, Belfast, BT12 5GE	Change of Use from office to single residential flat	Permission Granted

LA04/2025/0446/F	LOC	Belfast Grand Central Station fronting Durham St and Grosvenor Rd, Belfast.	Installation of 1338 no. photovoltaic (PV) panels and ancillary development to roof of Belfast Grand Central Station.	Permission Granted
LA04/2025/0409/F	LOC	36 Corrina Avenue, Belfast, BT17 0HR	Single Storey Rear Extension. Conversion of Existing Garage to Garden Room and W.C.	Permission Granted
LA04/2025/0410/F	LOC	48 Ashton Park Belfast, Belfast, BT10 0JQ	Single storey side and rear extension	Permission Granted
LA04/2025/0402/F	LOC	26 Rosehead Belfast, Belfast, BT14 7BD	Single storey rear extension	Permission Granted
LA04/2025/0424/F	LOC	The Ewart, 17A Bedford Street, Belfast BT2 7GP	Proposed installation of kitchen extraction plant on roof associated with planning approval LA04/2024/0617/F along with internal minor alterations to each floor level.	Permission Granted
LA04/2025/0417/LBC	LOC	The Ewart, 17A Bedford Street, Belfast BT2 7GP	Proposed installation of kitchen extraction plant on roof associated with planning approval LA04/2024/0617/F along with internal minor alterations to each floor level.	Consent Granted
LA04/2025/0415/F	LOC	13 Old Coach Avenue Belfast, Belfast, BT9 5PY	Single storey front extension to existing garage and conversion to recreation room	Permission Granted
LA04/2025/0419/F	LOC	17 Beechmount Link, Ballymagarry, Belfast, BT12 7NQ	Single storey rear and side extension.	Permission Granted
LA04/2025/0516/CLEUD	LOC	Flat 2 108 Cromwell Road, Belfast, BT7 1JY.	HMO (House in multiple occupancy).	Permitted Development
LA04/2025/0483/CLEUD	LOC	12 Strandview Street, Belfast, BT9 5FF	Change of use to House in Multiple Occupation (HMO)	Permitted Development

LA04/2025/0439/F	LOC	Unit 3-5 Curzon Building, 306-310 Ormeau Road, Belfast, BT7 2GE	Variation of condition No. 3 of LA04/2023/3130/F to amend the odour extraction system in line with new odour impact assessment and installation of odour extraction system.	Permission Granted
LA04/2025/0441/F	LOC	12 Lagmore View Manor, Belfast, BT17 0YL	Proposed single storey rear extension and roof space conversion creating a dormer to the rear of the dwelling.	Permission Granted
LA04/2025/0445/CLEUD	LOC	Flat 1, 23 Eglantine Gardens, Belfast, BT9 6EZ	Change of use to House in Multiple Occupation (HMO)	Permitted Development
LA04/2025/0460/DC	LOC	53 Crumlin Road Gaol - A Wing Crumlin Road, Belfast, BT14 6ST	Discharge condition 2 of LA04/2024/1392/LBC- structural report	Condition Discharged
LA04/2025/0459/NMC	LOC	23 St Johns Park, Belfast, BT7 3JG	Relocate rear extension on boundary and relocate it to the side gable of dwelling.	Application Withdrawn
LA04/2025/0465/CLEUD	LOC	63 Rugby Road, Belfast, BT7 1PT	Change of use to House in Multiple Occupation (HMO).	Permitted Development
LA04/2025/0492/F	LOC	26 Norfolk Drive, Belfast, BT11 8AE	Conversion of an existing detached garage to create a self-contained granny annex.	Permission Granted
LA04/2025/0485/A	LOC	Unit UG30/31 Victoria Square, Belfast, BT1 4QG	1 High level Fascia sign and 2 external tray signs to front elevation.	Consent Granted
LA04/2025/0487/CLOPUD	LOC	139 Old Holywood Road, Belfast, BT4 2HQ	Rear single storey extension to existing bungalow and incorporating existing attached garage.	Application Withdrawn
LA04/2025/0512/CLEUD	LOC	4 Rathcool Street, Belfast, BT9 7GA	Change of use to House In Multiple Occupation (Existing HMO Use)	Permitted Development
LA04/2025/0511/CLOPUD	LOC	Mental Health Unit Belfast City Hospital, Belfast, BT9 7YG	Installation of new water source heat pumps at the Belfast City Hospital Mental Health Unit.	Permitted Development

LA04/2025/0515/CLEUD	LOC	47 Brookland Street, Belfast, BT9 7FZ	Change of use to House in Multiple Occupation (HMO)	Permitted Development
LA04/2025/0525/F	LOC	7 Marmont Park, Belfast, BT4 2GR	Single storey side extension.	Permission Granted
LA04/2025/0521/NMC	LOC	1 Hospital Road, Belfast, BT8 8JP	Non-material change to planning application LA04/2024/0026/F- Revised parking layout, amendments to the elevations to include an entrance canopy, change to window fenestration and change to front entrance door. Relocation of cycle storage and bins store to rear of apartments. Addition of low profile solar PV Panels to rear roof. Boundary treatment amended to increase privacy to rear garden area.	Application Withdrawn
LA04/2025/0532/F	LOC	120 Hawthorn Glen, Hannahstown, Belfast, BT17 0WH	Single storey rear extension	Permission Granted
LA04/2025/0543/CLEUD	LOC	41 Donegall Pass, Belfast, BT7 1DQ	House Multiple Occupancy (HMO)	Permitted Development
LA04/2025/0544/F	LOC	110 Haypark Avenue, Belfast, BT7 3FF	Single storey rear extension and associated site works.	Permission Granted
LA04/2025/0552/F	LOC	11 Neill's Hill Park, Belfast, BT5 6FL	Rear single storey link extension to adjoin garage conversion with fenestration changes.	Permission Granted
LA04/2025/0560/NMC	LOC	89 White Rise, Belfast, BT17 0XD	Non-material change to planning permission LA04/2024/0680/F- Reducing size of approved extension, removal of side facing windows, new rear facing window, changes to rear fence and relocating shower room to original property.	Non Material Change Granted
LA04/2025/0596/F	LOC	Subway, 40 Fountain Street, Belfast, BT1 5EB	Installation of new roller shutter to Fountain Street elevation	Permission Granted

LA04/2025/0599/F	LOC	26 Lagmore Dale, Dunmurry, Belfast, BT17 0TQ	Single storey rear kitchen extension	Permission Granted
LA04/2025/0602/LBC	LOC	71- 75 University Road, Belfast, BT7 1NF	Listed Building Consent for refurbishment of windows, repairs to section of railing and broken plinth wall.	Consent Granted

LA04/2025/0634/WPT	LOC	44 Myrtlefield Park, Belfast, BT9 6NF	<p>The applicant desires to remove two large leyland cypresses from the front of their property and replace them with smaller trees. Due to a tree falling on the adjacent road in the recent storms, the applicants are concerned that something similar may occur with these: however, their height and location could result in major damage and possible risk to life if they were to fall towards the house.</p> <p>Furthermore, the large size of these trees both partially obscures the view of the property from the street and prevents sunlight from reaching certain parts of the house. Smaller trees would give a better view of the house's unique architecture from the road and contribute to the openness of the property, thus coming more in line with the character of the Malone Conservation Area (sub-area G).</p> <p>Work Specification: The trees will be dismantled in sections by a qualified professional to avoid damage to any nearby property.</p> <p>The remaining stumps will be mechanically ground to minimise any disruption to the surrounding</p>	Works to TPO Granted
LA04/2025/0616/F	LOC	16 St Judes Crescent, Belfast, BT7 2GW	Single storey rear extension and dormer to rear.	Permission Granted

LA04/2025/0618/F	LOC	79 South Parade, Belfast, BT7 2GN	2 Single storey extensions to rear	Permission Granted
LA04/2025/0627/DC	LOC	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Discharge Condition 17 LA04/2024/0344/F - Piling Risk Assessment	Condition Discharged
LA04/2025/0648/DC	LOC	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Discharge Condition 2 LA04/2024/0344/F - Written Specification of Materials	Condition Discharged
LA04/2025/0650/DC	LOC	721-739 Lisburn Road, Malone Lower, Belfast, BT9 7GU	Discharge of condition 15 LA04/2021/0789/F- Piling Risk Assessment	Condition Discharged
LA04/2025/0640/F	LOC	25M Harberton Park, Malone Upper, Belfast, BT9 6TW	New entrance canopy	Permission Granted
LA04/2025/0663/A	LOC	Unit 2, 300 - 310 Ormeau Road, Belfast BT7 2GE	1 Shop sign	Application Withdrawn
LA04/2025/0672/CLOPUD	LOC	48 Owenvarragh Park, Belfast, BT11 9BE	Single storey rear extension	Permitted Development
LA04/2025/0675/DC	LOC	Belfast City Council City Hall Belfast City Hall 2 Donegall Square North, Belfast, BT1 5GS	Discharge of condition 3 LA04/2025/0140/LBC- Window design.	Condition Discharged
LA04/2025/0680/CLEUD	LOC	22 Agincourt Street, Belfast, BT7 1RB	Existing House of Multiple Occupancy (HMO)	Permitted Development
LA04/2025/0679/CLEUD	LOC	42 Stranmillis Park, Belfast, BT9 5AU	Change of Use to HMO (House in multiple occupation)	Permitted Development
LA04/2025/0715/WPT	LOC	38 Cleaver Park, Belfast, BT9 5HY	As per attached Tree Survey Report. Please note, the work is proposed as a result of a dispute between neighbours. The agreed compromise, and proposed work, is outlined in the addendum section of the attached report.	Works to Trees in CA Agreed
LA04/2025/0691/WPT	LOC	66A Kings Road, Belfast, BT5 6JL	Tree Surgery	Works to Trees in CA Agreed

LA04/2025/0724/CLOPUD	LOC	72/72a Cedar Avenue, Belfast, BT15 5AT	Domestic use to short term let of two apartments	Application Withdrawn
LA04/2025/0740/WPT	LOC	41 Derryvolgie Avenue, Belfast, BT9 6FP	Reduction of overall size, as per recommendations in attached arboricultural survey.	Works to TPO Granted
LA04/2025/0709/PRELIM	LOC	Lighthouse Building, 1 Cromac Place, Gasworks Business Park, Ormeau Road, Belfast, BT7 2JB	Proposed Mixed Developement	PAD Concluded
LA04/2025/0716/WPT	LOC	1 Knockdene Park North, Belfast, BT5 7AA	Trim back overhanging branches from fir tree interfering with gutter over house and trim laurel bush.	Works to TPO Granted
LA04/2025/0717/WPT	LOC	2A Fruithill Park, Belfast, BT11 8GD	request to reduce the branches of a tree by approx 3.5 mtrs. this measurement was given by Belfast City Council a few years back at time of original application. works wer never carried out and original approval has now lapsed.	Works to TPO Granted
LA04/2025/0790/WPT	LOC	Unit 12 Kilwee Business Park, Upper Dunmurry Lane, Belfast, BT17 0HD	Removal of trees hanging over building and damaging roof crown reduction of trees close to building crown lift to 6m trees along road to provide VHC	Works to TPO Granted
LA04/2025/0803/NMC	LOC	19 Oldpark Avenue, Belfast, BT14 6HH	LA04/2023/4226/F- change in material from red brick to render.	Non Material Change Granted

LA04/2025/0809/F	LOC	Apartment 1-9 134 University Avenue, Belfast, BT7 1GZ	Change of use of the existing building comprising 9 apartments (Class C1 dwellinghouses) to short-term holiday accommodation (Airbnb). No physical alterations or demolition works are proposed. The building will continue to be used for residential purposes but will operate as short-term lets. Existing access arrangements and ancillary facilities will remain unchanged. The site is not located within a designated conservation or demolition area.	Application Withdrawn
				<u>Total Decisions 154</u>

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Subject:	Delegation of Local applications with NI Water objections
Date:	17 th June 2025
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

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	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024, 24 th May 2024, 27 th June 2024, 13 th August 2024 15 th October 2024 21 st January 2025 18 th March 2025 15 th April 2025 and 13 th May 2025 it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other

	than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 260 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or

	<p>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p>
3.9	In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.
3.10	However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.
3.11	Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
3.12	In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.
3.13	The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided.
	<u>Habitats Regulations Assessment</u>
3.14	Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.
3.15	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a "significant effect" on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case by case basis as required.
	<u>Local applications for which delegated authority is sought to determine</u>
3.16	The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at Appendix 1 .

3.17	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

Appendix 1 – Local applications with NIW objections (June 2025)

	DEA	REFERENCE	DATE RECEIVED	PROPOSAL	ADDRESS
1		LA04/2023/4245/F		Conversion of and extension to existing unused archways to comprise: (1) cafe and restaurant; (2) health and fitness facility; (3) B1 community offices and (4) associated environmental improvements including footway widening on Lanyon Place and creation of hard surface landscaping within DfI Roads and NI Transport Holding Company wayleaves parallel to East Bridge Street and Lanyon Place railway station with pedestrian access from Stewart Street and Lanyon Place.	Land within and adjoining the existing archways beneath East Bridge Street, Belfast
2		LA04/2025/0254/F		3 storey mixed use development comprising of ground floor retail and 16 residential apartments; covered car parking and other associated site works	Lands between 2 and 12 Parkgate Avenue
		LA04/2025/0463/F		Proposed change of use of Vacant Warehouse to indoor Padel Court Facility to include, Cafe, Spa, Changing rooms, Gym, Picklecourts and ancillary site development works	Decco Ltd 1-5 Redcar Street, Belfast, BT6 9BP
		LA04/2024/2073/O		2.5 storey development comprising 1 ground floor retail unit and 7 apartments	1 Orangefield Grove, Belfast, BT5 6DA

5	Court	LA04/2025/0531/F	28/03/2025	Change of use from taxi office to hot food takeaway with provision of odour abatement system / extraction flue.	276 Shankill Road, Belfast, BT13 2BN
6	Lisnasharragh	LA04/2025/0748/F	08/05/2025	Proposed erection of 36no. apartments and all associated site works	49-57 Ladas Drive

ADDENDUM REPORT 2	
Committee Date: 17 th June 2025	
Application ID: LA04/2022/1046/F	
Proposal: Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.	Location: 18 Annadale Avenue Belfast BT7 3JH
Referral Route: 3.8.2 (a) (i) a representation has been received which conflicts with the Planning Officer's recommendation.	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
Applicant Name and Address: Cregagh Developments Ltd 32a Grennan Road Newry BT34 2PJ	Agent Name and Address: Planning Permission Experts 32a Bryansford Avenue Newcastle BT33 0LG
Date Valid: 4 th May 2022	
Target Date: 17 th August 2022	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background: <ol style="list-style-type: none"> 1. This application was first reported to the 18th March 2025 Planning Committee meeting. The application was deferred for a further site visit and to give Members more time to consider the restricted viability information shared with them before the meeting. 2. The Committee previously undertook a visit to the site in March 2024. The further site visit took place on 8th April 2025. 3. The application was then reported to the 15th April 2025 Planning Committee meeting. The Committee deferred the application to allow the applicant opportunity to provide further viability information regarding options to retain the existing original building. 4. This report should be read in conjunction with the original report to Committee and Addendum Report 1, appended. 	
NI Water consultation: <ol style="list-style-type: none"> 5. As verbally reported to the 15th April 2025 Committee meeting, NI Water recommends refusal, advising that whilst there is capacity at the waste-water treatment works, there are network capacity concerns, which could present significant risks to the environment and impact on existing properties. NI Water recommends that the applicant further engages with it on this matter. 6. Officers advise that the issues raised by NI Water are already addressed in the Committee report. A condition is advised to require approval of foul and surface water drainage details prior to commencement of development. 	

Additional Representations:

7. Also as reported to the previous meeting, six further objections (21 objections in total) have been received, including from Claire Hanna MP and Matthew O'Toole MLA. The Ulster Architectural Heritage Society have submitted a further representation reiterating their previous objection which is addressed in the previous report. The points of objection are summarised below.
- Erosion of Victorian character of street. Inappropriate design and scale, not in keeping.
 - Loss of a Victoria building; existing building should be retained.
 - Increased traffic, traffic congestion and parking.
 - Impact on neighbour amenity – loss of light and during construction. Specific impacts on the nearby care home during construction.
 - Loss of green spaces and habitat.
 - Impact on boundary hedge.
 - Impact on trees and shrubs.
 - Environmental impact of demolition.
 - Devaluation of property.
8. Construction impacts can be mitigated through best practice and would not be reasonable grounds for refusal of planning permission. Devaluation of property is not a material planning consideration. The other issues have been dealt with in the previous reports.

Further Viability Information:

9. The applicant provided further viability information on 8th May 2025, which considers the viability of various options to retain the existing original building. The planning policy context to this issue is Policy ENV2, which states that *'Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible.'*
10. The applicant argues that it is not financially viable to retain the existing building as part of a redevelopment scheme. The further viability information provided by the applicant considers eight options to retain the existing building, summarised in the table below.

Option	Description of Proposal	Applicant's Viability Conclusion
1	Conversion of existing original building to single home + 4 semi-detached dwellings	Unviable
2	Conversion of existing original building to two homes + 4 semi-detached dwellings	Unviable
3	Conversion of existing original building to 5 apartments + 4 semi-detached dwellings	Unviable
4	Conversion of existing original building to office use + 4 semi-detached dwellings	Unviable
5	Conversion of existing original building to short-term lets + 4 semi-detached dwellings	Unviable
6	Demolition of existing original building, 9 new build apartments + 5 townhouses (application proposal)	Viable
7	Façade retention to existing original building, 9 new build apartments behind + 5 townhouses	Unviable
8	Conversion of existing original building to 5 apartments + 4 townhouses	Unviable

11. Naylor Devlin has assessed the viability of Options 3, 7 and 8 on behalf of the Council, with Option 3 being the least unviable of the original options previously put to the Committee, and Options 7 and 8 identified by the Committee (Naylor Devlin has previously advised the Council on viability issues relating to the provision of affordable housing, as set out in the previous Committee reports, appended). It should be noted that the viability information provided by the applicant do not include developer profit and Naylor Devlin has allowed for this in their independent appraisal.
12. For all three options, Naylor Devlin's agrees that the schemes are unviable, albeit less unviable than indicated by the applicant. Naylor Devlin also confirms that Option 6 (the application proposal) remains marginally unviable as previously advised.
13. On the basis of this independent appraisal, it is advised that the options to retain the existing building, including façade retention only, are unviable. The applicant has demonstrated that it is not feasible to retain the existing building from a viability perspective, in compliance with Policy ENV2 of the Plan Strategy.
14. In any event, as set out in the previous reports, it is considered that weight should be given to the longevity of the application, which was submitted in May 2022 with a PAD submitted in February 2021, significantly pre-dating adoption of the Plan Strategy in May 2023 and Policy ENV2. Moreover, for the reasons stated in the previous reports, retention of the existing original building would result in a "pinch point" between the building and No. 18A Annadale Avenue, restricting vehicular access to the rear, with unacceptable defensible space were the original bay window to be removed to increase the width of the access.
15. Taking account of all these factors, demolition of the building is considered acceptable in the context of Policy ENV2.

DfI Rivers Consultation Response:

16. An updated Drainage Assessment has been requested to deal with the DfI Rivers response. Delegated authority is therefore sought to deal with any issues raised in its consultation reply, provided that they are not substantive.

Recommendation:

17. Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement to secure a viability review. A list of draft conditions is provided in Addendum Report 1, appended. The draft Section 76 planning agreement has been agreed in principle, pending the decision of the Planning Committee.
18. 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 the further consultation with DfI Rivers and any other issues that may arise, provided that they are not substantive.

ADDENDUM REPORT 1

Committee Date: 15th April 2025

Application ID: LA04/2022/1046/F

Proposal: Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.

Location: 18 Annadale Avenue
Belfast
BT7 3JH

Referral Route: 3.8.2 (a) (i) a representation has been received which conflicts with the Planning Officer's recommendation.

Recommendation: Approval subject to conditions and a Section 76 planning agreement

Applicant Name and Address:

Cregagh Developments Ltd
32a Grennan Road
Newry
BT34 2PJ

Agent Name and Address:

Planning Permission Experts
32a Bryansford Avenue
Newcastle
BT33 0LG

Date Valid: 4th May 2022

Target Date: 17th August 2022

Contact Officer: Ed Baker, Planning Manager (Development Management)

Background:

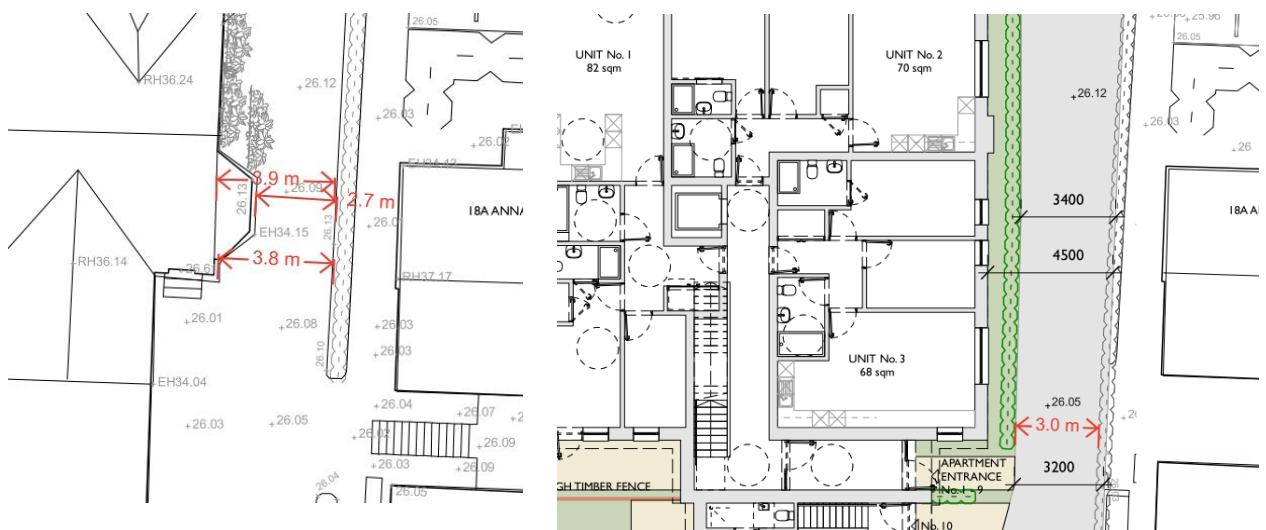
1. This application was reported to the 18th March 2025 Planning Committee meeting. The application was deferred for a further site visit and to give Members more time to consider the restricted viability information shared with them before the meeting.
2. The Committee previously undertook a visit to the site in March 2024. The further site visit took place on 8th April 2025.
3. This report should be read in conjunction with the original report to Committee, appended.

Applicant's justification for demolition of the existing building:

4. Policy ENV2 of the Plan Strategy states, in the interests of mitigating environmental change, that '*Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible.*'
5. The applicant has submitted further viability information regarding various potential options to retain and convert the existing building to other uses, making the case that retention of the existing building is not feasible. The different options explored are set out below:

Option 1	Conversion to single home + 4 semis	Unviable
Option 2	Conversion to two homes + 4 semis	Unviable
Option 3	Conversion to three apartments + 4 semis	Unviable
Option 4	Office use + 4 semis	Unviable
Option 5	Short term lets + 4 semis	Unviable
Selected Option	9 apartments + 5 townhouses	Viable

6. Based on the previous consideration of viability of the scheme as set out in the original report to the Committee, appended, officers have no reason to dispute the conclusions of this additional viability information. This reinforces the advice given by officers in the original report (pars. 5.31 to 5.39) that demolition of the building is acceptable.
7. Part of the applicant's justification for demolition is that the location of the existing building is problematic for vehicular access to the rear of the site. There is a "pinch-point" between the existing building and the boundary with No. 18a Annadale Avenue of 2.7 metres, whereas the minimum width of the proposed new access is 3.0 metres. The existing bay window could be removed, which would increase the width to 3.8 metres, however, this would not leave any defensible space in front of the ground floor bedrooms, which would be unacceptable. It considered that this would not provide a quality residential environment. A comparison of the different dimensions is shown in the plans below (existing building on the left and proposed scheme on the right).



8. An alternative position for the access to the west side of the building would be tight and problematic in that it would likely result in tree removal as well as the loss of the proposed amenity space at the front.

Recommendation:

9. Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement.
10. 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 the further consultation with DFI Rivers and any other issues that may arise, 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 external facing panels or materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials.

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

3. The depth and detailing of the window recesses and reveals shall be as shown on the approved drawings.

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

4. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the **[TO BE SPECIFIED]** windows shall be obscure glazed to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves:

Reason: To safeguard the privacy of adjacent properties.

5. The development hereby approved shall not be occupied until the communal open space and private gardens have been provided in accordance with the approved plans. The open space shall be retained as such at all times.

Reason: To ensure that appropriate provision is made for open space.

6. The proposed open space and landscaping shall be managed and maintained in accordance with the approved management plan at all times.

Reason: To ensure that the open space and play equipment are properly managed and maintained.

7. The development hereby approved shall not be occupied unless the sustainable development measures have been implemented in accordance with the Plan Strategy Statement uploaded to the Planning Portal on 23rd June 2023. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

8. No development shall commence on site (including demolition) unless a scheme for reclaiming and re-using materials in the existing building has been submitted to and approved in writing by the Council. The development shall not be undertaken unless in accordance with the approved details.

Reason: To mitigate environmental change.

9. 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.
10. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. The parking areas shall be permanently retained.
- Reason: To ensure acceptable parking facilities on the site.
11. 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.
12. The development shall not be occupied unless in accordance with the approved Travel Plan.
- Reason: To encourage alternative modes of transport to the private car.
13. No windows shall be installed unless a final window schedule detailing the sound reduction specification has been submitted to and approved in writing by the Council. The windows shall be designed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023. The windows shall not be installed unless in accordance with the details so approved.
- Reason: In the interests of residential amenity.
14. Prior to occupation of the development hereby permitted, a Verification Report that demonstrates that the windows have been installed as required by condition 12 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the windows confirming that the alternative means of ventilation have been installed as approved.
- Reason: In the interests of residential amenity.
15. Prior to installation of any alternative means of ventilation, the sound reduction specification of the alternative means of ventilation shall be submitted to and approved in writing by the Council. The specification shall demonstrate that internal noise levels in habitable rooms will be achieved in line with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'. The means of ventilation shall be installed in accordance with the approved details and retained as such at all times.
- Reason: In the interests of residential amenity.
16. Prior to occupation of the development hereby permitted, a Verification Report that verifies that demonstrates that the alternative means of ventilation has been installed in line with details approved pursuant to condition 14 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the alternative means of ventilation confirming that the alternative means of ventilation have been installed as approved.
- Reason: In the interests of residential amenity.

17. Prior to occupation of the development hereby permitted, a Verification Report that verifies that an acoustic fence has been constructed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023 shall be submitted to and approved in writing by the Council. The acoustic fence shall be permanently retained in accordance with the approved details at all times.

Reason: In the interests of residential amenity.

18. All hard and soft landscaping works 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.

19. 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.

20. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

21. 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.

Development Management Report

Summary	
Committee Date: 18 th March 2025	
Application ID: LA04/2022/1046/F	
Proposal: Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.	Location: 18 Annadale Avenue Belfast BT7 3JH
Referral Route: 3.8.2 (a) (i) a representation has been received which conflicts with the Planning Officer's recommendation.	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
Applicant Name and Address: Cregagh Developments Ltd 32a Grennan Road Newry BT34 2PJ	Agent Name and Address: Planning Permission Experts 32a Bryansford Avenue Newcastle BT33 0LG
Date Valid: 4 th May 2022	
Target Date: 17 th August 2022	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Executive Summary:</p> <p>This application relates to land at No. 18 Annadale Avenue within close proximity of the Ormeau Road. The application seeks full planning permission for demolition of the existing building (former children's nursery) and erection of 14 residential units (including 9 apartments and 5 dwelling houses).</p> <p>The proposal consists of a three-storey frontage building containing 9 x two bedroom apartments and two-storey rear return containing 5 x two bedroom terrace dwellings. A mix of private and communal amenity space is proposed for the apartments while the dwellings contain private rear gardens. On-site parking provision is provided to the front of the apartment block and within the rear of the site.</p> <p>The application has been subject to design amendments to address concerns raised by officers. Further amendments were then made to the scheme following adoption of the Belfast LDP Plan Strategy in response to its new policies.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Affordable housing • Demolition of Existing Building • Housing Density • Housing Mix 	

- Adaptable and Accessible Accommodation
- Design and Placemaking
- Impact on Heritage Assets
- Climate change
- Residential Quality and Impact on Amenity
- Access and transport
- Environmental Protection
- Flood risk and Drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Section 76 Planning Agreement

The site is un-zoned “white land” in the Belfast Urban Area Plan 2001 and both versions of draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014).

The site is located on Annadale Avenue within close proximity of the Ormeau Road which is a designated City Corridor. The site is within an established residential area within the development limit of the city. It is a sustainable location with good access to shops, jobs, services, amenities and public transport. The site is considered a suitable location for housing; the proposal would make effective use of previously developed land and is of an appropriate density.

No affordable housing is provided due to viability. The applicant has submitted a Viability Assessment which has been independently appraised, which concludes that the proposal is unviable with the inclusion of any affordable housing provision or commuted sum. However, the applicant has agreed to a Viability Review prior to commencement of development and this would be secured through a Section 76 planning agreement. Officers confirm that the planning agreement has been agreed in principle without prejudice to the Committee’s decision.

The design, height, scale and massing of the proposed buildings are considered in keeping with the surrounding character and not considered to impact the surrounding listed buildings.

Fifteen third party objections have been received including one from Councillor Brian Smyth and two objections from Paula Bradshaw MLA, these are addressed within the report.

DFI Rivers and NI Water object to the proposals. An updated Drainage Assessment has been requested and delegated authority is sought to re-consult DFI Rivers and deal with any matters arising from the response providing they are not substantive. The objection from NI Water is addressed in the main body of the report.

The Committee previously undertook a visit to the site in March 2024.

Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement.

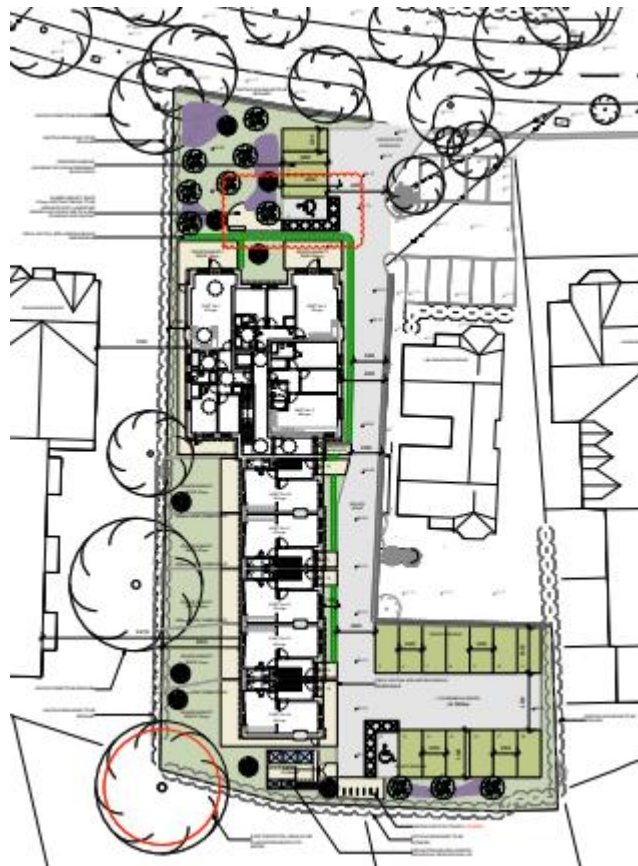
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the further consultation with DFI Rivers and any other issues that may arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Block Plan



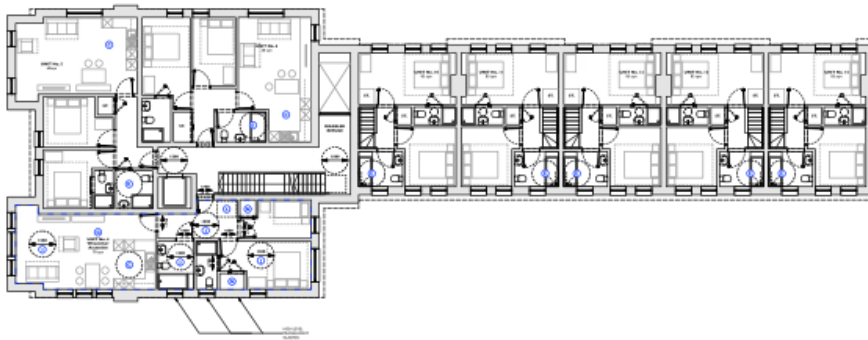
Proposed North and East Elevations:



Proposed South and West Elevations:

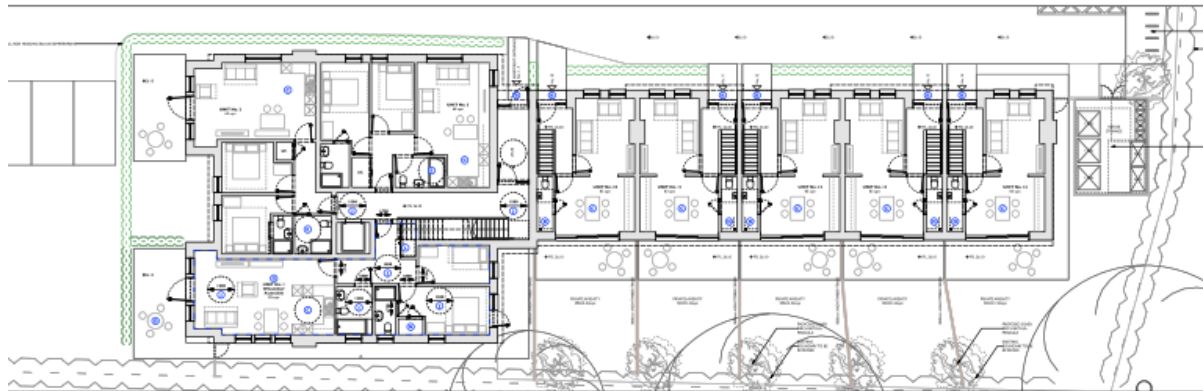


Ground and First Floor Plans:

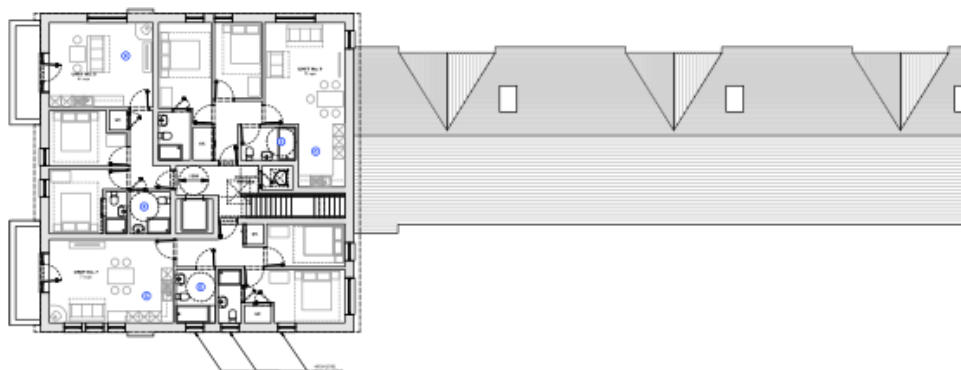
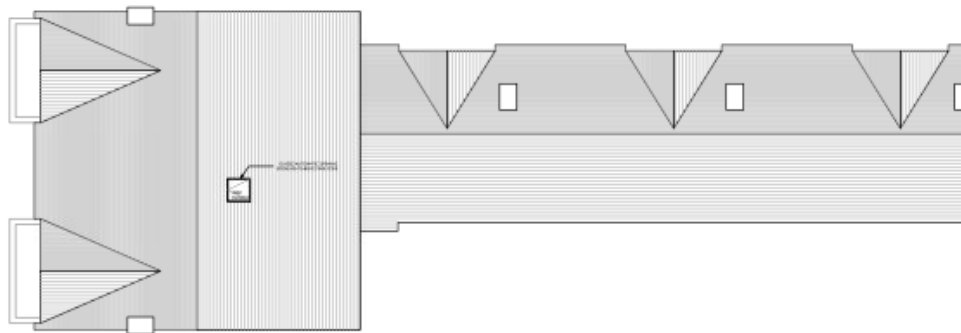


- 1. The building is designed to provide a high level of accessibility to the building for all people and to ensure that the building is accessible to all people.
 - 2. The building is designed to provide a high level of accessibility to the building for all people.
 - 3. The building is designed to provide a high level of accessibility to the building for all people.
 - 4. The building is designed to provide a high level of accessibility to the building for all people.
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 - 8. The building is designed to provide a high level of accessibility to the building for all people.
 - 9. The building is designed to provide a high level of accessibility to the building for all people.
 - 10. The building is designed to provide a high level of accessibility to the building for all people.
- Physical Accessibility Statement**
- 1. The building is designed to provide a high level of accessibility to the building for all people.
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 - 7. The building is designed to provide a high level of accessibility to the building for all people.
 - 8. The building is designed to provide a high level of accessibility to the building for all people.
 - 9. The building is designed to provide a high level of accessibility to the building for all people.
 - 10. The building is designed to provide a high level of accessibility to the building for all people.

1 FIRST FLOOR PLAN



Second Floor and Roof Plan:



CGI:



1.0

Characteristics of the Site and Area

1.1

The application site is located at No. 18 Annadale Avenue. The site is 0.2 hectares in size and is an “L” shape. It comprises a two-storey red brick building with a flat roof rear return and a metal garage to the side previously in use as a Children’s Nursery. The site contains an existing garden area directly to the rear of the apartments and the adjacent No. 18a Annadale Gardens. The site is located within a mostly residential area.

1.2

There are a number of Listed Buildings in the vicinity of the site, including:

- HB26 01 038 Gordon House, 11 Annadale Avenue, Belfast Grade B1
- HB26 01 040 A 25-25A Annadale Avenue, Belfast Grade B
- HB26 01 040 B 27 Annadale Avenue, Belfast Grade B1
- HB26 01 081 Church of Jesus Christ of Latter Day Saints Grade B2

Description of Proposed Development

1.4

The application seeks full planning permission for the demolition of the existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.

1.5	The proposal consists of a three-storey frontage building containing 9 x two bedroom apartments and two-storey rear return containing 5 x two bedroom terrace dwellings. A mix of private and communal space are proposed for the apartments while the dwellings contain private rear gardens. On-site parking provision is provided to the front of the apartment block and within the rear of the site.
1.6	The application follows a Pre-Application Discussions. Following submission of the application, the proposal was subject to design amendments to address concerns raised by officers. Further amendments were then made to the scheme following adoption of the Belfast LDP Plan Strategy in response to its new policies. More latterly, the applicant has submitted viability information in relation to the requirements of Policy HOU5 concerning the provision of affordable housing.
2.0	PLANNING HISTORY
2.1	<ul style="list-style-type: none"> • Z/2008/0421/F – 18 Annadale Avenue- Demolition of existing building and erection of residential development comprising 14 units and associated landscaping and surface car parking. Permission Granted.
2.2	<ul style="list-style-type: none"> • Z/1998/0035 – Site to East of 18 Annadale Avenue- Erection of six apartments with associated car parking. Permission Granted.
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>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 SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></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 Policy RD1 – New residential developments Policy BH1 – Listed Buildings Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads</p>

	<p>Policy TRAN8 – Car parking and servicing arrangements 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) Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</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 Development Viability</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP (“Departmental Development Plan”) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objections subject to conditions</p> <p>DfC HED – No objections</p> <p>DAERA – No objections</p> <p>NI Water – Concerns raised about the availability of waste-water infrastructure, which are addressed in the main assessment.</p> <p>DfI Rivers – Objection as a safe point of discharge for storm waters is currently not in place.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit (Environment and Housing Teams) – Refer to main assessment.</p> <p>Environmental Health – No objection subject to conditions.</p> <p>BCC Tree Officer – Unable to support – refer to main assessment.</p>

4.3	<p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p>
4.4	The application has been advertised in the newspaper and neighbours notified.
4.5	<p>Fifteen third party objections have been received including one from Councillor Brian Smyth and two objections from Paula Bradshaw MLA; these are addressed within the report.</p> <ul style="list-style-type: none"> • Demolition of existing building will impact on the Victorian character and would be a great historical and cultural loss; reuse will set a sustainable precedent for the area. • Proposal will damage character of the area. • Impact on surrounding Listed Buildings. • Impact on Residential Amenity by way of loss of light and overlooking. • Proposed Design: Overbearing, there is a lack of architectural detail, the building line is moved closer to the road, visually imposing. • Impact on Waste Water Infrastructure. • Traffic and Parking- <ul style="list-style-type: none"> ○ Insufficient parking provision; ○ No disabled spaces provided; ○ Access road too narrow and when car park is full delivery vans will not be able to respond; ○ Increased traffic flow; ○ Traffic caused by construction. • Impact on mature trees, hedgerows and shrubs. • Tree Survey is inaccurate. • Objection to removal of cherry tree. • Removal of the garden to the rear will damage biodiversity.
4.6	<p>The issues summarised above will be considered within the main assessment of the report, save for the matters considered below:</p> <ul style="list-style-type: none"> • Application contravenes BUAP. <i>Case Officer's Response: No details have been given as to how the proposal contravenes the BUAP, the proposal has been assessed against the BUAP (Departmental Development Plan).</i> • Residents' view will be obscured. <i>Case Officer's Response: In planning terms there is no right to a view. Impact on amenity is considered in the main assessment.</i> • Neighbour notification period was insufficient. <i>Case Officer's Response: Neighbour notification was carried out in accordance with Section 41 of the 2011 Act and Articles 8 (1) (b) and 8 (2) of the Planning (General Development Procedure) Order Northern Ireland (2015) which detailed a date representations must be made by which was not earlier than 14 days</i>

	<p><i>after the notice was sent. Any representations received following this date have been considered.</i></p> <ul style="list-style-type: none"> • Neighbour notification was only issued by letterbox with no attempt to contact owners and landlords. <p>Case Officer's Response: as above, Neighbour notification was carried out in accordance with legislative requirements. There is no requirement for the owners of the land to be notified nor for letters to be hand delivered.</p> <ul style="list-style-type: none"> • Reduction to value of properties. <p><i>Case Officer's Response: This is not a material consideration.</i></p>
5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Affordable housing • Demolition of Existing Building • Design and placemaking • Housing density • Housing mix • Adaptable and accessible accommodation • Impact on the surrounding Listed Buildings • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Section 76 planning agreement <p>Development Plan Context</p> <p>5.2 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.</p> <p>5.3 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.</p> <p>5.4 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</p>

	<p>published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	<p>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>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p> <p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land.”</p> <p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land.”</p> <p><u>Principle of housing in this location</u></p>
5.7	<p>The application site is within Annadale Avenue. The surrounding area comprises mainly residential uses with a mix of low density detached dwellings on large plots and higher density housing comprised of apartments and townhouses. The surrounding area also contains some community facilities such as a Bowling Club and a church.</p>
5.8	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> • The site is suitable for housing – the site is a sustainable location within an established residential area and considered suitable for housing. • The location is accessible and convenient to public transport and walking cycle infrastructure – the site is accessible being on a bus route and within close proximity to the Ormeau Road being a city corridor. • Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place to support the proposed development.
5.9	<p>The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p>

	<u>Affordable housing</u>
5.10	Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.
	Process:
5.11	No affordable housing is proposed as part of the development as the applicant states that this would make the scheme financially unviable. The applicant submitted a Plan Strategy Statement and associated Cost Plan in June 2023, following adoption of the Plan Strategy in May 2023. The Planning Service's Plans and Policy Team was consulted and outlined concerns about the submitted viability information, requesting clarification of some of the assumptions used. In response, the applicant submitted amended information in October 2023. However, the Plans and Policy Team maintained concerns about the assumptions used within the viability information and that some aspects did not reflect the Council's Development Viability SPG. The conclusion was that the development was unviable even as a private housing scheme and it was not the affordable housing aspect rendering the scheme unviable.
5.12	The applicant submitted a full Viability Assessment in April 2024. This was subject to independent appraisal by Naylor Devlin (ND) acting on behalf of the Council. ND issued its independent report in December 2024. The applicant challenged some of the conclusions in the independent report and met with officers and ND to discuss further. This led to the applicant submitting further viability information in January 2025. ND reviewed the information and issued an addendum report on 7 th February 2025. The independent report advises that an affordable housing contribution would render the scheme unviable, a conclusion supported by the Plans and Policy Team.
	Assessment:
5.13	Policy HOU5 requires the scheme to provide 3 affordable housing units as part of the proposed development.
5.14	Policy HOU5 states that: <i>'Where it can be demonstrated that it is not sustainable or viable for a proposed development to meet the requirements of this policy in full, the council will consider suitable alternatives on a case-by-case basis.'</i>
5.15	The amplification text of Policy HOU5 at paragraph 7.1.36 further clarifies that: <i>'It is recognised that there may be occasions where a particular housing site in Belfast might not be able to meet the affordable housing demands in full, so flexibility has been built into the policy to ensure that viability can be taken into account on a case-by-case basis. Where a developer is able to demonstrate, through evidence provided in accordance with agreed assessment approaches to viability testing, that the development is unviable if affordable housing obligations are met in full, alternative approaches will be considered. This could include varying the mix of affordable housing units, the provision of affordable housing on a suitable alternative site within the local area or, in exceptional circumstances, a reduction in the proportion of affordable housing in lieu of a financial contribution to an affordable housing development elsewhere in the district.'</i>
5.16	The applicant's Viability Assessment of March 2024 assesses the viability of the proposal as a fully Policy HOU5 compliant scheme with 3 affordable housing units and also as a fully private scheme.

5.17	The applicant's Viability Assessment indicates that the developer's profit as a fully private scheme would be 5.53% (gross), which would be well below the normal expectation of 10-15% as set out in the Development Viability SPG. The Viability Assessment indicates that the inclusion of 20% affordable Housing would yield a gross profit of only 0.41%.
5.18	As stated, the applicant's Viability Assessment was subject to independent appraisal by ND on behalf of the Council. ND produced four independent reports assessing the scheme as fully private and also with 1, 2 and 3 social units included. ND's reports concluded that a scheme with 1 or 2 social units remained viable. However, following further evidence of costs submitted by the applicant, ND reappraised the scheme and concluded that 1 or 2 social units was also not viable.
5.19	Having considered ND's independent appraisal, officers accept that a scheme with social housing is unviable. Furthermore, ND's independent appraisal concludes that a fully private scheme is also unviable.
5.20	<p>The Affordable Housing and Housing Mix SPG provides further guidance on alternatives to a fully compliant scheme and these are considered below:</p> <ol style="list-style-type: none"> 1. A deference in the timing of affordable housing requirements pertaining to the site (i.e. a phasing option); 2. A variation in the required mix of tenure, size or type of affordable units on the site, in accordance with the hierarchy of products outlined above; 3. A reduction in affordable units on the site; 4. Provision of the affordable housing units on an alternative site within the same local housing area; or 5. Commuted sum, equivalent to cost of constructing affordable unit(s) on site. 6. The maximum viable financial contribution in lieu of affordable provision. <p><i>Deferred Timing/Phasing:</i></p>
5.21	<p>The proposed scheme is not designed to be delivered in phases and so this is not a reasonable option.</p> <p><i>A variation in the required mix of tenure, size or type of affordable units:</i></p>
5.22	<p>The potential for the scheme to deliver intermediate housing was considered. However, the higher sales value in this area ruled out this option. A reduction in the number of affordable units was considered but was also deemed not to be viable for the reasons previously stated. Furthermore, the applicant submitted albeit limited evidence from two Housing Associations that they would be unlikely to be interested in managing two units or less within the development. A change in the size of units would also unlikely have any positive impact on the viability of the development.</p> <p><i>A reduction in affordable units on the site:</i></p>
5.23	As stated, this has been considered as part of the independent appraisal and the provision of 1 or 2 units is deemed to be unviable.

	<i>Provision of the affordable housing units on an alternative site within the same local housing area;</i>
5.24	Given the scale of the proposal which only requires 3 affordable units and that the application was submitted prior to the adoption of the Belfast Plan Strategy, it would be unreasonable to request the applicant to investigate the potential to acquire an alternative site to provide only three units.
	<i>Commuted sum, equivalent to cost of constructing affordable unit(s) on site:</i>
5.25	A commuted sum was then explored following the then further independent appraisal that a fully private would be viable. However, as stated, the applicant submitted further costs information and upon reviewing the independent appraisal concluded through an addendum report that the private scheme is unviable, resulting in negative headroom when taking into account the normal expectation of profit. It is therefore not reasonable to seek a commuted sum.
	<i>The maximum viable financial contribution in lieu of affordable provision:</i>
5.26	As stated above, the scheme is unviable and therefore a financial contribution is not viable in this case.
5.27	<p>The Development Viability SPG provides further guidance where the Council accepts that a development proposal will be unviable if full policy compliance and/or planning obligations/contributions are sought. The following options will be considered in order:</p> <ol style="list-style-type: none"> 1. Deferred timing or phasing: A delay in the timing or phasing the delivery of a particular requirement may enable a proposed development to remain viable. 2. Reduced level of obligations and/or contributions: Where the above option is not sufficient to secure the viability of a proposed development, then a reduction in the level of requirement may be considered. There may be potential to do this for some policy requirements that have flexibility. Any reduction would be limited to the minimum necessary for the scheme to remain viable. The Council may consider building in a review mechanism as part of a Section 76 Agreement to reassess the viability of the scheme at a set point in the future (see Section 6.4 below). Further detail on potential alternative solutions to policy requirements is outlined in the relevant SPG. 3. Waiving of requirements: Only in exceptional circumstances will the removal of requirements and/or obligations be considered, as a very last resort. The nature of the proposed development may also be taken into account, where the Council take into account the other social, community, economic or environmental benefits that would be realised in granting permission for the scheme, i.e. the planning gain arising.
5.28	As stated, deferring the timing of the affordable housing contribution would not result in the scheme being viable. The scheme is not designed to be phased. A reduced obligations scheme would also not make the proposal viable.
5.29	In terms of waiving of requirements, regard is had to the longevity of the application process which commenced before the adoption of the Belfast Plan Strategy in May 2023. The PAD was submitted in 2021 and application in May 2022. The application provides a high-quality residential scheme that would make effective use of land in a sustainable location complying with Policy HOU2. The applicant has demonstrated

	through their viability information that an affordable housing contribution would not be viable. Having due regard to these factors the waiving of requirements is deemed acceptable in the planning balance.
5.30	<p>While Policy HOU5 is not met, the applicant has demonstrated the inclusion of affordable housing is not viable. The applicant has agreed to a Viability Review mechanism through a Section 76 planning agreement, whereby the applicant will be required to undertake a fresh Viability Assessment prior to commencement of development to establish whether the economic conditions have sufficiently changed to enable affordable housing provision or contribution to be made.</p> <p><u>Demolition of Existing Building</u></p>
5.31	Policy ENV2 states that development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused.
5.32	<p>The applicant submitted a Demolition Justification Statement following the adoption of the Plan Strategy. The applicant states that the reuse, renovation and/or retrofit of the existing building was not possible with redevelopment the only viable option. It states that a number of options were explored to retain the building such as a single family dwelling, apartments, and other uses such as short term let accommodation and office uses but all were deemed unviable. The following issues were put forward within the Demolition Justification Statement to support this case:</p> <ul style="list-style-type: none"> • The existing structure and gardens were deemed too large to be viable as a single family dwelling and would not be in keeping with the residential density of the surrounding context. • Subdividing the existing layout would lead to disjointed layouts of apartments with split levels and an unbalanced plan arrangement. • The existing access to the third storey has insufficient head room to be developed in line with Building Regulations. The structural alterations required to correct this would not be financially viable. • The location of the existing building is problematic for vehicular access to the rear of the site. • To achieve a reasonable density and layout extensive demolition was unavoidable, front façade retention was considered and not deemed feasible.
5.33	While the applicant states demolition is unavoidable, it is proposed that the redevelopment will incorporate reclaimed building materials into the new building while the demolition waste will be recycled where possible and rubble will form aggregates for use during construction.
5.34	The Plans and Policy Team were consulted in regards to the proposed demolition and consideration of the climate change policies. The response concludes that the justification of the demolition is generally accepted given the nature and quantum of the proposed development and refers to the number of options explored by the applicant. The commitment to reuse and recycle is noted and should be conditioned.
5.35	The demolition of the existing building also has to be balanced against the benefits of the proposal which would result in high density housing that would make effective use of land in a sustainable location.

5.36	Objections have been received regarding the demolition of the building, citing its architectural merits and concerns that demolition of the building is not sustainable. However, officers advise that the building is not afforded any protection from demolition, either from being Listed or within a designated area such as a Conservation Area or Area of Townscape Character.
5.37	Notwithstanding this, officers recognise the architectural merits of the building. Advice was sought from DfC HED at the Pre-Application Discussion stage. HED did not indicate that the building was suitable for Listing. It stated: ' <i>...the existing building, Busy Bees, contributes significant character to Annadale Avenue and HED advises that it is a prime candidate for local listing.</i> ' However, there is currently no process within the Council to identify buildings identified as an important part of their heritage, due to its local architectural or historic significance and no policy provisions to protect such buildings outside of designated areas for their architectural interest.
5.38	Regard should also be had to the longevity of the application, which was submitted in May 2022 with a PAD submitted in February 2021, significantly pre-dating adoption of the Plan Strategy in May 2023.
5.39	Having regard to the above assessment, demolition of the existing building is considered acceptable, having regard to Policy ENV2.
	<u>Housing density</u>
5.40	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.41	The proposal is located in outer Belfast for which the average density should be between 25 and 125 dwellings per hectare (ha). The site area is 0.21 ha and so the proposal equates to a density of 66 dwellings per ha, compliant with Policy HOU6.
	<u>Housing mix</u>
5.42	The proposal is for 9 x two bedroom apartments and 5 x two bedroom dwellings. Policy HOU6 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: <ul style="list-style-type: none"> • Up to date analysis of prevailing housing need in the area; • The location and size of the site; • Specific characteristics of the development; and • The creation of balanced and sustainable communities.
5.43	The Plans and Policy Team were consulted regarding the proposed Housing Mix and state that there is no specific evidence available to consider how the mix relates to housing need in this location and the lack of variety in the size of units proposed. The response states that to help aid choice some smaller (1 bedroom) or larger units (3 bedroom) should be considered.
5.44	In response, the applicant refers to the NIHE Strategic Housing Market Analysis for the Belfast Metropolitan Area which states Belfast will continue to be shaped by demographic trends and an ageing population leading to the majority living in properties that are under-occupied. This suggests a need to downsize and the proposed development will address those needs. The applicant also states that the majority of

	apartment developments in the Annadale area are 2 and 3 bedrooms and that given the highly accessible location the area is attractive for young professionals and the older population alike and that demand is high and increasing for 2-bedroom apartments. Paragraph 7.1.43 emphasises a need for smaller household types and apartments and terraces being the most popular types
5.45	The original application proposed 3-bedroom dwellings, however, concerns were raised by officers regarding the space standards and garden sizes, and these were subsequently reduced to two bedrooms to address other policy requirements. Regard is also had to the longevity of the application which pre-dates the adoption of the Plan Strategy.
5.46	While the proposal does not comply with Policy HOU6, having regard to the above considerations, it is on balance considered acceptable.
	<u>Adaptable and Accessible Accommodation</u>
5.47	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.
5.48	The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f. The proposal includes 14.2% wheelchair units by providing two wheelchair accessible units. The Plan and Policy Team were consulted and considered the proposal complied with Policy HOU7.
	<u>Design and Placemaking</u>
5.49	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1 and RD1 of the Plan Strategy. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level.
	<i>Design, Layout, Scale, Height and Massing:</i>
5.50	Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, a. to k.
5.51	The design of the proposed building is a modern take of the traditional design of the existing building and character of the surrounding area. The main building fronting Annadale Avenue and containing the apartments will have a pitched roof intersected with two projecting bays. The materials are to be red brick, similar to the existing. The height of the building is to be 12.9m which matches that of No. 16 Annadale Avenue next door. Whilst an increase in height when compared to the existing building, it is not considered out of character with the surrounding area given it will tie in with surrounding buildings. The rear return is set down to two stories and comprises of five terrace dwellings. It is considered subservient to the main block housing the apartments and is a common arrangement within the surrounding area such as seen at Nos. 16 and 20 Annadale Avenue.

5.52	Given the quality of the existing building, it is important that the replacement is of high quality. Further detailing was requested from the applicant and a drawing showing the façade articulation has been provided. The front elevation shows high quality architectural details such as full brick windows reveals, decorative brick panels between windows, soldier course arches above the third storey windows, sandstone cills and brick coping detail vertical headers. This level of detail ensures the proposed building is of a high quality design and architectural quality to sit sympathetically within the surrounding street-scene.
5.53	Objections have been raised that the proposed design is overbearing, there is a lack of architectural detail and the building line is moved closer to the road resulting in the building appearing visually imposing. It is considered the scale and massing of the proposal is comparable to the surrounding apartment buildings and is not therefore overbearing or visually dominant. Following amendments, officers consider there is a high level of architectural detail to ensure the design is sympathetic to the character of the area and the replacement of the existing building is of high quality. In terms of the building line, any movement closer to the road is minor and will not be visually discernible or harmful to the street-scene.
5.54	The design, layout, scale, height and massing are considered to respond positively to the local context and character through architecture and urban form through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials.
5.55	The proposal is considered to accord with Policies DES1 and RD1 and relevant provisions of the SPPS.
	<i>Landscaping and Trees</i>
5.56	The scheme includes a Landscape Plan accompanied by a Landscape Management and Maintenance Plan. The proposal includes replacing an area of hardstanding to the front with a landscaped amenity area as well as private gardens for dwellings and a high level of planting in terms of trees. The parking areas are proposed to be grasscrete to ensure there will not be large areas of hard standing.
5.57	Policy TRE1 seeks to protect existing trees from new development and there will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity.
5.58	<p>The application includes a Tree Survey Report as well as a Landscape Masterplan and Planting Schedule. The Tree Officer was consulted and welcomes the mixed species of planting proposed and the addition of the grasscrete. However, the Tree Officer also raises the following concerns:</p> <ul style="list-style-type: none"> • The proposed end terrace dwelling would be sited too close to a Lime Tree on adjacent lands which result in an unacceptable level of overshadowing to the private amenity area. • The self-seeded Oak and Beech Trees along the front boundary should be retained. • Additional planting should be considered to rear gardens of dwellings which will act as a natural screen.

5.59	The proposed end terrace has been amended to be moved away from the existing lime tree. This has resulted in a garden to the south and west of the building of 116sqm in size. Given the size of the garden and the dual orientation it is not considered the existing tree will result in unacceptable overshadowing. The amenity benefits of being within close proximity of an established tree must also be considered.
5.60	The trees within the front boundary are shown to be retained on the existing proposed block plan.
5.61	It is not considered necessary to request additional planting to the rear gardens of the proposed dwellings to achieve further screening given they face onto an area of hardstanding serving the neighbouring apartment development. The existing boundary hedge is considered sufficient to provide suitable screening.
5.62	Objections have been received with concerns about the impact on trees, shrubs and hedgerows. Objections also state that the tree survey is inaccurate and an objection was received to the removal of the Cherry Tree.
5.63	The proposal retains the majority of trees within the site and the proposed tree planting results in a net gain within the site. The Tree Officer did not raise concerns regarding the accuracy of the Tree Survey nor question the conclusion that the Cherry Tree has suspected internal decay and should be felled for site safety.
5.64	The proposal is considered to accord with Policy TRE1.
	<u>Impact on Heritage Assets</u>
6.65	In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council must have special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest.
5.66	There are a number of Listed Buildings in the vicinity of the site, including: <ul style="list-style-type: none"> • HB26 01 038 Gordon House, 11 Annadale Avenue, Belfast Grade B1 • HB26 01 040 A 25-25A Annadale Avenue, Belfast Grade B • HB26 01 040 B 27 Annadale Avenue, Belfast Grade B1 • HB26 01 081 Church of Jesus Christ of Latter Day Saints Grade B2
5.67	Policy BH1 of the Belfast Plan Strategy contains five criteria to be met when considering the impact of new development on the setting of Listed Buildings.
5.68	DfC Historic Environment Division (HED) was consulted and acknowledge that the closest listed building is Gordon House. HED acknowledges that Gordon House and its direct setting has been altered and that the building is set back within its own curtilage and relatively well screened by mature trees and planting along the Annadale Avenue boundary. HED concludes that the application will not significantly affect the understanding or experience of the listed building to harm its essential character, including setting.
5.69	Objections raise concerns that the proposal would impact on Listed Buildings, however, the proposed development is considered to be sympathetic to the essential characteristics of surrounding Listed buildings and their setting, and HED do not raised any concerns.

5.70	<p>The proposed development is considered to be sympathetic to the essential characteristics of the surrounding listed buildings. The height, scale, massing and design reflects the surrounding character and the residential use respects the character and setting of the listed buildings and surrounding area which is residential in nature. Given the separation distance from the listed buildings the proposal will not disrupt key views of the listed buildings or result in a detrimental impact. It is considered that the proposal accords with Policy BH1 and relevant provisions of the SPPS.</p> <p><u>Climate Change</u></p>
5.71	<p>Policy ENV2 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.</p>
5.72	<p>The applicant has provided satisfactory details of sustainable design features, including architectural salvage, orientation of the building to achieve solar gain, permeable paving, high insulation and cycle facilities.</p>
5.73	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal includes soft landscaping to the front replacing an area of hardstanding while permeable grasscrete is proposed in the parking area. The landscaping and planting will aid to reduce flood risk and the application is supported by a Drainage Assessment.</p> <p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include SuDS measures such as permeable grasscrete parking areas, permeable paving and soft landscaping and tree planting.</p>
5.74	<p>The Plan and Policy Team were consulted and considered the proposal complies with Policies ENV2, ENV3 and ENV5.</p> <p><u>Residential Quality and Impact on Amenity</u></p>
5.75	<p>Policies DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments. Policy OS3 required proposals make appropriate provision for open space.</p>
5.76	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>
5.77	<p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit for apartments. The guidance states back garden provision should be calculated as an average space standard for the development as a whole and should be around 70sqm or greater, the guidance goes on to stipulate that smaller areas are more appropriate for houses with 1 or 2 bedrooms and for any individual house an area less than 40sqm will be unacceptable.</p>

5.78	The 5 proposed dwellings contain a minimum of 47sqm of private amenity space, given the dwellings are 2 bedrooms rather than typical family home this is considered appropriate.
5.79	Of the 9 proposed apartments, four have some form of private amenity space either in the form of a small garden space or a balcony. Two apartments in the ground floor contain 19sqm of a private garden while two apartments on the second floor contain 6sqm of balcony space.
5.80	To the front of the apartment building is an area of communal space which contains high quality landscaping and totals 169sqm. The range of amenity space therefore provided for the apartments ranges from 18.9sqm to 37.8sqm which adheres to the guidance provided in Creating Places.
5.81	In terms of Policy OS3, the proposal provides a total of 518sqm of private and communal open space which is 24% of the site area. The proposal includes ancillary equipment and facilities in the form of a communal garden with appropriate furniture and therefore complies with Policy OS3.
5.82	The proposal does not impact on the available amenity space to the apartments at No. 18A Annadale Avenue as the land to its rear did not form part of its original planning permission.
5.83	Objections referred to the impact on their amenity by way of loss of light and overlooking. The proposal is not considered to unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing or dominance. The scale and massing of the proposed building conforms to the character of the surrounding area and will not dominate existing buildings.
5.84	The proposal forms a similar relationship to the existing building on site and the neighbouring apartment developments. The scale and massing of the building is not considered to exacerbate any overshadowing over the existing building to an unacceptable degree. Due to the orientation of the building, apartment windows on the east gable of No. 20 Annadale Avenue may be in shadow for a longer period in the mornings due to the deeper three storey nature of the proposed building, but this is limited to the morning and will not impact the building for the remainder of the day.
5.85	The proposed separation distances along with obscure glazing mitigation measures are sufficient to ensure there is no harmful overlooking from either the apartments or the dwellings. The separation distance between the building within No. 18A Annadale Avenue and the proposed building is increased from a minimum of 4.9m to 6.4m and there would be a not dissimilar relationship between the properties.
5.86	While the separation distance between the proposed building and No. 20 Annadale Avenue is decreased from 13.9m to 9.4m, this is considered an acceptable relationship given that the proposed side facing windows would be fitted with obscure glazing.
5.87	The proposed dwellings have a separation distance of 19.1m from the dwellings at No. 20 Annadale Avenue while Plot 10 is the only dwelling unit which faces the gable of No. 18A and is set back further from the apartment block to form a minimum separation distance of 7.9m. Again, this is not dissimilar to the current separation of the wider buildings. Units 11 and 12 face the communal rear amenity space of No. 18A and have a separation distance from the boundary of 5.4m. The existing mature boundary hedge and vegetation will provide some screening of the amenity space and is considered

	<p>acceptable in view of the communal nature of the space and character of the broader area, including relationship with No. 16 Annadale Avenue.</p> <p><i>Space Standards:</i></p>
5.88	<p>The proposal comprises of two-bedroom apartments and dwellings. The proposed units are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.</p> <p><u>Access and transport</u></p>
5.89	<p>The site is an accessible location within close proximity to the Ormeau Road which is a designated city corridor and provides access to the city centre. It is within cycling distance of the city centre and its shops, services, leisure and employment opportunities. The site is on the national cycling network. Provision is made for sheltered and secure cycle parking. The proposal accords with Policy TRAN1.</p>
5.90	<p>The proposal includes 18 in curtilage parking spaces including 2 disabled parking spaces. The application is accompanied by a Travel Plan which includes a number of measures to encourage residents to travel by public transport such as appointing a travel co-ordinator and a Residential Travel Card Scheme. The Travel Plan will be secured by condition.</p>
5.91	<p>In considering the sustainable location within close proximity to a city corridor, the parking provision is considered acceptable. DFI Roads were consulted and no objections with conditions.</p>
5.92	<p>Objections were received regarding access and transport with the following issues raised:</p> <ul style="list-style-type: none"> • Insufficient parking provision • No disabled spaces provided. • Access road too narrow and when car park is full delivery vans will not be able to turn. • Increased traffic flow • Traffic caused by construction
5.93	<p>As mentioned, the proposed parking provision is considered acceptable having regard to the sustainable location and measures included within the Travel Plan. Two disabled spaces have been provided within the proposal. A tracking plan has been provided which demonstrates there is sufficient room for vehicles to turn. It would not be considered that the proposal would increase traffic flow on Annadale Avenue to an unacceptable degree; the traffic flow may decrease given the previous use as a nursery. Traffic caused by construction will be temporary and is not a material consideration.</p>
5.94	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.</p>

	<p><u>Environmental protection</u></p>
5.95	<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 proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p> <p><u>Contaminated land</u></p>
5.96	<p>Environmental Health (EH) records do not indicate potential land contamination associated with past land use or in close proximity to the development. The proposal is therefore considered to accord with Policy ENV1.</p> <p><u>Air quality</u></p>
5.97	<p>EH states that the proposed development does not lie in or is adjacent to an Air Quality Management Area. It is noted that no information regarding heating and hot water provision has been provided and consequently a condition for an Air Quality Impact Assessment to be submitted in the event that any centralised combustion sources are proposed. The proposal is therefore considered to accord with Policy ENV1.</p> <p><u>Noise and vibration</u></p>
5.98	<p>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.</p> <p><u>Flood risk and Drainage</u></p>
5.99	<p>A Drainage Assessment has been submitted in accordance with paragraph 6.114 of the SPPS. DFI Rivers were consulted and referred to the NI Water response which states there is no commitment that the proposed works will take place and no storm sewer is available to serve the proposal. DFI Rivers objected to the proposal on the basis that a safe point of discharge is currently not available.</p>
5.100	<p>Since this response, the applicant has received a conditional approval for a storm requisition to serve the proposal. The Drainage Assessment is currently being updated to reflect this and delegated authority is requested to deal with the re-consultation with DFI Rivers.</p> <p><u>Waste-water Infrastructure</u></p>
5.101	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water state a solution is yet to be agreed between the developer and NI Water. The submitted Pre-Development Enquiry (PDE) states that the sewer network is at capacity. NIW's response was received in August 2022 and an updated position has been requested.</p>
5.102	<p>Notwithstanding, 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</p>

	grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
5.103	It has recommended a condition to require details of foul and surface water drainage to be agreed prior to commencement of development.
	<u>Natural Heritage</u>
5.104	Policy NH1 relates to the protection of natural heritage resources.
5.105	DAERA were consulted and Natural Environment Division (NED) requested a Bat Survey on the basis that the existing building was identified as having a moderate bat roosting potential. Following submission of a Bat Survey, NED advised that it has no concerns subject to conditions regarding bat roosts.
5.106	Objections were raised that the removal of the existing garden would decrease biodiversity and potential ecological impacts, namely badgers. While the existing garden is being replaced by a car park the use of grasscrete will soften this impact, there are also large areas of hardstanding within the site that will be replaced by garden and amenity areas. There is a net gain in soft landscaping when compared to the existing site. In terms of ecological impacts and impacts on badgers, DAERA were consulted and did not raise concerns of any impacts on badger setts within the site or other ecological impacts.
5.107	The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.
	<u>Waste Management</u>
5.108	In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. The application is supported by a Refuse Storage Plan which outlines the operational waste management measures. A communal waste storage area is proposed for the development at the southern end of the site adjacent to the parking area and meets the size and design requirements.
5.109	The proposed waste management plan and arrangements are considered acceptable.
	<u>Section 76 Planning Agreement</u>
5.110	A Section 76 planning agreement is recommended to secure a Viability Review prior to commencement of development. This will ascertain whether the economic conditions have sufficiently changed to allow an affordable housing Developer Contribution to be provided. Legal Services has confirmed that the planning agreement has been agreed in principle with the applicant.

<p>6.1</p> <p>6.2</p>	<p>Recommendation</p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement.</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 the further consultation with DFI Rivers and any other issues that may arise, provided that they are not substantive.</p>
<p>7.0</p>	<p>DRAFT CONDITIONS</p> <p>22. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>23. No external facing panels or materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials.</p> <p>Reason: In the interests of the character and appearance of the development.</p> <p>24. The depth and detailing of the window recesses and reveals shall be as shown on the approved drawings.</p> <p>Reason: In the interests of the character and appearance of the development.</p> <p>25. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the [TO BE SPECIFIED] windows shall be obscure glazed to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves:</p> <p>Reason: To safeguard the privacy of adjacent properties.</p> <p>26. The development hereby approved shall not be occupied until the communal open space and private gardens have been provided in accordance with the approved plans. The open space shall be retained as such at all times.</p> <p>Reason: To ensure that appropriate provision is made for open space.</p> <p>27. The proposed open space and landscaping shall be managed and maintained in accordance with the approved management plan at all times.</p> <p>Reason: To ensure that the open space and play equipment are properly managed and maintained.</p>

	<p>28. The development hereby approved shall not be occupied unless the sustainable development measures have been implemented in accordance with the Plan Strategy Statement uploaded to the Planning Portal on 23rd June 2023. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p> <p>29. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans.</p> <p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>30. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. The parking areas shall be permanently retained.</p> <p>Reason: To ensure acceptable parking facilities on the site.</p> <p>31. 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.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>32. The development shall not be occupied unless in accordance with the approved Travel Plan.</p> <p>Reason: To encourage alternative modes of transport to the private car.</p> <p>33. No windows shall be installed unless a final window schedule detailing the sound reduction specification has been submitted to and approved in writing by the Council. The windows shall be designed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023. The windows shall not be installed unless in accordance with the details so approved.</p> <p>Reason: In the interests of residential amenity.</p> <p>34. Prior to occupation of the development hereby permitted, a Verification Report that demonstrates that the windows have been installed as required by condition 12 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the windows confirming that the alternative means of ventilation have been installed as approved.</p> <p>Reason: In the interests of residential amenity.</p>
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	<p>35. Prior to installation of any alternative means of ventilation, the sound reduction specification of the alternative means of ventilation shall be submitted to and approved in writing by the Council. The specification shall demonstrate that internal noise levels in habitable rooms will be achieved in line with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'. The means of ventilation shall be installed in accordance with the approved details and retained as such at all times.</p> <p>Reason: In the interests of residential amenity.</p> <p>36. Prior to occupation of the development hereby permitted, a Verification Report that verifies that demonstrates that the alternative means of ventilation has been installed in line with details approved pursuant to condition 14 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the alternative means of ventilation confirming that the alternative means of ventilation have been installed as approved.</p> <p>Reason: In the interests of residential amenity.</p> <p>37. Prior to occupation of the development hereby permitted, a Verification Report that verifies that an acoustic fence has been constructed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023 shall be submitted to and approved in writing by the Council. The acoustic fence shall be permanently retained in accordance with the approved details at all times.</p> <p>Reason: In the interests of residential amenity.</p> <p>38. All hard and soft landscaping works 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.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>39. 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.</p> <p>Reason: In the interests of visual amenity.</p>
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40. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

41. 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.

INFORMATIVES

NOT04 Section 76 planning agreement

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures a Viability Review mechanism.

NOT02 Compliance with planning permission

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.

NOT03 Discharge of condition(s)

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.

NOT05 Non-planning requirements

The grant of planning permission does not dispense with the need to obtain licenses, 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. consents or permissions under other legislation or protocols.

	<p>NOT06 Protected Species</p> <p>The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:</p> <ul style="list-style-type: none"> a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat; b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. <p>If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.</p>
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Addendum Report	
Application Ref: LA04/2024/1466/F	Committee Meeting Date: 17 th June 2025
Proposal: Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer window. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans).	Location: 41 Rosetta Road, Belfast, BT6 0LR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation:	Approval
Applicant Name and Address: Hanrose Ltd 41 Rosetta Road, Belfast, BT6 0LR	Agent Name and Address: JWM Planning Ltd Unit 13 3-5 Woodgreen Road Ballymena
Date valid: 30 th August 2024	
Target date: 13 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Background</p> <p>This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2024.</p> <p>Environmental Health provided a final consultation response on 7th May. They are content subject to a condition relating to land contamination. The proposal is therefore considered compliant with Policy ENV1. A list of updated draft conditions is included in this Addendum.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <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.</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>	

AMENDED 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 development hereby permitted shall not be occupied unless sound mitigation measures are installed so that internal noise levels as stated below are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels, then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels:
 - 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided.
 - 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided.
 - 45 dB LAm_{ax} more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided. The measures required shall be thereafter retained at all times.

Reason: In the interests of residential amenity.

3. The separating ceiling/floor between the ground floor retail unit and the first floor of the HMO and the separating wall between the ground floor retail unit and the ground floor of the HMO shall be so constructed to ensure sufficient sound reduction so that the internal noise levels within habitable rooms (detailed within condition 2) are not exceeded.

Reason: In the interests of residential amenity.

4. The hereby approved ground floor retail unit shall not operate outside the hours of 07:00hrs- 23:00hrs.

Reason: In the interests of residential amenity.

5. Deliveries and collections by commercial vehicles to the ground floor retail unit shall only be made between 07:00hrs and 23:00hrs Monday to Saturday and at no time on Sundays.

Reason: In the interests of residential amenity.

6. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works 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 and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

7. Notwithstanding the submitted details no external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

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

8. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

9. Notwithstanding the submitted details, 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 and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

10. 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.

11. 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.

Development Management Officer Report

Committee Application

Summary	
Application Ref: LA04/2024/1466/F	Committee Meeting Date: 13 th May 2025
Proposal: Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer window. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans).	Location: 41 Rosetta Road, Belfast, BT6 0LR
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Target date: 13 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: This application seeks full planning permission for ground floor extension and alterations to provide 1 No. retail unit; two storey rear extension; rear dormer window; change of use of first and second floor level and part of ground floor level to 6 bed / 6 person HMO (amended description and plans). The key issues are: <ul style="list-style-type: none"> The principle of an HMO at this location Impact on the character and appearance of the Rosetta Road Impact on residential amenity Traffic, Parking and Access Waste and refuse collection Wastewater infrastructure Climate change Extension of retail unit 129 objections have been received with the issues raised addressed within the main report. Councillor Michael Long requested that the application is reported to the Planning Committee for the following reasons: <ol style="list-style-type: none"> Significant public interest. Concerns relating to congestion and parking. 	

The proposal is compliant with Policy HOU10 in that the 10% threshold for HMOs on this stretch of the Rosetta Road has not been exceeded. The application site also has a frontage onto Wynchurch Road and for completeness a search of the number of HMOs was checked for this street which found there to be no existing HMOs.

Officers consider that the scheme will not be harmful in terms of traffic, parking and impact on the amenity of the surrounding area.

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 the wording of the conditions and deal with any other issues that arise, including outstanding response from Environmental Health, provided that they are not substantive.

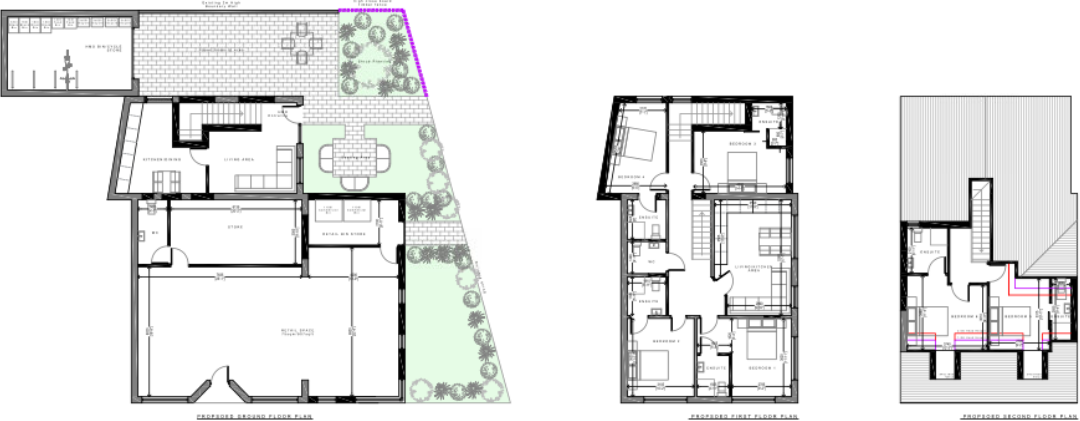
Officer Report	
1.0	DRAWINGS
1.1	<div><div>Site Location Plan:</div><div></div></div> <div><div>Proposed Site Layout:</div><div></div></div>

Existing Floor Plans and Elevations:



Proposed Elevations:



	<p>Proposed Floor Plans:</p> 
.0	Characteristics of the Site and Area
2.1	The application site is located at 41 Rosetta Road. The property is a 2-storey building with a retail unit at ground floor selling catering equipment. The first floor is currently office/storage space. The building has a hipped roof and sits on the corner of Wynchurch Road, benefiting from access from Rosetta Road and private access from Wynchurch Road.
2.2	There is a small, enclosed amenity space to the side of the building, enclosed by palisade fencing. There is also space to the rear of the property, where a detached store is situated which is proposed to be used as a bin store.
2.3	The prevailing area is a predominantly residential, however, there is a strong commercial presence on the south side of the Rosetta Road, where the site is situated.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for ground floor extension and alterations to provide 1 No. retail unit; two storey rear extension; rear dormer window; change of use of first and second floor level and part of ground floor level to 6-bed HMO (amended description and plans).
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 History There is no relevant planning history.</p>

5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objection NI Water – Objection as no available capacity in the downstream Wastewater infrastructure DFI Rivers – No objection
5.2	Non-Statutory Consultations Environmental Health – still pending a response Representations
5.3	<p>The application has been advertised and neighbours notified. The Council has received 115 letters of objection to this proposal. The issues raised in the objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise 5. Adverse visual impact/anti-social behaviour/noise pollution 6. Flooding 7. The development is not in keeping with the local character 8. Overcrowding 9. Concerns regarding the actual intended 'use' of the property 10. Devaluing property 11. No kitchen facilities 12. Proliferation of coffee shops in the area 13. Not receiving letters on time
5.3	Concerns raised under points 1-8 are addressed in the main body of the report. Concerns raised at points 9-11 are not relevant material planning considerations.
5.4	In respect of point 8, overcrowding, the proposal includes 6 bedrooms which meet the space standards for HMOs as set out in the Plan Strategy. An HMO at this location would require an HMO licence which whilst is outside the remit of the planning process would restrict the number of occupants.
5.5	In respect of point 12, the coffee shop element has been omitted from the scheme and the proposed ground floor extension will fully be Class A1 retail use.
5.6	The final concern regarding the delivery of neighbour notification letters not being delivered on time is an administration issue. The Council sends these via Royal Mail post and acknowledges that there can be delays, which are outside the control of the Council. However, the Council has accepted written representations well beyond the 14 days for submission that was stipulated in the letters and therefore considers no one to be prejudiced.

6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.1	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.
6.2	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 ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
6.5	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 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.
6.6	The site is located within the settlement development limit in the BUAP 2001 and is not zoned for any use. In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 058). In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 041). The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
	Relevant Planning Policies
6.7	The following policies in the Plan Strategy are relevant to consideration of the application. <ul style="list-style-type: none"> • Policy HOU10 – Housing Management Areas • Policy RD1 – New residential developments • Policy RD3 – Conversion or subdivision of existing buildings for residential use • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 to ENV5 – Environmental considerations

	<ul style="list-style-type: none"> • Policy OS3 – Ancillary open space • Policy DES 1 – Principles of Urban Design <p>Key Issues</p>
6.8	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Rosetta Road • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Wastewater infrastructure • Climate change • Extension of retail unit <p>The principle of an HMO at this location</p>
6.9	<p>The site is outside Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p>
6.10	<p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed
6.11	<p>According to the HMO Database, there are no HMOs on Rosetta Road. The site also has a frontage onto Wynchurch Road and for completeness a search of the number of HMOs was checked for this street which found there to be no existing HMOs. The proposal for a change of use to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle.</p>
6.12	<p>Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.</p>
6.13	<p>Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. Policy DES1 is also relevant to the proposed extensions. The assessment of the proposal against these policies is set out below.</p> <p>Impact on the character and appearance of the area</p>
6.14	<p>The existing property is an end-of-terrace with a hipped roof. The other end of this terrace has a gable end. The proposal seeks to change the hip to a gable to match that on the opposite end of the terrace row. This is considered to be in keeping with the character of the surrounding area.</p>

6.15	The proposal also incorporates a two-storey rear extension and dormer window. The existing building has a single storey return to the rear, which projects 4.5m out from the main building. The new two storey extension will be constructed using the same footprint of this existing element. The ridgeline of the roof will be lower than the ridgeline of the main building. These dimensions will ensure the two-storey extension would be subservient to the host building. The entire building, old and new, is to be rendered so that all finish materials will match. Officers consider that these elements of the proposal would respond positively to local context and character in respect of height, form scale, massing and proportion and therefore would comply with all relevant criteria in Policy DES1.
6.16	The proposed extension to the ground floor commercial unit is to be to the side of the existing building. This is to be a single storey with a flat roof. The site has ample space to accommodate this addition. It is acknowledged that design is not in general conformity with the host building, or the surrounding area and breaches the building line on Wynchurch Avenue, however it is considered acceptable in that it will replace an existing unattractive open storage compound enclosed by a 2.5m tall steel palisade fence and would result in a visual improvement. The proposal is considered acceptable having regard to Policy DES1.
6.17	Criterion f. of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. This diversity is achieved by the reuse of the upper floors for HMO whilst retaining commercial at ground floor. This will also ensure the existing active frontage along Rosetta Road is not impacted.
6.18	The proposal is considered to satisfy the relevant design criteria in Policies DES1, RD1, and RD3 of the Plan Strategy.
	Impact on residential amenity
6.19	There is ample separation distance between the proposed extensions and neighbouring residential properties. The positioning of the extension and the orientation of the site in relation to neighbouring residential properties will also ensure that there will be minimal conflict with residential amenity in respect of overshadowing, loss of light, overlooking, and dominance. This satisfies Policy DES1 criterion j. and Policy RD1 criteria a. and b.
	<i>Noise and disturbance:</i>
6.20	In respect of potential noise from the HMO, this is covered by the statutory HMO licencing scheme. This also ensures landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage. Noise from the proposed ground floor retail unit is not considered be any greater than that of the existing commercial unit at this location as the net increase will only equate to 27 square metres.
	<i>Internal Layout:</i>
6.21	The proposal would provide a quality and sustainable residential environment in that all habitable rooms in the dwelling have access to natural light and an attractive outlook. The internal living space exceeds the requirements set out in the HMO space standards for a 6 bed HMO as set out within Appendix C of the Plan Strategy The internal spaces are set in in the following table:

	Room	Space Standards (Appendix C of Plan Strategy)	Measured floor space (excluding ensembles)
	Bedroom 1	6.5sqm	12.5sqm
	Bedroom 2	6.5sqm	11.2sqm
	Bedroom 3	6.5sqm	11.5sqm
	Bedroom 4	6.5sqm	10.5sqm
	Bedroom 5	6.5sqm	7.9sqm
	Bedroom 6	6.5sqm	10.2sqm
	Living/kitchen areas (combined)	19.5sqm	45.2sqm
6.22	The proposal is considered to satisfy the relevant criteria in Policies DES1, RD1, and RD3 of the Plan Strategy.		
	Traffic, Parking and Access		
6.23	The proposal does not include any in-curtilage car parking provision and third parties have raised concerns with regards to the impact of this on traffic and on street parking. DfI Roads is the statutory authority regarding parking and traffic. The Council consulted Roads on this application, and they confirmed they have no objections to the scheme. Whilst the various policy requirements of Policy HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.		
6.24	Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and SPG, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.		
6.25	However, to satisfy the concerns raised in relation to parking the Planning Service requested a parking survey. The parking survey demonstrates that adequate parking is available within a radius of 100 metres walking distance from the application site to serve the proposal without detriment to the parking provision for existing residents in the area. DfI Roads were consulted on the parking survey and advised that their position of no objections is retained. The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. Furthermore, the site is in a sustainable location with bus services operating in close proximity and accessible to services and amenities in the local and wider area, such as the Ormeau Road and Ravenhill Road.		
	Waste and Refuse Collection		
6.26	Policy RD3 criterion b requires 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.		
	The waste provision requirements as set out in the Waste Infrastructure SPG are broken down as follows:		

6.27	<p>100L per bedroom + 60L per dwelling. As the proposal is for a 6-bed HMO, the requirement is 100L x 6 + 60L to give a total requirement of 660L. This figure of 660L is further broken down into waste types as follows:</p> <ul style="list-style-type: none"> - 35% General Waste (Black bins) = 462L (Collected every 2 weeks) requiring 3 x 180L bins. 3 x 180L black bins are required. - 55% Recycling (Recycling packs) = 363L (Collected weekly) requiring 3 sets of 3 x 55L bins. 3 x recycling packs (each with 3x 55L recycling boxes). - 10% Food Waste (Brown bins/food caddy) = 66L (Collected weekly) requiring 3 x 23L food bins. 3 x 140L food bins are proposed. <p>It has been demonstrated how the proposal would be able to provide the required volume and separation of bins.</p>
6.28	As illustrated on the proposed plan, the bins would be accommodated in an outbuilding within the rear yard of the property. As stated under Table 7 of Appendix 2 of the waste
6.29	SPG, for each set of 3 black bins, 3 recycling packs and 4 food caddies, and if the yard is enclosed with a single row layout of bins, the following measurements are needed to accommodate the bins: For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout 2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm. 10.8 sqm is required in a single row layout. The proposed bin store has a floorspace of (5.8m x 3.4m) 19.7 sqm which is 8.9 sqm in excess of the required 10.8 sqm. It is acknowledged that the bin store will also contain a bike rack, however, it is considered that this will not impact access to the bins given the size of the bin store.
6.30	<p>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. Bin storage is also a HMO licensing requirement and the Council's website states that <i>"during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland"</i>.</p> <p>Wastewater infrastructure</p> <p>NI Water as the statutory authority has objected to the proposal on the grounds that it will result in intensification and there is no capacity within their current water and sewerage network to accommodate this.</p> <p>Policy SP1a requires that necessary infrastructure is in place to support new development. Whilst NI Water has objected to the application, 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. A condition is recommended to secure final details of foul and surface water drainage prior to commencement of development.</p> <p>For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p>
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	Flooding

6.34	<p>Objectors have alluded to a history of flooding in the area. The Planning Service consulted DfI Rivers, who have no objections to the scheme. DfI Rivers advise that a Drainage Assessment is not required but the applicant is still advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere. This will involve acquiring consent to discharge storm water run-off from the site. Policy ENV4 has been considered.</p>
6.35	<p>Open Space</p> <p>Policy RD1 requires new residential development to make provision for appropriate open space. <i>Creating Places</i> (CP) does not set out external private amenity space standards for HMOs However, CP advocates between 40sqm and 70sqm open space for new residential development. A total of 80 sqm of private open amenity space will be provided for the HMO, equating to 13.3 sqm per bedroom/person. This satisfies criterion d. of Policy RD1.</p>
6.36	<p>Landscaping</p> <p>The proposed open space at rear and side will be appropriately landscaped with pavers, grass lawns and shrubs. The boundary will be open to the front and side albeit with a 1.8 metre tall close-boarded timber fence on the southwest corner. A detailed landscaping plan can be secured via a negative condition.</p>
6.37	<p>Health impacts</p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
6.38	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. The site is within short walking distance of leisure amenities, playing pitches and a public park. Cycle stands are also proposed to encourage cycling and discourage the use of the private car. The proposal is considered to satisfy the requirements of Policy HC1 and Policy RD1 c.</p>
6.39	<p>Environmental protection</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 proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p> <p>Environmental Health (EH) has no concerns with odour and air quality and is generally satisfied in respect of noise impacts, subject to conditions. In its initial response EH requested a Generic Quantitative Risk Assessment to check for land contamination. This</p>

6.40	has been submitted by the applicant and EH is to provide feedback on this. Delegated authority is sought to deal with any issues that may be raised by Environmental Health in their final response.
	Retail
6.41	The application site is outside an existing retail centre as defined by Policy RET1 of the LDP. As such Policy RET2 is applicable. This states that the applicant must demonstrate that there is not a sequentially preferable site in, or on the edge of, existing centres.
6.42	The previous use of the ground floor was Class A1 retail. This was approved in 1990 under planning application ref. Y/1990/0203.
6.43	The gross floorspace of the existing retail unit is 82sqm approx. The gross floorspace of the retail unit as proposed is 109 sqm approx. including a store but excluding a bin storage area.
6.44	This is a net increase of 27 sqm which is marginally (6.5 sqm) in excess of the increase allowed under permitted development, which is 25% of the original floorspace (20.5 sqm). As such a sequential test in this case would not be reasonable as there is unlikely to be any negative impact on existing retail centres by the overall increase.
6.45	Consideration has been given to potential for conflict between the proposed HMO and the commercial use at ground floor. The HMO will have its own separate access, from Wynchurch Road, and all waste will be stored and accessed independently. It is therefore considered that this will not result in prejudicing the commercial functions of the retail unit. This satisfies Policy RD3 d.
	Climate Change
6.46	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
6.47	The proposal retains the existing building consistent with the aim of Policy ENV2 which seeks to avoid demolition where feasible. The applicant has provided details on the various sustainable design features which will be incorporated into the development. The proposal intends to alter and extend the existing building as opposed to demolishing it, as encouraged by ENV2. The existing fabric will be utilised as much as possible to minimise waste and ultimately reduce the carbon footprint of the building. The thermal efficiency of the building will be upgraded where necessary to further reduce the need for additional heating and cooling. It is noted that these policies state that climate change measures shall be incorporated where feasible or where appropriate.
6.48	The policy also sets out measures to maximise opportunities to incorporate sustainable design features. The current site has zero biodiversity value. The new proposal will remove large areas of hardstanding and introduce soft landscaping to increase the overall biodiversity of the site and help with water attenuation during periods of heavy rainfall. This is compliant with Policies ENV2 and ENV3.
	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. As a largely change of use application, it is proposed to retain, re-use and adapt the current drainage network on

6.49	<p>site. The proposal includes measures to assist with the drainage system to make it more sustainable. This includes the removal of large areas of hardstanding and the introduction of soft landscaping to help with water attenuation during periods of heavy rainfall. These SuDS measures are considered acceptable.</p> <p>The proposal is considered acceptable having regard to Policy ENV5.</p>
6.50	
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 the conditions and deal with any other issues that arise, including outstanding response from Environmental Health, provided that they are not substantive.
8.0	<p>DRAFT CONDITIONS:</p> <p>12. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>13. The development hereby permitted shall not be occupied unless sound mitigation measures are installed so that internal noise levels as stated below are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels, then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels:</p> <ul style="list-style-type: none"> • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided. • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided. • 45 dB L_{Amax} more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided. The measures required shall be thereafter retained at all times. <p>Reason: In the interests of residential amenity.</p> <p>14. The separating ceiling/floor between the ground floor retail unit and the first floor of the HMO and the separating wall between the ground floor retail unit and the ground floor of the HMO shall be so constructed to ensure sufficient sound reduction so that the internal noise levels within habitable rooms (detailed within condition 2) are not exceeded.</p> <p>Reason: In the interests of residential amenity</p>

	<p>15. The hereby approved ground floor retail unit shall not operate outside the hours of 07:00hrs- 23:00hrs.</p> <p>Reason: In the interests of residential amenity.</p> <p>16. Deliveries and collections by commercial vehicles to the ground floor retail unit shall only be made between 07:00hrs and 23:00hrs Monday to Saturday and at no time on Sundays.</p> <p>Reason: In the interests of residential amenity.</p> <p>17. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.</p> <p>All hard and soft landscaping works 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 and soft landscape areas and works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.</p> <p>18. Notwithstanding the submitted details no external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>19. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.</p> <p>Reason: To ensure that appropriate provision is made for storage and disposal of waste.</p> <p>20. Notwithstanding the submitted details, 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.</p>
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	<p>Reason: To ensure appropriate foul and surface water drainage of the site and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p>21. 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.</p> <p>Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.</p>
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Addendum Report	
Application Ref: LA04/2024/1584/F	Committee Meeting Date: 17 th June 2025
Proposal: Subdivision of 6No. bed shared dwelling to provide 3No. self-contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self-contained flat.	Location: 21 Skegoneill Avenue, Belfast, BT15 3JP
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member (Cllr Anglin)	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Chris Graham 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Cathal McGuigan Surveyor House, 7 Balloo Court Balloo Drive Bangor BT19 7AT
Date valid: 14 th October 2024	
Target date: 27 th January 2025	
Contact officer: Lisa Walshe, Principal Planning Officer	
<p>Background</p> <p>This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2025.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <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.</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>	

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2024/1584/F	Committee Meeting Date: 13 May 2025
Proposal: Subdivision of 6No. bed shared dwelling to provide 3No. self-contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self-contained flat.	Location: 21 Skegoneill Avenue, Belfast, BT15 3JP
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Chris Graham 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Cathal McGuigan Surveyor House, 7 Balloo Court Balloo Drive Bangor BT19 7AT
Date valid: 14 th October 2024	
Target date: 27 th January 2025	
Contact officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: <p>This application seeks full planning permission for subdivision from a 6-bed dwelling to 3 self-contained flats, with a two-storey rear extension to provide 1 more flat. The site is located at 21 Skegoneill Avenue. The 3 flats to be contained in the original house will each be one-bed / 1 person and the flat in the rear extension will be 1 bed / 2 person.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of apartments at this location • Impact on the character and appearance of the Glandore Gardens draft ATC • Layout/Design • Private amenity/landscaping • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection <p>4 objections have been received with the issues raised addressed within the main report.</p> <p>Councillor Brónach Anglin requested that the application is reported to the Planning Committee for the following reasons:</p> <ol style="list-style-type: none"> 1. Significant public Interest. 2. Concerns relating to congestion and parking. 	

Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area or the Glandore Gardens Draft Area of Townscape Character.

Recommendation

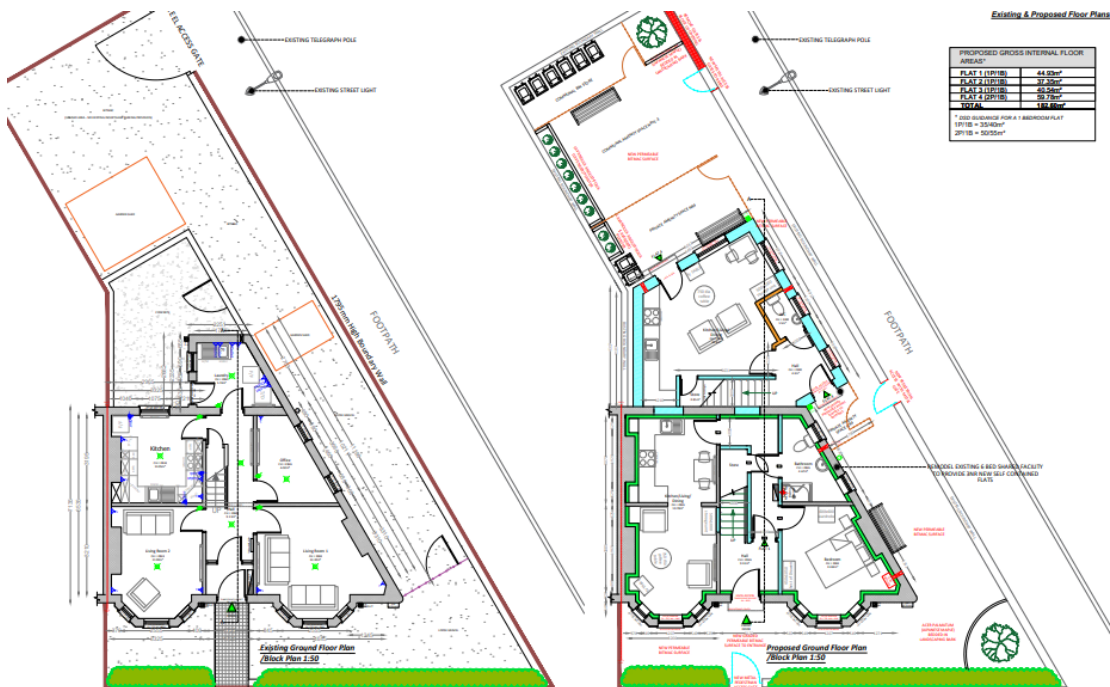
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Officer Report	
1.0	Drawings
1.1	Site Location
<div><div></div><div><div>Existing Elevations</div><div><div>No. 21 Skegoneill Avenue, Belfast 6B/HMO</div><div></div></div></div></div>	

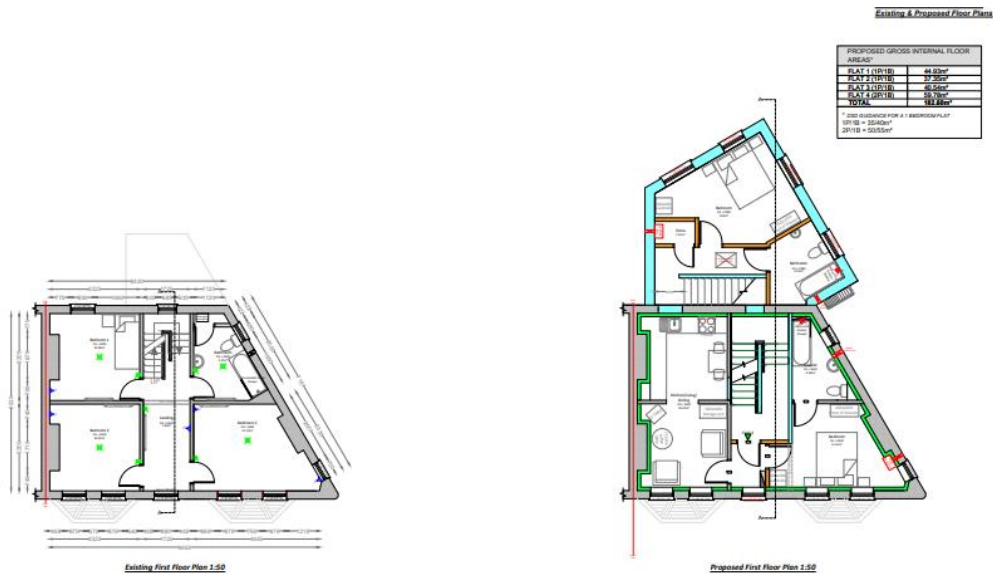
Proposed Elevations



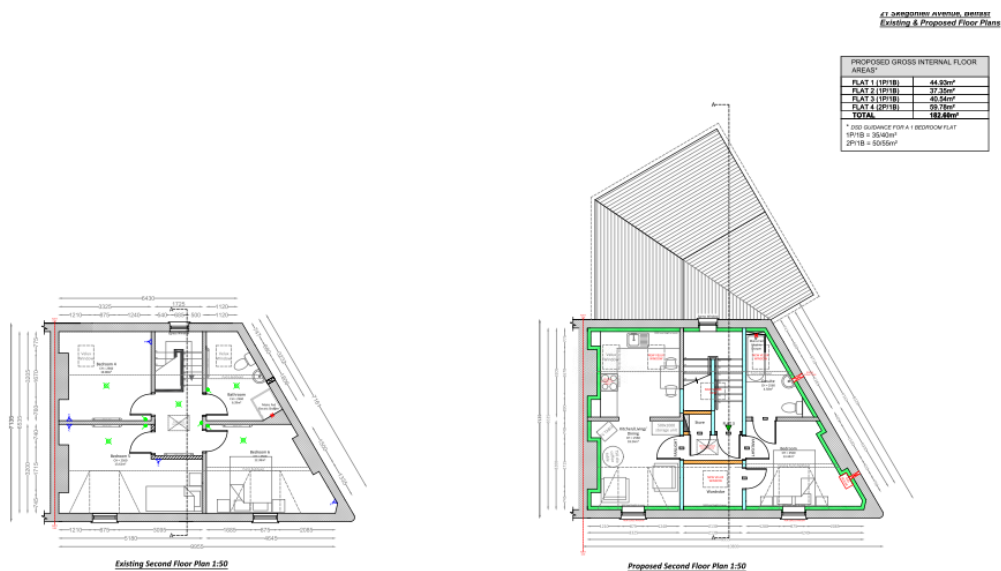
Existing / Proposed Site Layout and Ground Floor Plans



Existing / Proposed First Floor Plans



Existing / Proposed Second Floor Plans



2.0	Characteristics of the Site and Area
2.1	The application site is located at 21 Skegoneill Avenue. The property is a 3-storey residential Victorian end-of terrace . This is finished in red brick with a slate roof. There is an enclosed amenity space to the rear of the building. The immediate area is predominantly residential. The surrounding area is characterised by terraced streets lined with red brick 2 and 3 storey buildings, most of which are in residential use, on small to medium plots with gardens to front and rear. Parking is generally on-street.
2.2	The site is 'white land' within the urban area in BUAP. The proposed development site is developed and in use as a single dwelling.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for Subdivision of 6No. bed shared dwelling to provide 3No. self-contained flats, with a two-storey rear extension to provide 1 self-contained flat.
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	Relevant Planning History There is no relevant planning history.
5.0	Consultations and Representations Statutory Consultations DfI Roads – No objections Representations The application has been advertised and neighbours notified. The Council has received 4 letters of objection. The issues raised in the objections are summarised as follows: <ol style="list-style-type: none"> 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise

	<p>5. Adverse visual impact/anti-social behaviour/noise pollution</p> <p>6. Fly tipping</p> <p>7. Issues with property to the rear</p> <p>8. Overdevelopment</p> <p>9. Loss of light to adjacent property</p> <p>Issues 1-5 are addressed in the main body of the report.</p> <p>Additional points are considered as follows:</p> <p>6. Fly tipping in the rear alleyway – The proposal is not directly related to fly tipping in the rear alleyway and is a separate issue. Private bin space is provided on site for all residents.</p> <p>7. Issues with property to the rear – This is not a material consideration and is outside the remit of this application.</p> <p>8. Overdevelopment – The current property hosts 6 people. The proposal seeks to sub divide this into 4 flats, accommodating 5 people. Therefore, there is no intensification or overdevelopment occurring on the site.</p> <p>9. Loss of light to adjacent property – The rear gardens of the terraced row are south facing meaning they will enjoy sunlight for most of the day. The extension itself is angled away from the adjacent property meaning loss of sunlight will not be exacerbated unacceptably.</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 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 ("Departmental Development Plan") until the Local Policies Plan is adopted.

6.5	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>
6.6	<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 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. The site is located within the settlement development limit in the BUAP and is not zoned for any use. The site is not located in a Housing Policy Area or a HMO Development Node in the Belfast HMO Subject Plan 2015.</p> <p>Relevant Planning Policies</p>
6.7	<p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • HOU2 – Windfall Housing • HOU4 – Density of Residential development • HOU7 – Adaptable and accessible accommodation • HOU11 – Intensive housing nodes • RD1 – New residential developments • RD3 – Conversion or sub-division of existing buildings for residential use • DES 1 – Principles of urban design • TRAN8 – Car parking and servicing arrangements • ENV1 – Environmental quality • BH3 – Area of townscape character <p><u>Supplementary Planning Guidance</u></p>
6.8	<p>Residential Design Placemaking and Urban Design Sustainable Drainage Systems (SuDS) Transportation Waste Infrastructure</p> <p>Key Issues</p>
6.9	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • The principle of apartments at this location • Design • Impact on the character and appearance of the Glandore Gardens draft ATC • Impact on residential amenity • Private amenity/landscaping • Traffic, Parking and Access • Waste and refuse collection

	<p>The principle of apartments in this location</p>
6.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the ‘rest of Belfast city’ and 2,000 windfall homes. The proposal is located within a previously developed site (windfall) within ‘rest of Belfast city’.</p>
6.11	<p>Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> • The site is suitable for housing – the site is a sustainable location and considered suitable in principle for housing. • The location is accessible and convenient to public transport and walking cycle infrastructure – the site accessible to public transport and close to cycling / walking routes and is highly accessible to shops, services, and amenities. • Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place to support the proposal.
6.12	<p>The proposal is for social housing in the form of apartments. The proposal will provide quality housing that will add to the variety of housing stock offered in this location.</p>
6.13	<p>The proposal is considered compliant with policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p>
6.14	<p>The existing building is in excess of 150 sqm and therefore satisfies criterion c. RD3 of Policy RD3.</p> <p>Housing density</p>
6.15	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>
6.16	<p>The proposal is for 4 residential units in a location where the average density should be between 75-150 dwellings per hectare (ha). The site area is 0.02 ha therefore the proposed development equates to a density of 200 units per ha, which is not compliant with Policy HOU4. However, the policy refers to the average over the entire inner city area. The immediate area contains lower density residential development in the form of houses with gardens which is less than the average for the area and thus acts as a counterbalance to the higher density of the proposal. The acceptability of the proposal should depend on other planning considerations, set out below.</p> <p>Proposed demolition</p>
6.17	<p>The proposal includes demolition of a small single storey return to accommodate the proposed extension. This existing return is largely screened from public view by a 2m approx. high wall and as such there is no public views of it other than a glimpse of its roof. It is also likely that this is not part of the original house. Policy BH3 states that demolition will only be accepted where the original building makes no material contribution to the ATC and its replacement will enhance the area. The design of the replacement return is covered in the succeeding paragraph.</p>

	<p>Design</p>												
6.18	<p>The proposed two-storey extension will breach the building line along Glandore Drive. However, this is a corner site and the dwelling 18A Glandore Avenue at the corner of Glandore Drive and Glandore Avenue on the other end of this street also breaches the same building line. The two-storey height is in keeping with two-storey returns of the other dwellings within the adjoining terrace. The overall scale, form massing and finish materials is considered subordinate and not out-of-keeping with the character of the host building and the surrounding area. This is considered to be compliant with the relevant design criteria in policies DES1, RD1, RD3 and BH3.</p> <p>Impact on residential amenity</p> <p><i>Internal Layout:</i></p>												
6.19	<p>The proposal would provide a quality and sustainable residential environment in that all habitable rooms in the dwelling have access to natural light and an attractive outlook. No units are located wholly in the rear of the property without safe and secure access from the front door of the building. All units are self-contained.</p>												
6.20	<p>The proposed three 1-bed / 1-person flats would each have an internal living space exceeding the minimum requirement of 35 sqm as set out in Appendix C of the Plan Strategy. The 1-bed / 2-person flat would have an internal space exceeding the minimum 50 sqm space standards set out in Appendix C of the Plan Strategy. The internal space for each unit is illustrated in the table, below:</p> <table><tr><th colspan="2">PROPOSED GROSS INTERNAL FLOOR AREAS*</th></tr><tr><td>FLAT 1 (1P/1B)</td><td>44.93m²</td></tr><tr><td>FLAT 2 (1P/1B)</td><td>37.35m²</td></tr><tr><td>FLAT 3 (1P/1B)</td><td>40.54m²</td></tr><tr><td>FLAT 4 (2P/1B)</td><td>59.78m²</td></tr><tr><td>TOTAL</td><td>182.60m²</td></tr></table>	PROPOSED GROSS INTERNAL FLOOR AREAS*		FLAT 1 (1P/1B)	44.93m ²	FLAT 2 (1P/1B)	37.35m ²	FLAT 3 (1P/1B)	40.54m ²	FLAT 4 (2P/1B)	59.78m ²	TOTAL	182.60m ²
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TOTAL	182.60m ²												
6.21	<p>This satisfies the relevant criteria in Policy RD1 and RD3</p> <p><i>Impact on Neighbours:</i></p>												
6.22	<p>There is ample separation distance between the proposal and neighbouring residential properties. The positioning of the extension, its scale and massing, its corner site position, existing boundary treatments and the orientation of the site in relation to neighbouring residential properties will also ensure that there will be minimal conflict with residential amenity in respect of overshadowing, loss of light, overlooking, and dominance. This satisfies Policy DES1 criterion j. and Policy RD1 criteria a. and b.</p> <p><i>Open space and outdoor amenity provision:</i></p>												
6.23	<p>Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. <i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally, developments in inner urban locations and other high-density areas will tend towards the lower figure. Open space is to be provided as communal with a total of 50sqm, averaging 12.5sqm per unit. This is greater than the</p>												

	<p>minimum standard of 10sq/m as per the guidance. This is in keeping with the character of the ATC which is defined by dwellings with small enclosed rear yards for amenity space. This is compliant with the relevant criteria in Policy RD1 and DES1.</p> <p>Traffic, Parking and Access</p>
6.24	<p>No in-curtilage parking is proposed and as such the development will rely wholly on on-street parking. A Parking Survey has been submitted that demonstrates sufficient availability of on-street car parking. DfI Roads has been consulted and is content. This satisfies Policy TRAN 8.</p> <p>Adaptable and Accessible accommodation</p>
6.25	<p>HOU 7 advises 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 of occupants to remain in their homes and live independently for as long as possible”.</p>
6.26	<p>Criteria A – Parking surface “Parking provision should have a firm surface and provide level or gently sloping access to the main entrance of the property”. No on site parking is provided. DFI Roads are content that on street parking is sufficient.</p>
6.27	<p>Criteria B - Entrances “Main entrances should be sheltered from the weather”. All entrances will be provided with duo-pitched canopies supported by hardwood gallow brackets and finished with man-made slates to match main roof and new extension.</p>
6.28	<p>Criteria C – Living and Dining Space “Permanent living space or dining space should be provided within or in addition to a kitchen at entrance level”. Permanent living space or dining space is provided within or in addition to a kitchen at the entrance level of each flat.</p>
6.29	<p>Criteria D – Entrance Level W/C “Accommodation should provide entrance level WC with space to provide an accessible shower in the future is required.” Accommodation provides an entrance level WC to all flats.</p>
6.30	<p>Criteria E – Accessible Bathroom “An accessible bathroom should be provided on the same floor as the main bedroom”. An accessible bathroom is provided on the same level as the main bedroom in all flats.</p>
6.31	<p>Criteria F – Glazing “Glazing in the principal living space should be sited to enable outlook when seated”. Glazing in the principal living space is sited to enable outlook when seated.</p>
6.32	<p>The proposal is considered to be complaint with Policy HOU7.</p> <p>Waste and Refuse Collection</p>
6.33	<p>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.</p>
6.34	<p>The rear amenity space will continue to host the bins as before and will provide a new communal bins store.</p>

6.35	Bin storage requirements are set out in the SPG which is calculated as follows: The weekly waste calculation for residential is 70L+30L per bedroom. Therefore, the weekly requirement for a 1 bed apartment is 70L+30L. So, for 4x1 bed units this will be 4 x (70+30) = 400L. Collection is biweekly so this will be 400 x 2 = 800L.
6.36	This is further broken down into categories: 10% organic waste; 55% dry waste; and 35% general waste.
6.37	The proposal has adequate amenity space to accommodate bin storage requirements. This complies with Policy RD3 (b) and DES1 (k).
	Wastewater infrastructure
6.38	NI Water as the statutory authority has no objection to the proposal.
	Climate Change
6.39	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
6.40	The proposal retains the existing building consistent with the aim of Policy ENV2 which seeks to avoid demolition where feasible.
6.41	The applicant has provided details on the various sustainable design features which will be incorporated into the development.
6.42	The policy also sets out measures to maximise opportunities to incorporate sustainable design features. A further opportunity includes improvements to energy efficiency and this proposal will involve improvements to the building fabric to enhance its energy efficiency with the provision of new building insulation throughout. These sustainable measures shall be secured by condition. This is compliant with Policies ENV2 and ENV3.
6.43	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. Permeable asphalt hard standings to be installed to provide full or partial infiltration (suitable solution to be confirmed following ground tests on site). Full infiltration allows all water entering the surface to infiltrate into the existing underlying ground. Where low permeability ground conditions are confirmed by testing a partial infiltration system will be adopted allowing excess run off to be attenuated or discharged into a suitable drainage system. Trees and planters to be included to assist drainage. These SuDS measures are considered acceptable. The proposal is considered acceptable having regard to Policy ENV5.
	Landscaping
6.44	The rear garden will be laid in permeable bitmac surface with a raised planter bed along the common boundary between the site and the adjoining adjacent property. A tree is also to be planted at the rear boundary. There is a street tree in close proximity to the location of the extension, but this is considered to be far enough distance away to prevent root damage. An existing boundary wall that is to be retained will act as both a root barrier and protective fence to this tree.

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 the conditions and deal with any other issues that arise, provided that they are not substantive.
DRAFT CONDITIONS: <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. No external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council. <p>Reason: In the interests of the character and appearance of the area</p> <ol style="list-style-type: none"> 3. All soft landscaping works shall be carried out in accordance with details on the approved ground floor plan / block plan, drawing no. 07A, published to the Planning Portal on 25 March 2025. The works shall be carried out prior to the occupation of the development unless otherwise agreed in writing by the Council. Any plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. <p>Reason: In the interests of residential amenity and to assist with mitigating climate change.</p> <ol style="list-style-type: none"> 5. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times. <p>Reason: To ensure that appropriate provision is made for storage and disposal of waste.</p> <ol style="list-style-type: none"> 6. The development hereby approved shall not be occupied unless the measures to mitigate climate change have been implemented in accordance with Climate Change Statement, dated April 2024. The climate change measures shall be retained in accordance with the approved details at all times. <p>Reason: To mitigate and/or adapt to climate change.</p>	

ADDENDUM REPORT	
Application ID: LA04/2024/0267/F	Committee Date: 17 th June 2025
Proposal: Change of Use from Dwelling to 6no bed/ 6 person HMO (amended description)	Location: 11 Friendly Way, Belfast BT7 2DU
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Conor McKay)	
Recommendation: Approval	
Applicant Name and Address: Jorge Herrero 11 Friendly Way Belfast	Agent Name and Address: 11 Friendly Way, Belfast BT7 2DU
<p>Background:</p> <p>This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2025. At the site visit Members raised queries regarding the provision of communal living space on the ground floor of the property. The provision of residential amenity has been set out in original report. The proposed development is considered to provide suitable internal residential amenity space for prospective residents.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <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.</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>	

Development Management Report

Committee Application

Summary	
Committee Date: 13 th May 2025	
Application ID: LA04/2024/0267/F	
Proposal: Change of Use from Dwelling to 6no bed/ 6 person HMO (amended description)	Location: 11 Friendly Way, Belfast BT7 2DU
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Conor McKay)	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Jorge Herrero 11 Friendly Way Belfast	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB
Date Valid: 15/02/2024	
Target Date: 30/05/2024	
Contact Officer: Ciara Reville, Principal Planning Officer	
Executive Summary: This application seeks full planning permission for Change of use from a 5-bed dwelling (use class C1) to a 6-bed/ 6 person House of Multiple Occupancy (Sui Generis use class). The site is located at 11 Friendly Way. The key issues are: <ul style="list-style-type: none">• The principle of an HMO at this location• Impact on the character and appearance of the surrounding area.• Impact on residential amenity• Traffic, parking and access• Waste and refuse collection 289 objections have been received with the issues raised addressed within the main report. The application has been called in for the following reasons: <ol style="list-style-type: none">1. Significant public interest.2. Concerns relating to amenity, parking and precedent for other HMOs in the area.	

The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on Friendly Way has not yet been reached. The applicant has demonstrated that there is sufficient provision for bin storage whilst retaining adequate amenity space. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area.

Recommendation

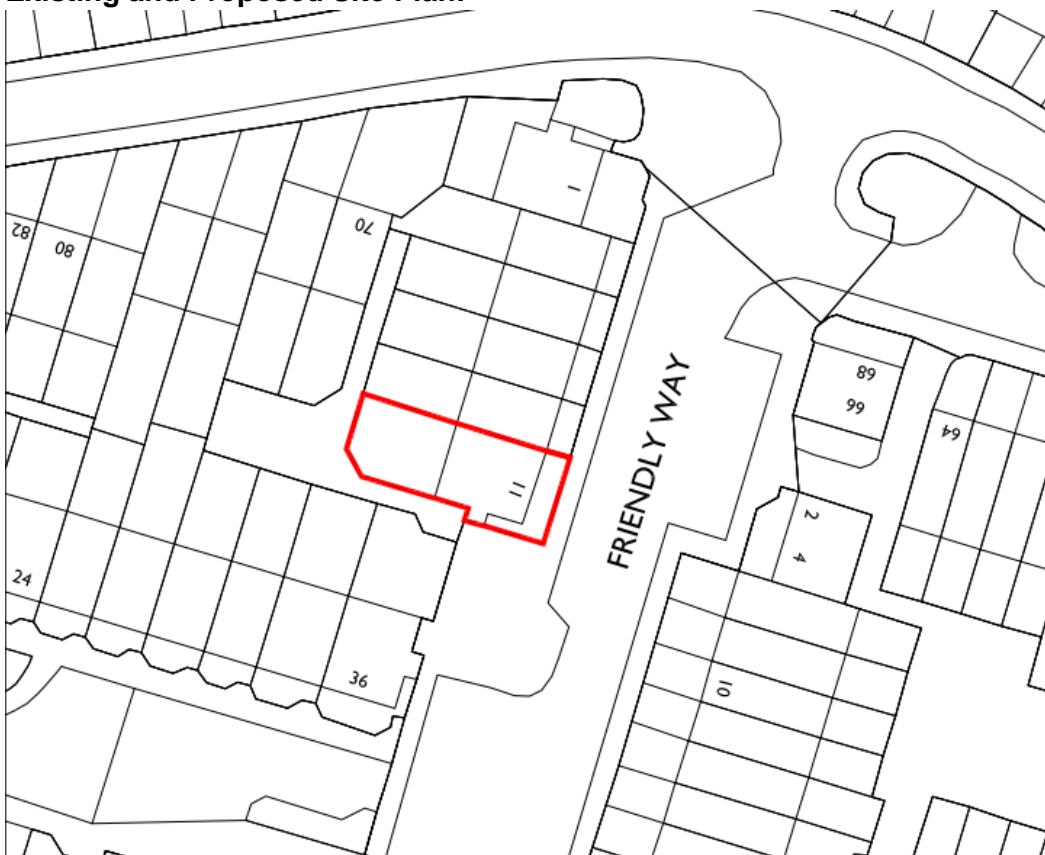
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

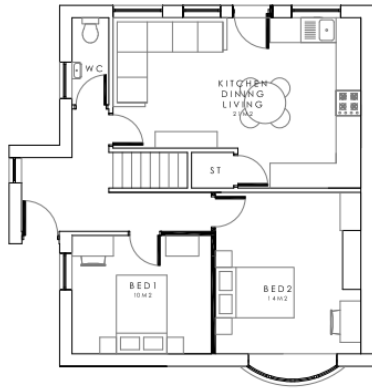
Site Location Plan:



Existing and Proposed Site Plan:



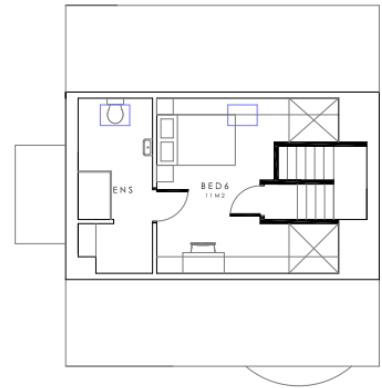
Proposed Floor Plans:



PROPOSED GROUND FLOOR
1:100



PROPOSED FIRST FLOOR
1:100

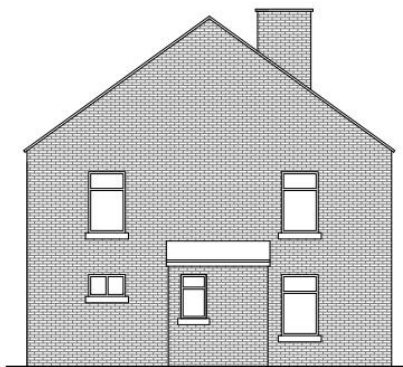


PROPOSED SECOND FLOOR
1:100

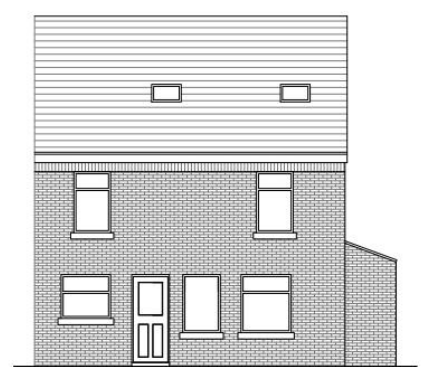
Proposed Elevations:



PROPOSED FRONT ELEVATION 1:100



PROPOSED SIDE ELEVATION 1:100



PROPOSED REAR ELEVATION 1:100

1.0	Characteristics of the Site and Area
1.1	The application site is located at 11 Friendly Way. The property is a 2 and a half storey residential end terraced property. There is a small, enclosed amenity space to the rear of the building. The immediate area is predominantly residential characterised by terrace dwellings finished in red brick.
1.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site falls within a Protected City Centre Housing Area within Draft BMAP.
1.3	The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
	Description of Proposed Development
1.4	The application is seeking full planning permission to change the of use from a dwelling (class C1) to a 6-bed/ 6 person HMO (suis generis).
2.0	PLANNING HISTORY
2.1	There is no relevant planning history pertaining to the site.
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies</i></p> <ul style="list-style-type: none"> • 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 <p><i>Operational Policies</i></p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space <p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> • Residential Design • Placemaking and Urban Design • Transportation

	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations</p> <p>Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objections</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>No non-statutory consultations required.</p>
4.3	<p><u>Representations</u></p> <p>The application has been advertised and neighbours notified. The Council has received 289 letters of objection. The issues raised in the objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. Waste management 2. Parking and traffic 3. Impact on the character of the area 4. Inadequate living space 5. Safety and security issues 6. Noise and Anti-social behaviour <p>Issues 1-4 are addressed in the main body of the report.</p> <p>The additional points are considered as follows:</p> <ol style="list-style-type: none"> 5. Safety and security issues <p>This is not a material consideration. Any issues regarding safety and security issues and is outside the remit of planning and relevant bodies such as the PSNI should be contacted if these issues escalate.</p>

	<p>6. Noise and Anti-social behaviour</p> <p>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. The Northern Ireland House of Multiple Occupancy Unit (NIHMO) 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>Environmental Health and the PSNI are the appropriate bodies to deal with noise issues and antisocial behaviour.</p>
5.0	PLANNING ASSESSMENT
5.1	<p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection.
5.2	<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>
5.3	<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>
5.4	<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><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>
	<p><u>Proposals Maps</u></p>
5.6	<p>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 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>
5.7	<p>Belfast Urban Area Plan 2001 – The site is located within the settlement development limit and is not zoned for any use.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is zoned as a “Protected City Centre Housing Area” within the settlement development limits of Belfast.</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is also zoned as a “Protected City Centre Housing Area” within the settlement development limits of Belfast. The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.</p>
5.10	<p><u>The principle of an HMO at this location</u></p> <p>The site is outside both Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p>
5.11	<p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.
5.12	<p>According to the LPS Pointer Address database, there are 20 domestic properties on Friendly Way. This would allow for 2 HMO properties on Friendly Way before the 10%</p>

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threshold would be exceeded. According to our records there are no HMOs on Friendly Way. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.

Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.

Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.

Impact on residential amenity

The property is a 2 and a half storey dwelling and is of sufficient size to accommodate an HMO, comfortably providing accommodation for 6 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 6-bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.

The total floor area for the proposed site is shown below along with the minimum requirements as set out within table C1 of Appendix C of the Belfast Local Development Plan.

6 Bedroom/ 6 Person HMO		
	Minimum Requirement	11 Friendly Way Measurement
Bedrooms Total	28sqm	65sqm
Bedroom 1 GF	6.5sqm	9.7sqm
Bedroom 2 GF	6.5sqm	13.1sqm
Bedroom 3 1 st Floorspace excludes ensuite	6.5sqm	11.9sqm
Bedroom 4 1 st Floorspace excludes ensuite	6.5sqm	10sqm
Bedroom 5 1 st	6.5sqm	10sqm
Bedroom 6 Attic (floorspace >1.5sqm in height)	6.5sqm	9.3sqm
Bedroom/ Living Room	33sqm	72.5sqm
Combined bedroom/living room/ kitchen	38.5sqm	85sqm
Kitchen	10sqm	12sqm
Combined Kitchen/ Dining Room	19.5sqm	20sqm
Combined Kitchen/ Living Room	19.5sqm	20sqm

5.17	Policy RD1 applies as set out above and states that ' <i>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:</i>
5.18	<p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas -</i></p> <p>Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p>
5.19	<p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance -</i></p> <p>Officers consider that the scheme will not give rise to any of the issues listed in criterion b. A door on the rear elevation is changing to a window but 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 which is a licensing requirement.</p>
5.20	<p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure -</i></p> <p>There is sufficient space for cycle parking. Metro services are available along the East Bridge Street, a 2-minute walk from the property.</p>
5.21	<p><i>d) Provides appropriate open space -</i></p> <p>The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.</p>
5.22	<p><i>e) Keeps hard surfacing to a minimum -</i></p> <p>No hard standing is proposed as part of this application.</p>
5.23	<p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C -</i></p> <p>The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 6 bedrooms. The proposal therefore complies with the HMO space standards for a 6-bed HMO as set out within Belfast Local Development Plan: 2035.</p>
5.24	<p><i>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 -</i></p> <p>All units have safe and secure access from the front door of the dwelling.</p>
5.25	<p><i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light –</i></p> <p>All habitable rooms in the dwelling have access to natural light.</p>
5.26	<p>The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 6 bedrooms and will also be subject to the licensing process which will</p>

	determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.
5.27	As indicated above, the HMO will further require to be licensed with Belfast City Council which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.
5.28	The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.
5.29	Policy RD3 is applicable and 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:
5.30	<p>a) <i>Any units are self-contained</i> - This criterion is not applicable.</p> <p>b) <i>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</i> - Officers consider that this criterion is met (refer to sections 5.35-5.40 below)</p> <p>c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal.</p> <p>d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.</p> <p>Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.</p>
5.31	<p><u>Traffic, Parking and Access</u></p> <p>Officers acknowledge the objections to parking. DfI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.</p>
5.32	Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.
5.33	The site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.
5.34	DfI Roads were consulted and have no objection to the proposal. A parking survey was submitted due to a number of objections being on the grounds of parking. It is considered the parking survey demonstrated sufficient parking capacity in the area.

	<p><u>Waste and Refuse Collection</u></p>
5.35	Objectors have raised concerns regarding waste management for the property and how this will impact the surrounding amenity space and public realm.
5.36	Policy RD3 criterion B applies, it states that adequate refuse storage space must be 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.
5.37	<p>The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI sets out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 5-bed HMO this would equate to the typical production of 660L of waste per week. The total waste production is broken down into the following types of waste:</p> <ol style="list-style-type: none"> 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3 collected weekly).
5.38	<p>The Council's Waste Management Unit has advised that the following waste containers would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI.</p> <ol style="list-style-type: none"> 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste 2. Recycling – 2 x recycling packs (6 x 55L) – collected weekly 3. Food waste – 3 x food bins (3 x 23L) – collected weekly
5.39	This policy is complied with. The disposal of waste is the responsibility of tenants and the landlord.
5.40	<p>The rear amenity space of the property is 46sqm. For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout $2.0 \times 1.8\text{m} = 3.6\text{sqm} \times 3 = 10.8 \text{ sqm}$. The provision of 3 sets of bins would leave more than 36sm for amenity provision. The premises will therefore be served by the correct amount for a 6-bed HMO as set out in the Supplementary Planning Guidance whilst maintaining sufficient amenity space. Bin storage is also a licensing requirement and the Council's website states that "<i>during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland</i>". A condition is recommended to ensure bin storage is provided within the curtilage of the property.</p>
	<p><u>Impact on the sewage network</u></p>
5.41	There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.

6.0	Recommendation
6.1	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.
6.2	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.
7.0	<p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the dwelling has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times.</p> <p>Reason: To ensure adequate management of waste and in the interests of the amenities of the area.</p> <p>DRAFT INFORMATIVES:</p> <p>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 contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>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.</p> <p>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.</p>

Development Management Report

Summary	
Committee Date: 17 th June 2025	
Application ID: LA04/2024/1592/F & LA04/2024/1595/LBC	
Proposal: LA04/2024/1592/F: Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (8 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. (amended description) LA04/2024/1595/LBC: Proposed residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works.	Location: Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street, Belfast BT1 3GG
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Park Street Projects Ltd 37-41 High Street Belfast	Agent Name and Address: TSA Planning Ltd 20 May Street Belfast BT1 4NL
Date Valid: 20 th September 2024	
Target Date: 2 nd May 2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	

Executive Summary:

This application relates to the site of Marlborough House and the Princes Court listed building, bounded by Victoria Street, Marlborough Street and Princes Street in the City Centre. The application seeks full planning permission and Listed Building Consent for the redevelopment of the existing Marlborough House and Princes Court to create 103 residential apartments.

The key issues for consideration of the application are set out below.

- Principle of housing in this location
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Residential quality and impact on amenity
- Open space
- Access and transport
- Design and placemaking
- Impact on heritage assets
- Climate change
- Health impacts
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation

The site is un-zoned “white land” in the Belfast Urban Area Plan 2001. The site is within the City Centre and an Area of Townscape Character (02/05) within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2014).

The site is a suitable location for housing; the proposal would make effective use of previously developed land in a sustainable location and support City Centre living.

The height, scale and massing of the proposed building is considered in keeping with other buildings in the surrounding area. The height of the building at Marlborough House will be 25m when measured from the Victoria Street elevation which is below the height of what would be defined as a tall building.

The proposal would provide no dedicated parking; however, this is considered acceptable given the highly sustainable location of the site with good access to public transport, travel plan, commitment to green travel measures and access to public car parks.

The application proposes the delivery of 80% affordable housing comprising social rented housing within the development which complies with Policy HOU5. NIHE is supportive of the affordable housing provision.

DFI Roads, DFC HED, DFI Rivers Agency, Environmental Health, Shared Environmental Services (SES), BCC Urban Design Team and NIEA Natural Environment Division and Regulation Unit have offered no objection to the proposal, subject to conditions. Concerns were raised by NI Water and

DAERA: Water Management Unit regarding capacity issues in the area. Translink were consulted due to the close proximity of the Laganside Bus Centre. Concerns were raised regarding the ability of the bus centre to expand in the future following the development of the site up to the boundary with the bus centre. These matters are dealt with in detail in the main report.

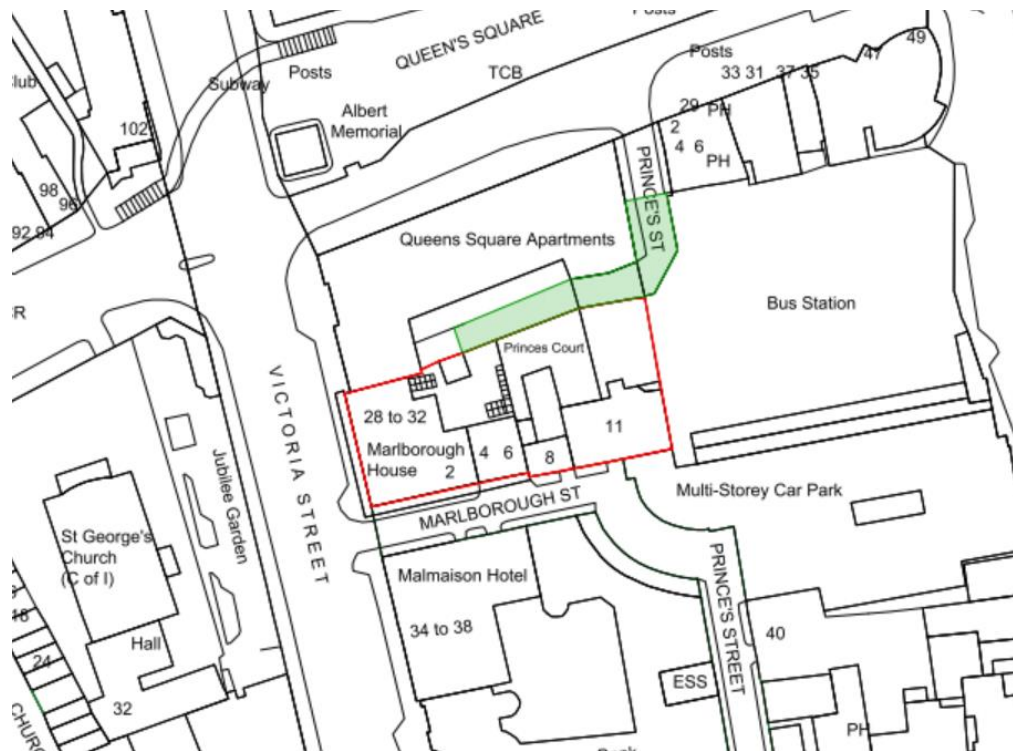
Two third party objections have been received, expressing concerns about loss of light and refuse management logistics.

Recommendation

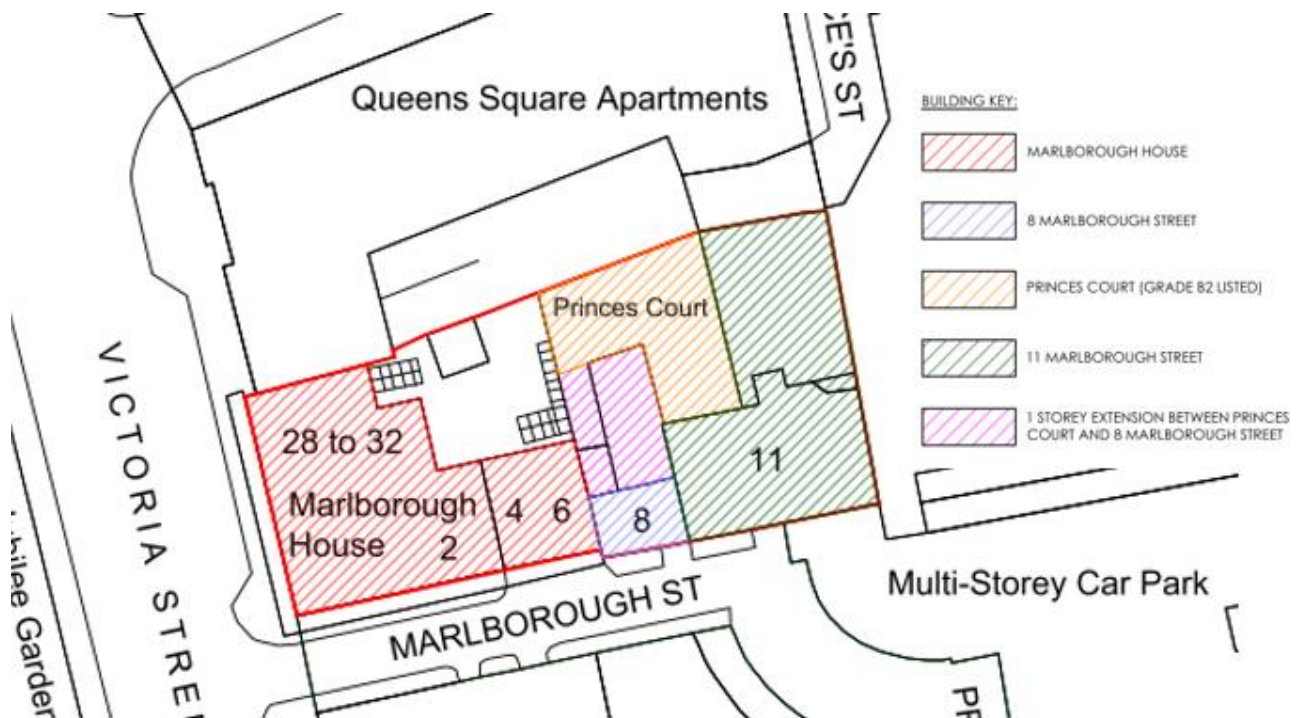
Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

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 may arise, provided that they are not substantive.

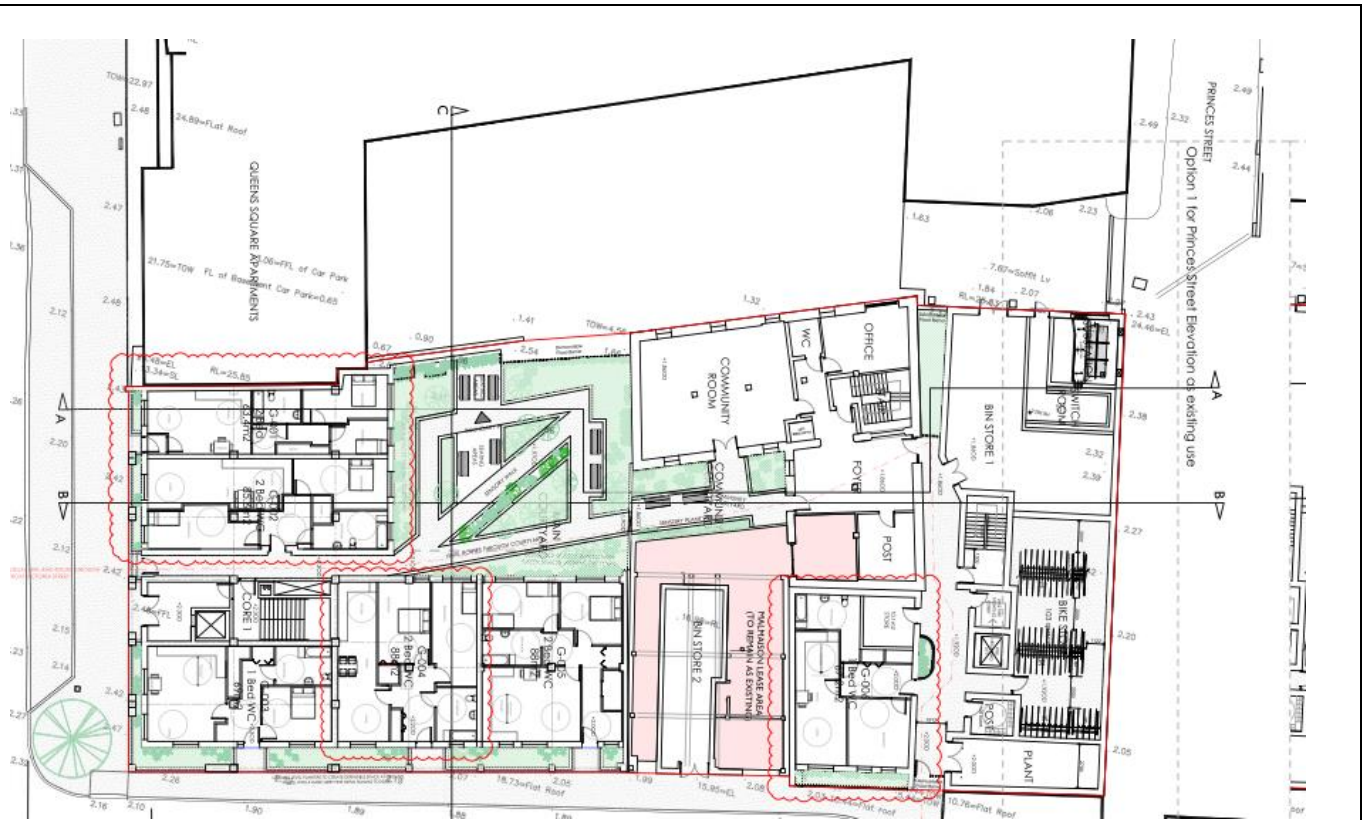
Site Location Plan:



Existing site layout:



Proposed Site plan:



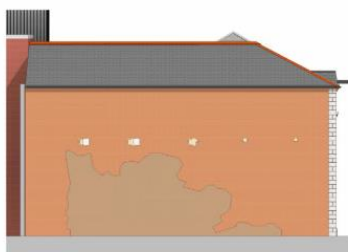
Proposed Victoria Street Elevation:



Proposed Marlborough Street Elevation:



Princes Court Elevations: Existing



① EXISTING EAST FACADE
1:100



③ EXISTING NORTH FACADE
1:100



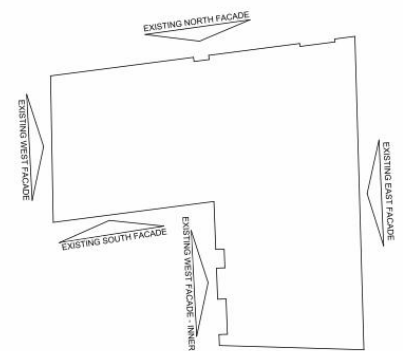
④ EXISTING WEST FACADE
1:100



② EXISTING WEST FACADE - INNER
1:100



⑤ EXISTING SOUTH FACADE
1:100

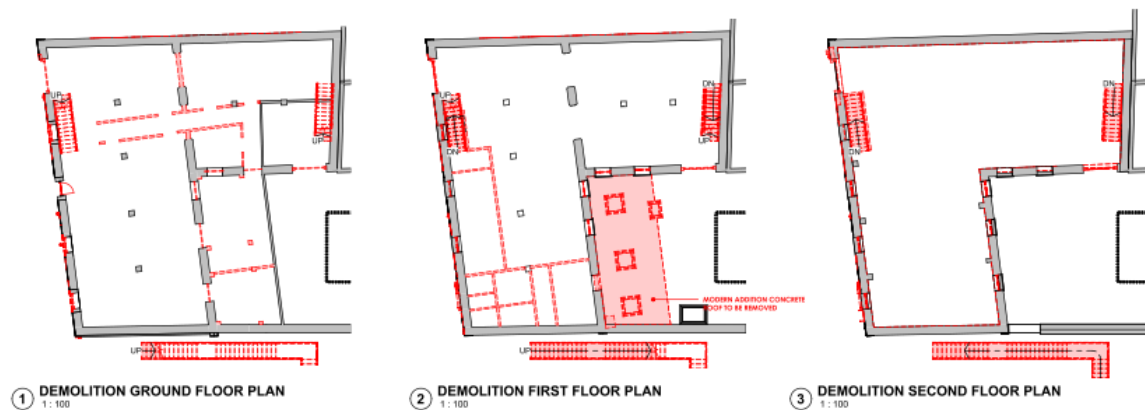


ELEVATION KEY
1:100

Proposed



Princes Court Demolition Plans:



Victoria Street Contextual Elevations: Existing



Victoria Street Existing Elevation 1:200

Proposed

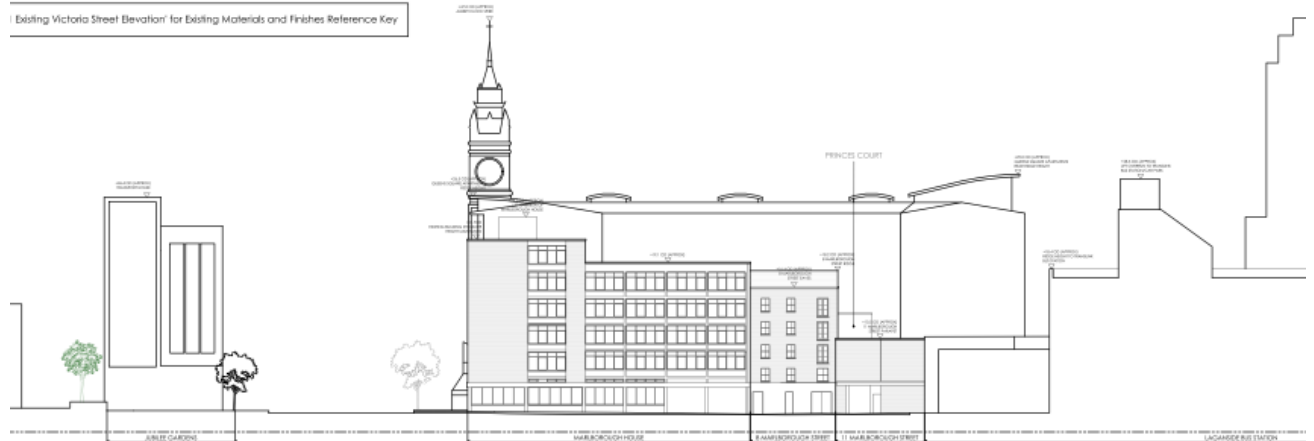


Victoria Street Contextual Elevation 1:200

Marlborough Street Contextual Elevations

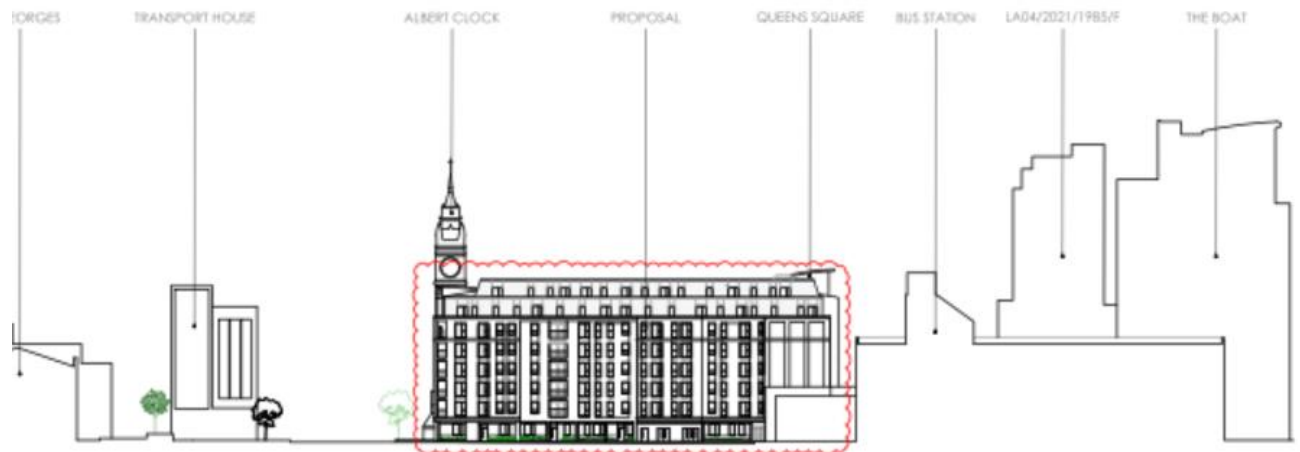
Existing

Existing Victoria Street Elevation for Existing Materials and Finishes Reference Key



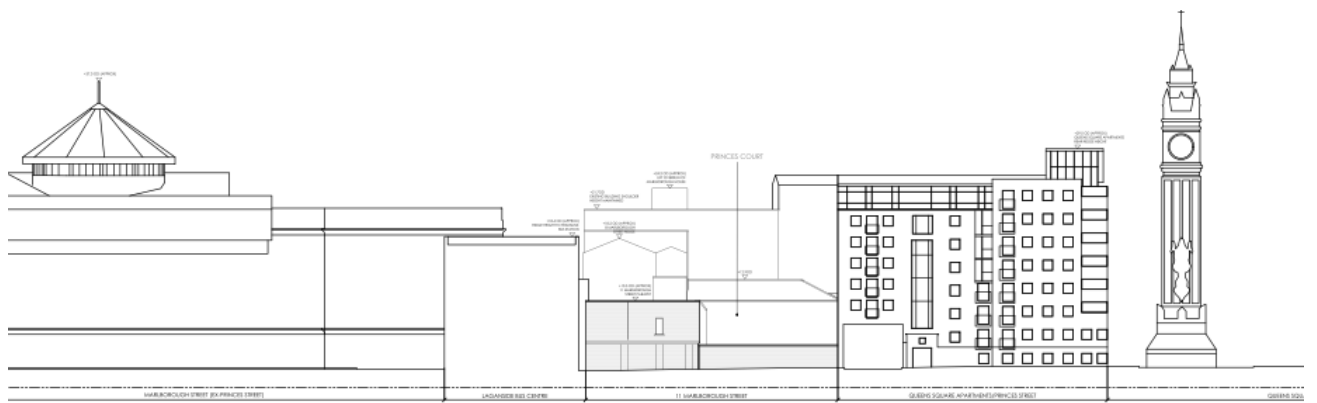
Existing Victoria Street Elevation 1:200

Proposed



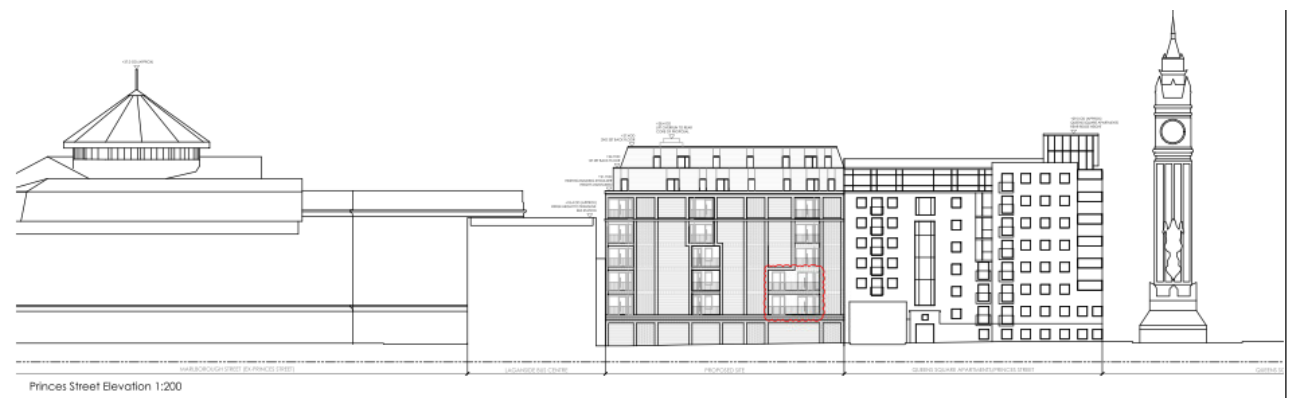
Princes Street Contextual Elevations:

Existing



Princes Street Existing Elevation 1:200

Proposed



Princes Street Elevation 1:200

CGIs:





1.0	Characteristics of the Site and Area
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1.1	<p>This application relates to the existing Marlborough House and listed Prince's Court buildings. The site is bounded by Marlborough Street to the south of the site, Victoria Street to the west, Queen's Square apartments to the north and Laganside bus station to the east. The site consists of the existing Marlborough House, the steel structure of which is to be retained and Princes Court which is to be refurbished, 8 Marlborough Street to be demolished, an enclosed car park at 11 Marlborough Street to be demolished and a single level carpark.</p>
1.2	<p>The site area is approximately 0.18 ha and currently has a vacant 5 storey office building on site and a 3-storey listed building situated within the site. The surrounding buildings are of a similar scale.</p>
1.3	<p>Prince's Court is Grade B2 listed. There are a number of other Listed Buildings in close proximity to the site, including:</p> <ul style="list-style-type: none"> • Malmaison Hotel, 34-38 Victoria Street (Grade B+) • Albert Clock, Queens Square (Grade A) • HB26/50/045 St George's Church, 105 High Street (Grade A) <p>Description of Proposed Development</p>
1.4	<p>The application seeks full planning permission for 103 residential apartments comprising the refurbishment of the existing Marlborough House and Prince's Court Listed Building. The proposed scale of the development is 8 storeys at Victoria Street, Marlborough Street and Prince's Street with a 3-storey refurbished Prince's Court located within the development. The 8 storeys comprise the original 6-storey building with a split setback of two additional storeys.</p>
1.5	<p>The proposed apartments are a mix of 1 bed, 2 bed and 3 bed units. Balconies are provided for a number of the upper floor apartments and a communal courtyard is located within the centre of the development. A community room is provided within the Prince's Court building. The proposal includes the demolition of Nos. 8 and 11 Marlborough Street and partial demolition of Marlborough House. The steelwork of Marlborough House will be retained.</p>
1.6	<p>A Listed Building application accompanies this full permission for the refurbishment of Prince's Court. The Listed Building description is as follows: Proposed residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works.</p>
1.7	<p>The works to the listed building include the creation of 6 residential units, replacement windows and doors; new gutters, downpipes, gas outlets, grills/vents, timber panelling to North façade, new conservation rooflights, replacement of render with matching brick; repair of roof slates like for like; drylining; retention, repair and sanding of existing floorboards and localised replacement where beyond repair; new timber stairs and landing.</p>
1.8	<p>The applications follow detailed Pre-Application Discussions with officers.</p>
2.0	<p>PLANNING HISTORY</p>

2.1	LA04/2016/1275/F – Marlborough House. New façade treatment to ground floor elevations on Marlborough Street (part) and Victoria Street. Permission granted 15/11/2016.
2.2	Z/2006/2627 – 11 Marlborough Street/Princes Street/Princes Court, Belfast. Retention and refurbishment of existing Listed Building, demolition of 11 Marlborough Street and erection of 8 storey building to provide 8 hotel rooms and 67 apartments including parking. Permission granted 11/09/2007.
2.3	Z/2000/1014/F – 8 Marlborough Street. Change of use of 1 st , 2 nd , 3 rd and 4 th floors from apartments to offices. Permission granted 28/06/2000.
2.4	Z/1998/2165 – 8 Marlborough Street and 2-4 Prince's Court. Conversion of existing property including 5 storey extension to Marlborough Street to allow for 4 Apartments on upper floors and ground floor providing Storage/ancillary accommodation to approved hotel at the McCausland site. Proposal also includes alterations to Prince's Court facade. Permission granted 12/08/1998.
2.5	Z/1997/2678 – 8 Marlborough Street and 2-4 Prince's Court. Construction of 3 storey building comprising storage and Ancillary accommodation to ground floor; offices to 1 st Floor; apartment to 2nd floor and changes to facade at Prince's court elevation. (all uses ancillary to Approved hotel at McCausland site). Permission granted 22/12/1997
2.6	Z/1996/2497 – 2-4 Prince's Court. Change of use of ground floor of existing warehouse to tea shop/ restaurant. Permission granted 23/08/1996.
2.7	Z/1989/2336 – 2-4 Prince's Court. Change of use to offices from office/ workshops. Permission granted 06/09/1989.
2.8	<p><u>Surrounding Area</u></p> <p>Z/1998/2781 – corner of Queen's Square and Victoria Street. Development comprising 68 no. 2 bed apartments, 22 no. 1 bed apartments and 2no. 3 bed apartments with associated underground parking. Permission granted 17/09/1999.</p>
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>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 SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p>

	<p>Policy HOU1 – Accommodating new homes</p> <p>Policy HOU2 – Windfall housing</p> <p>Policy HOU4 – Density of residential development</p> <p>Policy HOU5 – Affordable housing</p> <p>Policy HOU6 – Housing Mix</p> <p>Policy HOU7 – Adaptable and accessible accommodation</p> <p>Policy DES1 – Principles of urban design</p> <p>Policy DES2 – Masterplanning approach for major development</p> <p>Policy RD1 – New residential developments</p> <p>Policy BH1 – Listed Buildings</p> <p>Policy BH5 – Archaeology</p> <p>Policy HC1 – Promoting healthy communities</p> <p>Policy TRAN1 – Active travel – walking and cycling</p> <p>Policy TRAN 2 – Creating an accessible environment</p> <p>Policy TRAN4 – Travel plan</p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality</p> <p>Policy ENV2 – Mitigating environmental change</p> <p>Policy ENV3 – Adapting to environmental change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy GB1 – Green and blue infrastructure network</p> <p>Policy OS3 – Ancillary open space</p> <p>Policy TRE1 – Trees</p> <p>Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p>
3.2	<p>Affordable Housing and Housing Mix</p> <p>Residential Design</p> <p>Placemaking and Urban Design</p> <p>Masterplanning approach for Major developments</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Development Viability</p>
3.3	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
3.4	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations</p> <p>Developer Contribution Framework (2020)</p> <p><i>Belfast Agenda</i> (Community Plan)</p>

4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – no objection, subject to conditions.</p> <p>DfC HED – no objection, subject to conditions.</p> <p>DAERA NIEA NED – no objection.</p> <p>DAERA NIEA WMU – proposal has the potential to adversely affect the surface water environment.</p> <p>DAERA NIEA Regulation Unit – no objection, subject to conditions.</p> <p>NI Water – Concerns raised about the availability of wastewater infrastructure, as detailed in the main assessment of this report.</p> <p>NIHE – fully supportive of 80% social rented housing.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Urban Design Officer – no objection</p> <p>Environmental Health – no objection, subject to conditions</p> <p>BCC Economic Development Unit – advises that an Employability and Skills Developer Contribution is not required.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions</p> <p><u>Representations</u></p>
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	Two letters of objection have been received, raising concerns about loss of light to apartments in Queen’s Square and waste management. These issues are addressed in the planning assessment section of this report.
4.5	Full consideration has been given to all relevant concerns noted in the representations in the planning assessment of the report below.
5.0	PLANNING ASSESSMENT
	Main Issues
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm

	<ul style="list-style-type: none"> • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation <p>Development Plan Context</p>
5.2	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.
5.3	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.
5.4	<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><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	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.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the Victoria Street/ Oxford Street Area of Townscape Character (CC 106)

5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the Victoria Street/ Oxford Street Area of Townscape Character</p> <p><u>Principle of housing in this location</u></p>
5.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. This proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes on to require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> a. The site is suitable for housing – the site is a sustainable location within the City Centre and considered suitable in principle for housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is located within the City Centre and highly accessible to shops, services, amenities and public transport. c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.
5.11	<p>The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in this location is considered acceptable.</p> <p><u>Housing density</u></p>
5.12	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land in sustainable locations. The proposal is located within the City Centre for which the average density is recommended as between 150-350 dwellings per hectare (ha). Proposals outside these bands will be considered on their own merits, with reference to local character, site characteristics and constraints, environmental quality and residential amenity. The site area is 0.18 ha and so the proposal equates to a density of 572 dwellings per ha.</p>
5.13	<p>Although the proposed density falls outside of the parameters set out in Policy HOU4, it has been assessed against relevant residential policies and is not considered to have a significant impact on areas of acknowledged planning interest. The proposal is considered acceptable in terms of residential amenity for space standards and amenity space. The affordable housing SPG also states that there may be occasions where meeting the requirements of Policy HOU5 would result in a scheme density outside of the parameters set in Policy HOU4.</p>
5.14	<p>The proposal is considered acceptable having regard to Policy HOU4 as the development has been considered on its own merits and meets all other policy requirements.</p> <p><u>Affordable housing</u></p>
5.15	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p>
5.16	<p>In this case, the application is seeking to address the requirements of Policy HOU5 by providing a form of affordable housing for all units. This is broken down as 80% social housing (82 of 103 units). This is split into 54 units proposed as 'general needs social housing' and 28 units as 'older peoples social housing.'</p>

5.17

Due to issues with intermediate housing funding, the applicant is not seeking to define the tenure of the remaining 20% of units and as the policy test has been met with the delivery of social rented units, this is considered acceptable.

5.18

Tenure	No. of Units	No. of occupants / bedrooms	No. of Accessible Units	Size (sqm)
General Needs Social Housing	0	1 person 1 bedroom	0	35/40 m2
	12	2 person 1 bedroom	0	50/55 m2
	2	2 person 1 bedroom wheelchair	1	60/65 m2
	2	3 person 2 bedroom wheelchair	1	65/70 m2
	28	3 person 2 bedroom	0	60/65 m2
	1	4 person 2 bedroom wheelchair	3	85/90m2
	3	5 person 3 bedroom	0	80/85 m2
Category 1 - Older Peoples Social Housing	4	1 person 1 bedroom	0	35/40 m2
	6	2 person 1 bedroom	0	50/55 m2
	22	3 person 2 bedroom	0	60/65 m2
	2	3 person 2 bedroom wheelchair	2	80/85 m2
Other Tenure (i.e. Intermediate for Sale or Rent or Private)	8	2 person 1 bedroom	0	50/55 m2
	8	3 person 2 bedroom	0	60/65 m2
	2	4 person 2 bedroom	0	70/75m2
	1	4 person 3 bedroom	0	75/80 m2
	2	5 person 3 bedroom	0	80/85 m2

Tenure

5.22

The proposal meets the requirements for tenure blind development and has been designed to be indistinguishable between the different types of housing to be provided.

5.23

The application is for 80% social housing in compliance with the SPG which seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities.

5.24

The 103 apartments are created through a mix of 1, 2 and 3-bedroom units which are split between social housing on the six lower floors with the top 2 floors having the potential to be private, intermediate for sale or intermediate for rent.

Housing mix

5.25

Policy HOU6 applies. It requires that new residential developments on sites greater than 0.1ha and or/ containing 5 or more dwelling provide a suitable mix of house types and sizes to promote choice and assist in meeting community needs.

5.26

The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:

- Up to date analysis of prevailing housing need in the area;
- The location and size of the site;
- Specific characteristics of the development; and
- The creation of balanced and sustainable communities.

5.27

The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.

5.28

The proposed housing mix is shown in the table below.

Unit Type	Number of Units	Percentage of Overall Total
1 Bedroom Apartment	31	30%
2 Bedroom Apartment	66	64%
3 Bedroom Apartment	6	6%

5.29

The Affordable Housing SPG notes that the current housing stock in Belfast consists of approximately 80% houses and 20% flats/ apartments, indicating that more flats or apartments are required to address the undersupply.

5.30

As can be seen, the proposal consists of a mix of unit sizes. The SPG suggests that more 3 and 4-bedroom apartments should be encouraged to meet the requirement for increased size, whilst promoting choice and facilitating the creation of sustainable and balance neighbourhoods.

5.31

Whilst a smaller number of larger 3-bed units is proposed, regard is had to the social housing mix supported by NIHE. Taking these considerations into account, on balance, the proposed housing mix is acceptable.

Adaptable and accessible accommodation

5.32

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.

5.33

The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f.

5.34

The proposal includes 7 units which are dedicated wheelchair accessible apartments and are in accordance with the space standards for wheelchair housing as set out in Appendix C of the Plan Strategy. These units are located on the ground floor of the Marlborough House building and 1 unit located on the 1st floor of Marlborough House. This falls below the 10% threshold for accessible units, which would require at least 10 accessible units as part of the scheme. In the applicant's Supporting Planning Statement they state that "*The provision of 10% WC space standard units has not been met, however, this must be balanced with the needs of the NIHE waiting lists and the NIHE fully supporting the mix and provision proposed, which as social housing are built to Lifetime Homes standards with adaptability in mind.*"

5.35

In addition to the 7 units appointed as accessible units, other units within the development (e.g. units 6-003, 6-008 and 6-009) are compliant with the wheelchair space standards and could accommodate a disabled resident. Considering this and all other material considerations, on balance, the provision of 7 wheelchair units is considered acceptable.

5.36

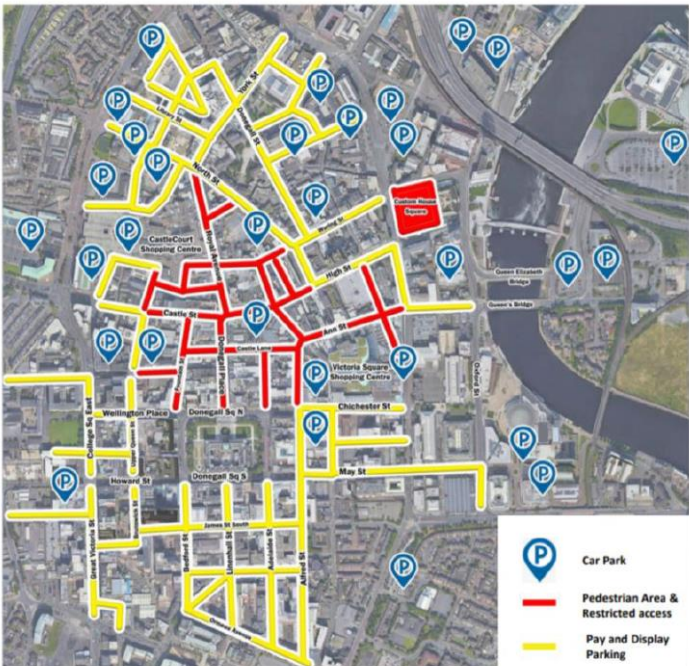
Criterion h. stipulates that in-curtilage or designated car parking meets disabled parking standards. The proposal is "car free" development with no dedicated parking proposed. Criterion i. states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. Access to the ground floor units is through the courtyard and wide footpaths of Victoria Street and Marlborough Street which are suitable for wheelchair use. At upper level the circulation routes between lifts and apartments are also suitable for wheelchair use. The applicant has provided evidence to show that the

	<p>proposal complies with criterion j. to o. The proposal is considered acceptable having regard to Policy HOU7.</p> <p><u>Residential quality and impact on amenity</u></p>
5.37	<p>Policies DES1, DES2 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>
5.38	<p>The orientation, layout and external design of the proposal has been directly informed by the site's constraints, including the location of the listed building within the curtilage of the site and retention of the existing concrete frame structure of Marlborough House.</p> <p><i>Overshadowing:</i></p>
5.39	<p>The building height will increase from 19.5m at Victoria Street to 25.2m and extends along the Marlborough Street and Princes Street elevations. Existing building heights on Marlborough Street are currently between 8.3m – 16.7m and no building is currently located on the Princes Street elevation where there is an existing single level car park located. The increase in height on Marlborough Street and Princes Street elevations will have the greatest impact in terms of overshadowing on the existing residential units to the north of the site at Queens Square Apartments.</p>
5.40	<p>Officers have assessed the level of overshadowing on the Queens Square Apartments to the north of the site for the following dates: June 21st (summer solstice), December 21st (winter solstice), March 20th and September 22nd (spring and autumn equinox). The most pertinent dates are the equinoxes (March and September). The south facing windows (2nd-8th floor) of the Queens Square Apartments relate to bedrooms as per the floor plans of application Z/1998/278. The ground and first floor show car parking and 4 terraces are located at 4 apartments on the 2nd floor.</p>
5.41	<p>When assessed from the Marlborough Street elevation of the development the results are as follows:</p> <ul style="list-style-type: none"> • 20th March - overshadowing of the existing apartments between 9am and 11am. • 21st June - overshadowing of the courtyard area of the site but did not reach the location of the apartments to the north. • 22nd September - small degree of overshadowing of some the apartments to the north in the morning from 8am – 12pm. • 21st December - overshadowing of the apartments between 9am and 12pm.
5.42	<p>When assessed from the Princes Street elevation the results are as follows:</p> <ul style="list-style-type: none"> • 20th March – overshadowing of apartments from 7am to 10am • 21st June – no overshadowing of apartments • 22nd September – overshadowing of apartments from 8am to 11am. • 21st December – overshadowing of a small portion of apartment block when the sun initially rises only.
5.53	<p>These results were compared with existing levels of overshadowing that would be experienced as a result of the design of the Queens Square Apartments itself. The Princes Street elevation of the Queens Square Apartments would cast a shadow on the apartments during the summer solstice and the autumn equinox in the early morning. The Victoria Street elevation of Queens Square Apartments would cast a shadow on the Princes Court</p>

	elevation of the same development in the evening time during both the spring and autumn equinox.
5.54	<p>It is an inevitable consequence in an urban environment to encounter some degree of overshadowing. Given the constraints of the site and other material considerations including the orientation of the site, the proposal is considered acceptable on balance in regard to overshadowing.</p> <p><i>Sunlight and daylight assessment:</i></p>
5.55	<p>The site falls within a high-density city centre location and as such daylight and sunlight levels are constrained, especially at lower floors and on elevations in close proximity with other buildings. The Daylight and Sunlight report highlighted that 52% of habitable rooms within the proposed scheme (Marlborough House) did not meet the recommended daylight levels whilst all rooms within Princes Court fell short. In relation to sunlight, 76% of the proposed dwellings in Marlborough House met or exceeded the recommendations with 98% of units having at least one main window facing within 90 degrees due south. However, within Princes Court all five dwellings fell short of the recommended limits. Amendments were made to the scheme to attempt to maximise daylight and sunlight levels, however the alterations were minor in most units and therefore the results from the original daylight/sunlight assessment noted above remain valid. Amendments include: Rooflights to apartments 2-015, 2-016 and 2-017 of Princes Court; amending layout of G-006 to ensure all windows are facing the street; altering layout configuration of G-001 and G-002 to ensure apartments are dual facing; layout alterations to apartment G-004 for bedroom window outlook into courtyard; layout alterations to 1-011, 2-011, 3-010, 4-010 and 5-010 to improve daylighting into one of the bedrooms; amendments to 3-001, 4-001, 5-001, 6-001 and 7-001 to improve natural light access to all bedrooms.</p>
5.56	<p>The BCC Urban Design officer notes that achieving full sunlight/ daylight standards within an urban context is challenging, especially where the repurposing of existing and listed buildings forms an integral part of the scheme. The amended daylight and sunlight assessment notes that the proposal has successfully optimised the daylight and sunlight provision as much as is possible given the historic setting, element of retained facades and location within the city centre with proximity to desired amenities. It should be noted that due to it being Listed, there are fewer opportunities to increase light opportunities within Prince's Court.</p> <p><i>Overlooking:</i></p>
5.57	<p>Windows on the façade of Princes Court are at a distance of 15.3m from south facing units of Queens Square Apartments. There will be four windows for habitable rooms on the 1st and 2nd floor of the Princes Court redevelopment which face towards the existing residential units of Queens Square Apartments. All other windows on this elevation do not facilitate habitable rooms. North facing windows on the proposed main apartment block are located 29m from Queens Square Apartments.</p>
5.58	<p>The Residential Design SPG suggests a separation distance of no less than 20m should be maintained between facing windows of main habitable rooms. However, the SPG goes on to states that development or redevelopment in inner urban locations and high-density areas such as the City Centre should also be designed to reinforce an urban rather than suburban setting. In these instances, separation distances of less than 20m may be acceptable.</p>
5.59	<p>Due to the refurbishment and reinstatement of the listed building on site, greater separation distance between the existing apartments and the proposed apartments of Princes Court is not possible. In this instance the lower separation distance is considered acceptable, and it</p>

	<p>is not considered that the creation of these apartments would have a harmful impact on the amenity of the existing residents of Queens Square.</p> <p><i>Space Standards</i></p>
5.60	<p>The proposal comprises a mix of studio, one, two and three-bedroom apartments. The proposed units are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy, also meeting the wheelchair standards for the relevant wheelchair accessible units.</p> <p><u>Open space</u></p>
5.61	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context. The normal expectation for open space provision is at least 10% of the total site area. Furthermore, complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>
5.62	<p>Planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development. An external communal courtyard has been provided measuring 245m², which is approximately 7.3% of the site.</p>
5.63	<p>The applicant's supporting statement addresses this deficiency by pointing out that the site is within close proximity to other open space and amenity areas such as the waterfront walkways, Queens Square, Custom House Square and Jubilee Square.</p>
5.64	<p>Policy OS3 states that on-site provision at a rate of less than 10% of the total site area may be acceptable where the residential development is close to and would benefit from ease of access to areas of existing public open space. Given the proximity of the site to public open space and the constraints that come with a change of use of an existing building within an inner city area, this is deemed to be acceptable.</p>
5.65	<p>Policy OS3 states that for residential development of 100 units or more, or for development sites of 5 hectares or more, an equipped children's play area will be required as an integral part of the development. The council will consider an exception to this requirement where a sufficient equipped children's play area exists within reasonable walking distance (generally around 400 metres) of the majority of the units within the development scheme and subject to the further provisions of this policy.</p>
5.66	<p>The applicant notes that in terms of actual equipped Children's Play provision, the nearest formal or substantive provision is at Buoy Park which is 0.4miles (640m) and Stewart Street at 0.7miles (1.1km) by foot. The applicant has made an argument for exemption from this policy criteria as the subject site measures 0.18 ha and is within the City Centre. They note that, <i>"Considering the further provisions of the policy would allow for an area of less than 10% communal space to be considered acceptable in a city centre scheme, it also stands that an equipped children's play area would not be a requirement for a city centre apartment scheme (where physical constraints prevent these requirements from being met). Considering the housing mix is primarily 1 -bed and 2-bed apartments, the housing allocations would be geared towards singles, couples and small families. "Small families" does not necessarily equate to young children that would require an equipped play area. The amenity provision has been designed to provide an external courtyard (landscaped with</i></p>

	<i>seating areas and pathways), community room within the listed building which can facilitate activities/events for younger children in lieu of the need for an equipped play area, and balconies in the individual apartments where they can be accommodated.”</i>
5.67	Given the City Centre location, constraints of the site and the limited amenity space available, it is considered that accommodating an equipped play area within the development would be to the detriment of the overall scheme and proposed amenity provision for the enjoyment of the majority of the residents. Due to the central location of the proposed development and nearby parks, on balance, the proposal is considered acceptable having regard to Policy OS3.
5.68	Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. The justification and amplification of this policy outlines that this may take the form of recessed balconies and roof terraces.
5.69	<i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit. This is accepted in the form of private communal open space in the form of landscaped areas, courtyards or roof gardens. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally, developments in inner urban locations and other high-density areas will tend towards the lower figure.
5.70	10 of the 103 apartments have private amenity space in the form of balconies, ranging in size from 3.6m ² to 10.1m ² . The total amount of private amenity space in the development is 56.1m ² . Communal external amenity space is measured at 245m ² . When combined, the total amount of external amenity space is measured at 301.1 m ² .
5.71	This would result in an average of 2.9m ² of private amenity space per apartment. This value is significantly below the minimum standard of 10m ² as per the guidance.
5.72	In this instance, having regard to the level of communal amenity space provided and the inclusion of the indoor amenity space, the location of the site, its immediate proximity to the city centre core, waterfront and other external public spaces, the approach to open space is considered acceptable on balance.
	<u>Access and transport</u>
5.73	The site is a highly accessible location within the City Centre in close proximity to shops, services, leisure and employment opportunities. The site is located in close proximity to a network of cycle routes, off-road cycle lanes, on-road cycle lanes and cycle parking facilities. It has very good public transport links through access to buses and rail. Provision is made for sheltered and secure cycle parking for 100 bicycles within the building at ground floor. The proposal accords with Policy TRAN1.
5.74	In order to promote sustainable modes of transport and reduce dependence on the private car, the following Green Travel Measures have been proposed as part of the development: <ul style="list-style-type: none"> - Provision of 103 covered cycle parking spaces - The provision of a Green Travel fund which will give residents the option to choose the travel measure that best suits their needs. The travel measures include a Travel Card; Belfast Bike Membership or Car Club Membership.
5.75	The travel plan and green travel measures, will be secured by means of a Section 76 planning agreement.

5.76	<p>No dedicated in-curtilage general parking is proposed, and the applicant is promoting the scheme as “car free” development when marketing the apartments. It points towards the highly sustainable location of the site. Officers also have regard to the site’s proximity to public and private car parks and on-street parking which can be seen in the map below.</p>
	
5.77	<p>Having regard to the highly sustainable location of the site, proximity to other car parks and applicant’s commitments to green travel measure, the non-provision of dedicated general parking is considered acceptable.</p>
5.78	<p>In relation to disabled parking provision, again no specific in-curtilage parking is proposed. Regard is had to the very close proximity of the site to a number of public and private operated car parks located within the City Centre. The adjacent Donegall Quay car park located off Marlborough Street, approximately 75m from the site entrance, contains 4 disabled parking bays. An on-street disabled space is located on Donegall Quay. Hi Park, located at High Street, approximately 160m from the site contains 11 disabled parking bays and benefits from suitable pedestrian crossing facilities with dropped kerbs and tactile paving to support connectivity to the proposed development. There is ‘Pay and Display’ parking available along Victoria Street and Marlborough Street that is suitable for disabled parking.</p>
5.79	<p>The application is supported by a Service Management Plan (SMP) which will manage bin deliveries. Servicing will be co-ordinated and controlled to minimise disruption to the surrounding highway network.</p>
5.80	<p>DfI Roads have no objection to the proposal subject to compliance with the Travel Plan, Service Management Plan and secure and covered cycle parking facilities.</p>
5.81	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.</p>
	<p><u>Design and placemaking</u></p>
5.82	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2, and RD1 of the Plan Strategy. Policies SP5 and DES1 promote good</p>

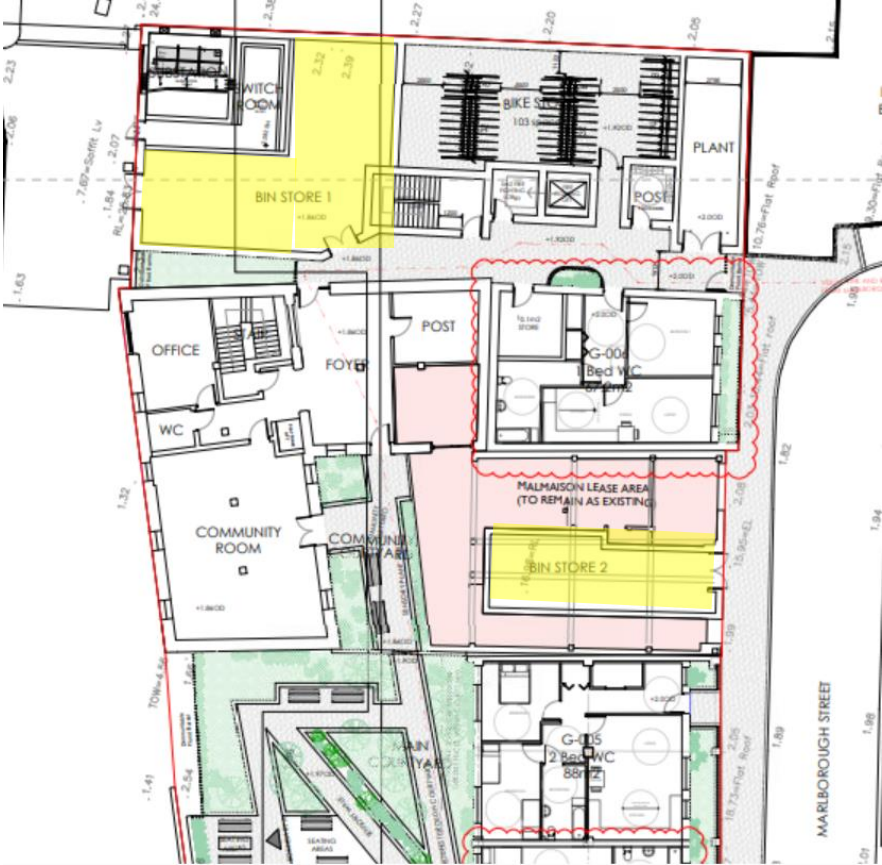
	<p>placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.</p> <p><i>Scale, height and massing:</i></p>
5.83	<p>The proposal re-utilises the existing concrete frame of Marlborough House with part-demolition of the building, along with the full demolition of adjacent buildings on Marlborough Street. The new apartment development proposes two additional levels to Marlborough House which are recessed back to achieve an appropriate scale of development along Victoria Street.</p>
5.84	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes on to list 11 criteria, a. to k.</p>
5.85	<p>The proposed 8-storey development with the upper 2 storeys set back maintains an appropriate shoulder height and draws on references from Malmaison. The proposed scale would not appear as a prominent feature on the Victoria Street/ Marlborough Street junction. The building has been appropriately scaled to sit comfortably as part of the wider cluster of buildings. The split set back of the upper two floors allows uninterrupted views of the Albert Clock, allowing it to remain a prominent feature.</p>
5.86	<p>Amendments were made to the elevational treatment to emphasise and promote vertical columns at ground floor level to follow the elevational language above with the use of inset brick areas. This adds depth to the façade, it reinforces the vertical emphasis and connection to the Albert Clock along with respecting the horizontal datum lines of the adjacent Malmaison Hotel.</p>
5.87	<p>The materiality of the development is key in helping the scheme integrate into the city whilst not detracting from the historic fabric, in particular the listed Malmaison building and also Princes Court. The proposed buff brick throughout with stone colour, stringer parapet detail and horizontal brick datum detailing (referencing Malmaison) is welcomed. The inset balconies and vertical brick recessed panels add depth to the façade and reinforce the vertical emphasis and connection to Albert Clock. The proposal is considered to respond positively to the surrounding built heritage and the open balconies on the corner maintain the prominence of Malmaison by keeping lines of sight open.</p>
5.88	<p>Contextually, the height of the building is considered sympathetic to its wider context and would be in keeping with existing building heights in the surrounding area. The scale, height and massing are considered to respond positively to the local context and character through architecture and urban form through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials. The proposal will be an improvement to what is currently featured on site while being sensitive to the historic buildings and features in the area.</p>
5.89	<p><i>Active frontage:</i></p> <p>The primary elevation along Victoria Street, ground floor plan shows entrance to one unit, legible entrance lobby and open alley into courtyard. The Marlborough Street elevation includes entrances to ground floor units and back of House uses (BOH) such as a large bin storage area. This has been placed along the south elevation to have least impact on the surrounding streets.</p>

5.90	<p>Criterion f. of Policy DES1 requires the provision of active frontages to ensure vibrancy throughout the day. Glazing and lighting along the ground floor will assist in providing additional light in the evenings and views into/out of the building. On balance, the treatment of the frontages is considered acceptable.</p> <p><i>Siting and Alignment:</i></p>
5.91	Policy DES2 states that planning permission will be granted for Major development where it accords with the principles a. to j.
5.92	It is considered that the proposal adopts a holistic approach and allows the scheme to blend into the existing fabric of the area in a sympathetic and complementary way which is mindful of the historic built environment, adjacent residential complex and the Laganside Bus Station, with regards to its site assembly, layout and design. The proposal also promotes opportunities for urban repair.
5.93	<p>With regards to Masterplanning, the Design and Access Statement and submitted plans show how the development could be adapted at ground floor level in the future to respond to a changing context, such as street pattern and network being re-instated. The design of the Princes Street elevation has been carefully weighed against achieving an aspect for the proposed development but not to jeopardise the prospect of the bus station being redeveloped in the future.</p> <p><u>Impact on heritage assets</u></p>
5.94	<p>Policy BH1 seeks to safeguard the setting of Listed Buildings. The application site impacts upon and includes the refurbishment of Prince's Court (HB26/50/194) (Grade B2 Listed) and is also in the setting of the following which are all special architectural or historic interest:</p> <ul style="list-style-type: none"> • HB26/50/046 Malmaison Hotel, 34-38 Victoria Street (Grade B+) • HB26/50/055 Albert Clock, Queens Square (Grade A) • HB26/50/045 St George's Church, 105 High Street (Grade A)
5.95	Policy BH1 includes a number of criteria (a-e) for new development affecting the setting of listed buildings and further criteria for the alteration and extension of a listed (f-i).
5.96	The proposed new development is considered in compliance with all of the relevant criteria of Policy BH1. The proposed works to Princes Court will preserve, restore and complement the buildings features and are welcomed. Works to the listed building within the site are in compliance with the criteria of Policy BH1.
5.97	DfC Historic Environment Division (HED) has been consulted and is content that the proposal satisfies SPPS and the Belfast Local Development Plan Strategy (2035) policy requirements, subject to conditions.
5.98	The proposal is considered in compliance with Policy BH3 – Areas of townscape character as it is considered that the area's character would be enhanced, the built form is respected by way of height, scale, form, materials and detailing; there is no detrimental impact on the setting of the area or significant loss of views withing, into and out of the ATC and regard has been given to relevant SPG. There are no trees present on the site and therefore criterion c. does not apply.
5.99	Policy BH5 relates to archaeology with the Council seeking to conserve and where possible enhance archaeological assets. Consent will normally only be granted where criteria a. to d.

	<p>are met. The planning application is accompanied by an Archaeological Impact Assessment prepared by Farrimond MacManus. DfC HED (Historic Monuments) is content that the proposal satisfies Policy BH5, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ. These measures will be required by condition.</p> <p><u>Climate change</u></p>
5.100	Policy ENV2 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.
5.101	The applicant has provided a Climate Change Statement which details the various sustainable design features which will be incorporated in the development. The development retains the structure of the existing building at Marlborough House and the listed building Princes Court. The retention of these buildings significantly reduces the amount of new material required for the development. The proposal is considered acceptable having regard to Policy ENV2.
5.102	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet to meet criteria b. in that the proposal incorporates various hard and soft landscaping elements at ground floor level to assist an overall sustainable drainage solution. Criteria d. is met through ceiling mounted heat recovery ventilation systems in accordance with CIBSE. Photovoltaic panels are also proposed within the development on the south facing roof area to generate 21,000whr (approx. 27-32 kw peak). Furthermore, criterion I. is met in that the site levels are designed to alleviate the flood risk from the development and maintain the safety of residents and their homes in the future. This is supported by the Flood Risk and Drainage Assessment (FRA/DA). The proposal is considered acceptable having regard to Policy ENV3.
5.103	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has detailed SuDs measures within the submitted Drainage Assessment. In this assessment they have stated that the SuDs features have been tailored to available space within the development due to the constraints of the site which limit some SuDs systems, such as the storm sewer levels and the redevelopment of existing buildings within an urban setting. A portion of the site will comprise landscaped open space which will assist in the reduction of runoff from the formerly hard surfaced brownfield site.
5.104	The primary SuDs feature provided within the design of the courtyard is Bio Retention. These three areas will be vegetated with appropriate planting on engineered substrate to mimic the runoff from permeable surfacing and be constructed in line with the requirement of the SuDs Mannual (CIRIA C753). Bioretention systems (including rain gardens) are shallow landscaped depressions that can reduce runoff rates and volumes and treat pollution through the use of engineered soils and vegetation. They are particularly effective in delivering Interception and can also provide attractive landscape features that are self-irrigating and fertilising; habitat and biodiversity; and cooling of the local microclimate due to evapotranspiration. A Geocellular storage tank to be installed downstream of the bio retention areas to provide attenuation storage for exceedance events.
5.105	The proposal is considered acceptable having regard to Policy ENV5.

	<p><u>Health impacts</u></p>
5.106	<p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.107	<p>The site is located within a highly accessible area of the City Centre, within walking distance to a number of public transport hubs, open spaces and the waterfront. The location of the development and proximity to the City Centre lends itself to the use of active and sustainable travel. The inclusion of the Green Travel Measures and other initiatives lessen the need for the use of private cars. The apartment mix in terms of size and ownership creates a balanced community within the proposed development. The proposal would provide a well-designed and attractive living environment. The proposal is considered to satisfy the requirements of Policy HC1.</p>
	<p><u>Environmental protection</u></p>
5.108	<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 proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p>
	<p><i>Contaminated land</i></p>
5.109	<p>Environmental Health (EH) has reviewed the information within the Preliminary Risk Assessment by Foyle Consulting Engineers. This submission has identified that there is possible contaminant linkages present at the site. The use of the site in a former docklands capacity is identified as a potential source of contamination and it was concluded in the PRA that a site investigation and Quantitative Risk Assessment are required. It is noted that the site investigation cannot be completed until one of the buildings to the rear is demolished. EH recommends conditions in the event that planning permission is granted, including submission of a Quantitative Risk Assessment prior to commencement of the development. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><i>Air quality</i></p>
5.110	<p>EH has reviewed the MCL Consulting Odour Impact assessment; TSA Planning Transport Assessment; Studio4design Climate Change Statement and Studio4design Design and Access Statement. The EH response states that these documents have demonstrated that the development would not have an adverse impact on air quality in the vicinity of the site and that future users of the development will not be exposed to air quality concentrations exceeding UK Air Quality Objectives. However, EH noted that the demolition/ construction phase was not assessed as part of the submitted AQIA. To ensure that there will be no significant adverse dust effects arising from the construction phase of the proposed development on sensitive receptors located in close proximity to the proposed development, EH requested the submission of a condition for a dust management plan. The proposal is considered to accord with Policy ENV1.</p>

	<i>Noise and vibration</i>
5.111	Having considered the applicant's Acoustic Report, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.
	<u>Flood risk and drainage</u>
5.112	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 proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions. The proposal satisfies the exceptions test as it takes place on previously developed land.
5.113	DfI Rivers response states that they accept the logic of the Flood Risk Assessment and have no reason to disagree with its conclusions. They have reviewed the Drainage Assessment and notes that it states that flood risk to and from a portion of the development will be managed using SuDS. DfI Rivers states that it does not have the necessary expertise to assess the effectiveness of the SuDS measures. Officers have no reason to dispute the applicant's technical findings in respect of SuDS.
	<u>Waste-water infrastructure</u>
5.114	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm and detrimental impact on existing properties. 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.
5.115	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
	<u>Waste management</u>
5.116	In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. The application is supported by a Waste Management Plan (WMP) which outlines the operational waste management measures.
5.117	The proposed WMP details three types of refuse and their collection frequencies: <ul style="list-style-type: none"> • General Waste: fortnightly collections • Dry Recycling: weekly collections • Organic Waste: weekly collections

5.118	<p>Objections were received from residents of the existing Queens Square Apartments regarding the placement of bins on waste collection day alongside the existing collection for Queen's Square Apartments. To reduce these concerns and alleviate the pressure of waste collection on Princes Street, a second bin store has been proposed on Marlborough Street. The locations of both bin stores can be seen on the ground floor plan below.</p>
	
5.119	<p>The size of the two waste storage areas has been based on the estimated volume of each waste type. The collection of waste from both bin stores will be at an external collection point at Marlborough Street, collected by Belfast City Council weekly. BCC Waste management team confirmed that use of the Marlborough Street collection point was preferable. Waste containers can be easily removed from both bin stores to the street via dedicated entry points to allow for the safe and convenient collection on waste collection days. A nominated caretakers will be responsible for the management of bins and returning all bins following their collection.</p>
5.120	<p>The proposed waste management plan and arrangements are considered acceptable.</p>
	<p><u>Natural heritage</u></p>
5.121	<p>Policy NH1 relates to the protection of natural heritage resources.</p>
5.122	<p>The site is not located to any designated sites, protected species or other important interests of biodiversity and geodiversity. The development will not have an unacceptable effect, either directly, indirectly, or cumulatively, on sites, habitats, species or ecosystems and networks that are important for their nature conservation, biodiversity or geodiversity value.</p>
5.123	<p>The proposal has given due regard to the protection of biodiversity, water quality, access and amenity through sensitive design, avoidance of instream works and appropriate</p>

	landscaping. The development is considered to be adequately set back from the river Lagan so as to avoid any impact on the river. The site is located 121m from the River Lagan, located to the east of the site.
5.124	NIW have outlined in their response that the applicant will need to submit an application to NI Water for a Wastewater Impact Assessment. NI Water will assess the proposal to see if an alternative drainage or treatment solution can be agreed. A WWIA was submitted to NIW for assessment and the application will work with the NIW solution engineering team to deliver the proposed solution.
5.125	In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. DAERA offers no objection to the application and has recommended a condition to require details of sewage disposal prior to commencement of development. The SES response states that having considered the nature, scale, timing, duration and location of the project, 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.
5.126	Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 30/04/2025. This found that the project would not have an adverse effect on the integrity of any European site.
5.127	Subject to abovementioned condition and the final response from SES, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.
	<u>Employability and Skills</u>
5.128	The Developer Contribution Framework requires proposals to make a contribution towards Employability and Skills where necessary.
5.129	The Council's Economic Development Unit advises that an Employability and Skills contribution relating to either the construction or operational phases should not be applied. The response states that: <i>'The Housing Association and Applicant have agreed to apply Buy-Social consideration in this case. Therefore, the contract associated with this development will be subject to Buy-Social considerations. It is recommended that Section 76 Developer Contribution clauses should not be applied for the construction phase of the development where Buy Social requirements are in place. Implementation of the Buy Social considerations applied to this contract will ensure that that social benefit is achieved using Targeted Recruitment and Training clauses ("TRT clauses"). TR&T clauses ensure ring-fenced opportunities for long-term unemployed people, young people leaving education/training (because of higher levels of youth unemployment), apprentices, and paid student work placements. This also includes promotional activities to increase awareness of opportunities, and robust monitoring and reporting by the Strategic Investment Board (SIB).'</i>
5.130	The response also notes that approximately 32 jobs will be created for the operational (occupation) phase. And it is considered that a Section 76 developer contribution relating to employability and skills in the operational phase should not be applied.

	<p><u>Section 76 planning agreement</u></p>
5.131	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery 80% (82 out of 103 residential units) to be provided as Social Rented Housing • Green travel measures – a Travel Fund which will give residents the option to choose the travel measure that best suits their needs (travel card, Belfast bike membership or car club membership) will be secured • Listed Building – requirement for works to listed building to be completed within 2 years.
5.132	<p>A draft Section 76 planning agreement is underway and will need to be finalised before planning permission is granted.</p> <p><u>Pre-application Community Consultation</u></p>
5.133	<p>The application was preceded by a Proposal of Application Notice (PAN) submitted on 09.08.2023 which set out the applicant's proposals for pre-application community consultation. This was confirmed by the Council to be acceptable on 25.08.2023.</p>
5.134	<p>The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p>
5.135	<p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposal, both the in-person and online PACC process and the avenues through which recipients could provide their comments and feedback; • Local stakeholder audit of all the local businesses and organisations located within the immediate area of the site. All businesses and organisations adjacent to the site boundary received a copy of the information pack. • Issued a press notice to highlight information about the proposals and provide notification of the public information event. • A virtual consultation website was hosted which allowed visitors to submit feedback. • Community exhibition event for visitors to view the plans and discuss with the design team present.
5.136	<p>The feedback from the public included concerns relating to loss of direct sunlight to Queens Square Apartments; placement and management of bins and lack of parking and potential impact on the community. These comments were reviewed and considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p>
5.137	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.</p>

6.0	Recommendation
6.1	The proposal would provide a significant number of new homes in a highly sustainable location and would support city centre living. The proposal would make very effective use of land, a finite resource. The provision social housing responds to the significant unmet need for social housing in the city. The scale, height, massing and design of the building are considered appropriate to the site's context. The approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations.
6.2	It is recommended that planning permission is granted.
6.3	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.
7.0	DRAFT CONDITIONS <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. 2. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site. Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car. 3. The development hereby permitted shall not operate unless in accordance with the approved Servicing Management Plan. Reason: In the interests of road safety and the convenience of road users. 4. Prior to occupation, the redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated. 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. 5. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been prepared by a qualified archaeologist and implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council. The POW shall provide for: <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition.

	<p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work.</p> <p>Reason: To ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.</p> <p>6. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 5. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological programme of works.</p> <p>Reason: To ensure that the archaeological remains and features are properly analysed and recorded.</p> <p>7. Notwithstanding the submitted details, no external brickwork, windows or doors shall be applied, installed, implemented or carried out unless in accordance with a written specification and physical sample which shall have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>8. No development shall be undertaken (other than demolition) unless a written report demonstrating risks to environmental and human health receptors due to on-site contamination of the ground and groundwater have been effectively assessed has been submitted to and approved in writing by the Council.</p> <p>The report shall include site investigations and groundwater monitoring to be designed and implemented in accordance with British Standard BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated land sites to identify the contamination risks associated with the potentially contaminating activities which took place at the site.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>9. No piling works shall be carried out unless 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 to and approved in writing by the Council. No piling works shall be undertaken unless in accordance with the approved details.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>10. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment shall consider the Foyle Consulting Engineers report entitled ‘Client: Park Street Projects, Land Contamination Preliminary Risk Assessment, Marlborough House, 28 Victoria Street, Belfast, Date: September 2024’ (Issue 3, Dated 6th October 2023). The Quantitative Risk Assessment shall follow best practice and include:</p>
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A detailed site investigation in line with BS 10175:2011+A2:2017 (or any standard that reproduces or replaces this standard). Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard).

A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665 (or any standard that reproduces or replaces this standard).

Based on the outcome of this risk assessment, a Remediation Strategy may be required and shall be submitted to and approved in writing by the Council. If necessary, the Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

The development shall not be carried out unless in accordance with the approved Remediation Strategy.

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

11. In the event that a Remediation Strategy is required, prior to occupation or operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

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

12. 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.

13. No development shall be carried out unless a revised Noise Impact Assessment detailing the noise mitigation measures to be installed within the development to address road traffic/commercial noise impacts on future occupants of the proposal has been submitted to and approved in writing by the Council.

	<p>The Noise Impact Assessment, to be produced by a competent acoustic consultant, must be based on a representative background noise survey and demonstrate that the proposed sound reduction specifications of the façade/structural elements are sufficient to ensure that internal noise levels do not exceed:</p> <ul style="list-style-type: none"> • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room with the windows closed and alternative means of acoustic ventilation provided; • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom with the windows closed and alternative means of acoustic ventilation provided; • 45 dB L_{Amax} more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided. <p>Reason: To safeguard the amenity of occupants of the development hereby approved.</p> <p>14. Prior to occupation of the development, the noise mitigation measures and alternative means of acoustically attenuated ventilation, as approved under condition 13 shall be installed and retained thereafter.</p> <p>Reason: To safeguard the amenity of occupants of the building hereby approved.</p> <p>15. No development shall be carried out unless a Final Construction Noise Management Plan has been submitted to and approved in writing by the Council. The Plan shall include a programme of works, along with a community notification plan, and must clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration and noise on nearby premises during the demolition and construction phases. All demolition and construction must thereafter be implemented in accordance with the approved Plan.</p> <p>Reason: Protection of neighbouring amenity</p> <p>16. Prior to occupation of the development, details of a mechanical ventilation system, which demonstrates that the location of the ventilation air intake for the Marlborough Street façade apartments is in accordance with the recommendations contained within Section 5 of the submitted MCL Consulting – Odour Impact Assessment, Marlborough House, Issue date 6/8/2024 - Issue 2, P3168, shall be submitted to and approved in writing by the Council. The ventilation intake point shall be installed in accordance with the approved details prior to occupation and retained thereafter at all times.</p> <p>Reason: The protection of residential amenity</p> <p>17. The development hereby approved shall not be occupied until the external main courtyard and internal community room have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times.</p> <p>Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</p>
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DRAFT INFORMATIVES

1. This planning permission includes conditions which require further details to be submitted to and approved by the Council. Please read the conditions 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.
2. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement.
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.
4. The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at <https://planningregister.planningsystemni.gov.uk/>.

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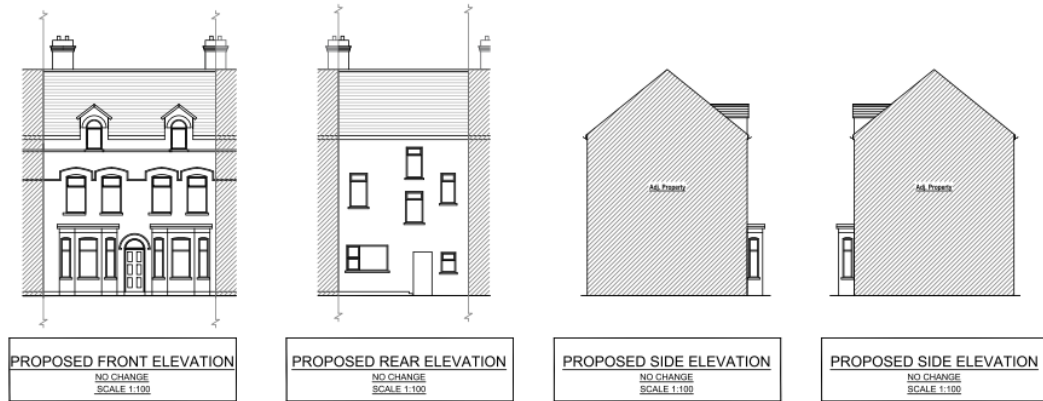
Development Management Report Committee Application

Summary	
Committee Meeting Date: 13 th May 2025	
Application Ref: LA04/2024/1654/F	
Proposal: Change of use from a 7-bedroom dwelling house (C1) to a 7 bed/ 9 person House of Multiple Occupancy (Sui generis)	Location: 432 Falls Road, Belfast, BT12 6EN
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr. Rónán McLaughlin).	
Recommendation: Approval subject to condition	
Applicant Name and Address: Gerald Mackle Callan House, Milford, BT60 3NZ	Agent Name and Address: Marc McNeice The Breague, 73 Lisanally Lane, Armagh, BT61 7HF
Date Valid: 21 st October 2024	
Target Date: 3 rd February 2025	
Contact Officer: Ciara Reville, Principal Planning Officer	
<p>Executive Summary: This application seeks full planning permission for the change of use from an existing dwelling to a 7-bed house in multiple occupation (HMO).</p> <p>The key issues for consideration of the application are set out below:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the surrounding area. • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection <p>7 objections have been received with the issues raised addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> 1. Concerns regarding amenity 2. Concerns over lack of parking. <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on Falls Road has not yet been reached. Officers consider that the proposal will not be harmful in terms of traffic, parking, impact on residential amenity or the amenity of the surrounding area.</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. 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>	

1.0	Drawings and Imagery
1.1	<p>Site Location Plan</p> 
1.5	<p>Proposed Floor Plans</p>  <div data-bbox="357 1809 533 1854"> <p>PRO. GROUND FLOOR PLAN SCALE 1:50</p> </div> <div data-bbox="724 1809 900 1854"> <p>PRO. FIRST FLOOR PLAN SCALE 1:50</p> </div> <div data-bbox="1091 1809 1267 1854"> <p>PRO. SECOND FLOOR PLAN SCALE 1:50</p> </div>

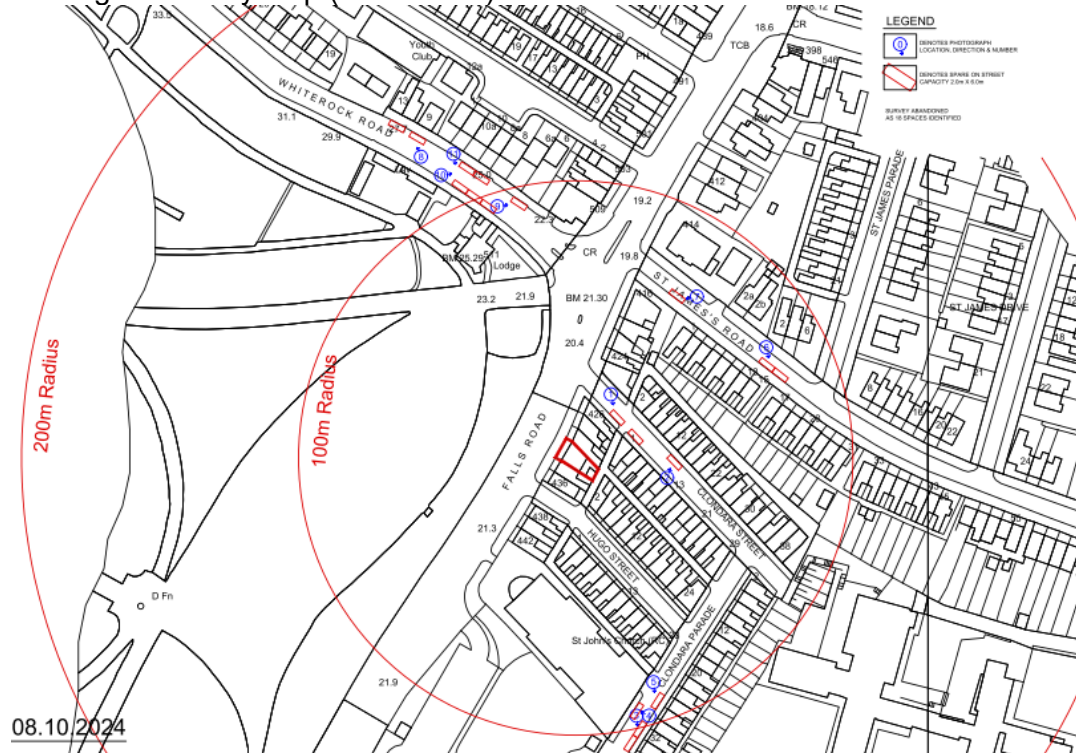
1.6

Proposed Elevations



1.7

Parking Availability Map (08/10/2024)



1.8	<p>Parking Availability Map (09/10/2024)</p> <p>09.10.2024</p>
2.0	Characteristics of Site and Area
2.1	The application site is located at 432 Falls Road and comprises a three-storey terraced dwelling. The property features an enclosed rear amenity space that backs onto an alley. The surrounding area is characterised by a mix of residential, retail, and community uses.
2.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
3.0	Description of Proposal
3.1	This application seeks full planning permission for the change of use from an existing dwelling (C1) to a 7-bed house in multiple occupation (HMO) (Sui Generis).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – Plan Strategy Belfast Local Development Plan: Plan Strategy 2035
4.2	Strategic Policies Policy SP2 – Sustainable development
4.3	Operational Policies Policy ENV1 – Environmental quality Policy HOU10 – Housing management areas (HMAs) Policy RD1 – New residential developments Policy BH3 – Area of townscape character Policy TRAN8 – Car parking and servicing arrangements Policy OS3 – Ancillary open space
4.4	Supplementary Planning Guidance Residential Design Transportation Waste Infrastructure

4.5	Development Plan – zoning, designation and proposal maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.6	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.7	Relevant Planning History Z/2001/2782/F – 432 Falls Road – Change of use from dwelling house to house of multiple occupancy – Permission granted 28/12/2001 Z/2008/2521/F – 432 Falls Road – Change of use from dwelling to provide 3no apartments plus dormer window to 2 nd floor rear – Permission granted 09/11/2009 Z/2010/0452/F – 432 Falls Road – Change of use from dwelling to provide 3no apartments plus dormer window and external staircase at rear (Amendment to previous approval Z/2008/2521/F) – Permission granted 18/05/2010
5.0	Consultations and Representations
5.1	Non-Statutory Consultation: - Conservation Belfast City Council - no objection to this proposal. Statutory consultation: - DFI Roads – No objection
5.2	The application has been advertised and neighbours notified. The Council has received 7 letters of representation raising the following concerns:- 1. Off-street Car Parking 2. Waste disposal 3. Anti-social behaviour Points 1-3 are considered in the report below, additional points raised are considered as follows: <ul style="list-style-type: none"> • Devaluing of property – This is not a material consideration and is outside the remit of the planning service. • Impact on sewage – The proposal will not intensify the use of the existing dwelling. The existing dwelling and proposed HMO will be connected to the main sewerage network. • Additional occupancy – The proposal will not intensify the current use of the property.
6.0	Planning Assessment
6.1	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.
6.2	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 (“Departmental Development Plan”) until the Local Policies Plan is adopted.

6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.
6.5	Belfast Urban Area Plan 2001 - The site is located within the settlement development limit in the BUAP and is not zoned for any use.
6.6	Belfast Metropolitan Area Plan 2015 (2004) - In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Falls/ Donegall Road (Ref: BT 042).
6.7	Belfast Metropolitan Area Plan 2015 (v2014) - In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Falls/ Donegall Road (Ref: BT 042). The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
7.0	Key Issues
7.1	The key issues for consideration of the application are set out below: <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the surrounding area • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
7.2	<i>The principle of an HMO at the location</i>
7.2.1	The site is not located within a Housing Policy Area or development node as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that: <i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i>
7.2.2	The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together: <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600m, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.
7.2.3	According to the LPS Pointer Address database there are 96 domestic properties on Falls Road. This would allow for 9 HMO properties on the Falls Road before the 10% threshold would be exceeded. There are currently 4 HMO properties along the Falls Road so 5 more could become HMO properties before the threshold is reached.
7.2.4	Each application is considered on its own merits and officers consider that this proposal is compliant with policy HOU10 for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
7.2.5	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
7.3	<i>Impact on the character and appearance of the surrounding area</i>
7.3.1	The proposed development will not result in any external alterations to the property, ensuring that its appearance remains unchanged. Additionally, there are no internal modifications that would alter the existing room configuration, meaning there will be

	no intensification of the property layout. As a result, it is expected that the proposal will have no adverse impact on the appearance or character of the surrounding area.	
7.4	<i>Impact on the character and appearance of the Falls/ Donegall ATC</i>	
7.4.1	The site is located within the Falls/ Donegall Road ATC. There are to be no alterations to the building.	
7.4.2	The proposal will not create conflict with the character of the Falls Road and the overall character of the area will be maintained. The proposal is therefore considered to comply with Policy BH3 – ‘Areas of townscape character’.	
7.5	<i>Impact on residential amenity</i>	
7.5.1	<p>Policy RD1 applies as set out above and states that ‘<i>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:</i></p> <p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas</i> - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p> <p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents</i>, including overlooking, loss of light, overshadowing, dominance, noise or other <i>disturbance</i> - Officers consider that the scheme will not give rise to any of the issues listed in criterion b. There will be no further overlooking, loss of light, overshadowing and dominance than that which already exists. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</p> <p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure</i> - There is sufficient space for cycle parking. The site is a convenient walking and cycling distance of major centres of health care, employment, education, churches, community facilities and the city centre. The site is well served by public transport - bus and glider services provide links between the area and the city centre, with two stops located less than 5-minute walk away.</p> <p><i>d) Provides appropriate open space</i> - The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.</p> <p><i>e) Keeps hard surfacing to a minimum</i> - No hard standing is proposed as part of this application.</p> <p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C</i> - The proposal exceeds the minimum space standards as set out in the Belfast Local Development Plan: 2035 and provides a generous level of accommodation for a 7-bedroom, 9-person HMO.</p> <p>Accordingly, the proposal is in full compliance with the relevant HMO space standards. A breakdown of the required and proposed provision is outlined below:</p> <table><tr><td>7 Bedroom/ 9 Person HMO</td></tr></table>	7 Bedroom/ 9 Person HMO
7 Bedroom/ 9 Person HMO		

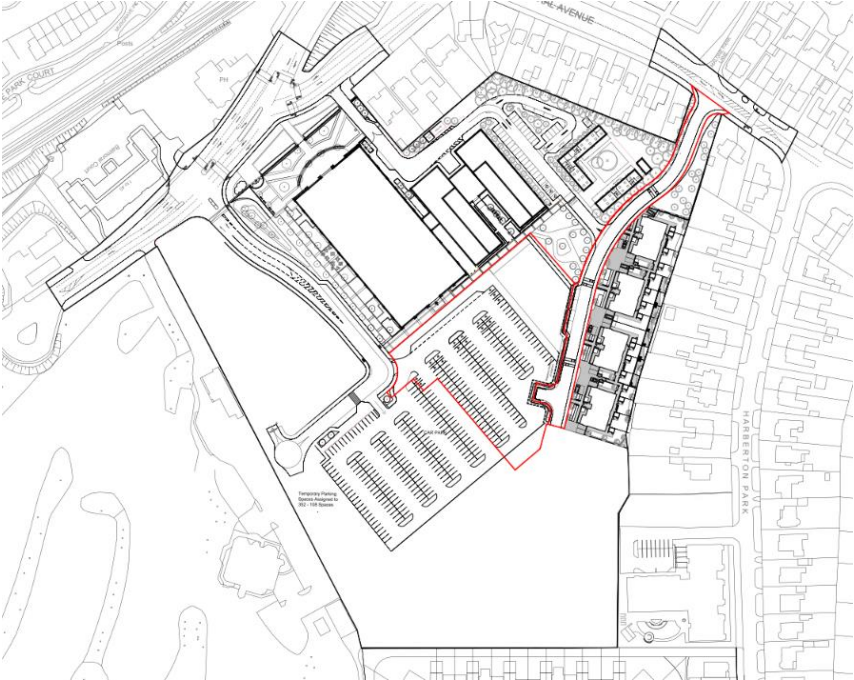
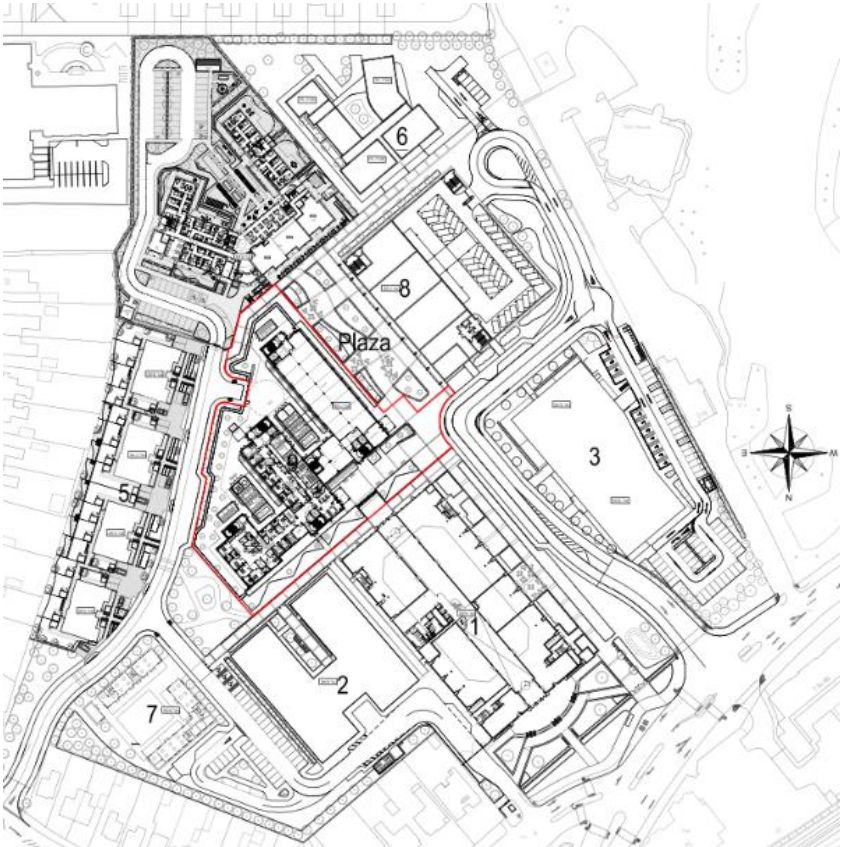
		Minimum Requirement	432 Falls Road Measurement
	Bedrooms Total	42sqm	80.3sqm
	Bedroom 1 GF	6.5sqm	12.5sqm
	Bedroom 2 1 st	6.5sqm	15.7sqm
	Bedroom 3 1 st	6.5sqm	10.1sqm
	Bedroom 4 1 st	6.5sqm	8sqm
	Bedroom 5 Attic (floorspace >1.5sqm in height)	6.5sqm	15.2sqm
	Bedroom 6 Attic (floorspace >1.5sqm in height)	6.5sqm	8.6sqm
	Bedroom 7 Attic (floorspace >1.5sqm in height)	6.5sqm	6.5sqm
	Combined Kitchen/ Living Room	19.5sqm	31.6sqm
	<p>Overall, the proposed layout offers suitable and well-proportioned living accommodation for future occupants.</p> <p><i>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.</i></p> <p><i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light - All habitable rooms in the dwelling have access to natural light.</i></p>		
7.5.2	<p>The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO proposal comprises 7 bedrooms for the intended use of up to 9 persons and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.</p>		
7.5.3	<p>As indicated above, the HMO will further require to be licensed with BCC which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.</p>		
7.5.4	<p>The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.</p>		

7.5.5	<p>Policy RD3 is applicable and 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:</p> <p>a) <i>Any units are self-contained</i> - This criterion is not applicable.</p> <p>b) <i>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</i> - Officers consider that this criterion is met (refer to section 7.6 below).</p> <p>c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal as a HMO is not considered to be a sub-division.</p> <p>d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.</p> <p>Taking account the nature of the proposal and the criteria set out above the proposal is considered to comply with Policy RD3.</p>
7.6	<i>Traffic, Parking and Access</i>
7.6.1	Officers acknowledge the objections to parking and whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.
7.6.2	Policy TRAN8 – Car parking and servicing arrangements states that, ‘ <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> ’. Existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development.
7.6.3	A parking survey was provided demonstrating that adequate parking is available within a radius of 150 metres walking distance from the application site to serve the proposal and concludes that the scheme will not be detrimental to on-street parking in the prevailing area.
7.6.4	The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. DfI Roads has considered the Parking Survey submitted under this application and has confirmed there is sufficient parking within the vicinity of the proposal. Furthermore, the site is in a sustainable location with regular bus services operating in proximity and accessible to services and amenities in the local and wider area.
7.7	<i>Waste and refuse collection</i>
7.7.1	Policy RD3 criterion B applies, it states that adequate refuse storage space must be 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.
7.7.2	<p>The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI set out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 7 bed HMO this would equate to the typical production of 760L of waste per week. The total waste production is broken down into the following types of waste:</p> <ol style="list-style-type: none"> 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3. collected weekly).
7.7.3	<p>The following bins would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI.</p> <ol style="list-style-type: none"> 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste.

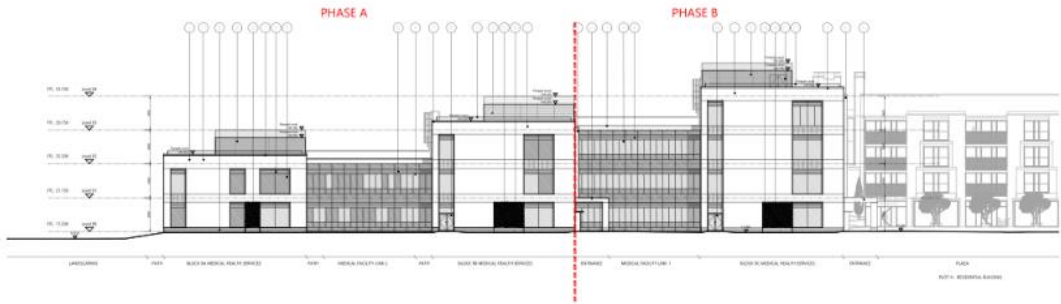
	<p>2. Recycling – 3 x recycling packs (3 x 55L) – collected weekly.</p> <p>3. Food waste – 4 x food bins (4 x 23L) – collected weekly.</p>
7.7.4	<p>The SPG advises that applicants must provide a layout of the waste storage area demonstrating that all of the required bins can be accommodated in a way that:</p> <ul style="list-style-type: none"> • users can easily deposit any type of waste into the corresponding bins without moving them around; and • bins can be easily removed for collection.
7.7.5	<p>Taking account of the guidance set out in the Waste SPG 3 sets of bins would be required to serve the proposed HMO which according to the SPG would equate to an area of 2.0 x 1.8 (3.6sqm) for each set of bins, this proposal would require 3 sets of bins and so a total area of 10.8 sqm would be required.</p>
7.7.6	<p>The applicant has provided a plan which demonstrates that there is adequate provision for bin storage and that the bins can be easily accessed, whilst retaining an adequate amount of residential amenity space. A condition is recommended to ensure bin storage is provided within the curtilage of the property.</p>
7.7.7	<p>The rear amenity space measures 29.3 sqm. The provision of the minimum storage area for three sets of bins would leave approximately 18.5 sqm remaining for amenity provision. The dwelling benefits from a considerable amenity space compared to other houses as many have extended into the rear where the proposed site has not. The site is located within a 12-minute walk away from Bog Meadows Nature Reserve and a 10-minute walk from the Falls Park Playground which include significant open space and a play park, which occupants of the proposed HMO can avail of. The provision of amenity space is considered acceptable taking account of the local context and the proximity to open space facilities.</p>
7.7.8	<p>Officers consider that the information provided satisfactorily demonstrates that the proposed waste management arrangements are acceptable.</p>
8.0	Recommendation
8.1	<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>
8.2	<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>
<p>Draft Conditions</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the property has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times.</p> <p>Reason: To ensure adequate management of waste and in the interests of the amenities of the area.</p>	

Committee Application

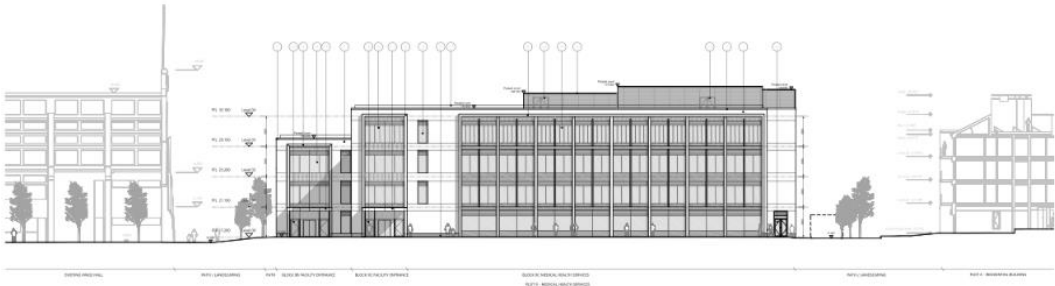
Development Management Report	
Application Ref: LA04/2024/1761/RM	Committee Meeting Date: 17 th June 2025
Proposal: Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details.	Location: Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O.
Referral Route: The Committee previously agreed that Reserved Matters applications pursuant to outline permission LA04/2020/0845/O would be considered by the Committee.	
Recommendation:	Approve subject to conditions
Applicant Name and Address: KH (Balmoral) Developments Ltd Crobane Enterprise Park 25 Hilltown Road Newry BT34 2LJ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
Date valid:	
Target Date:	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>Outline planning permission was granted in December 2021 for a mixed-use regeneration of lands at the Kings Hall (Ref: LA04/2020/0845/O). This included, amongst other wider ranging development, medical or health services at Plot 9. This application seeks approval of the following reserved matters for Plot 9:</p> <ul style="list-style-type: none"> • siting, • design: including height, scale, massing, form of buildings and floor plans; • external appearance; • means of access; and • landscaping. <p>The principle of development is established by the outline planning permission and only the above issues are to be considered in the assessment of this application.</p> <p>The design of the building complies with the approved Design Code. It would be in keeping with the character and appearance of the area. The setting of the listed Kings Hall would be safeguarded. There is no objection from DfC HED.</p> <p>There are no objections from statutory and non-statutory consultees.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the reserved matters application is granted permission subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and deal with any issues arising from the outstanding consultee from the DFI Roads response on so d=far as they are not substantive.</p>	

Officer Report	
1.0	Drawings
1.1	<div>Site Location Plan</div> <div>A detailed site location plan showing the project area outlined in red. The plan includes surrounding streets such as Park Court, The Avenue, and Western Old Park. It also shows existing buildings, parking areas, and landscaping features.</div> <div>Site Masterplan</div> <div>A detailed site masterplan showing the layout of the development. The plan includes numbered areas (1, 2, 3, 6, 7, 8) and a central Plaza. A red line outlines the project boundary. A compass rose is located in the bottom right corner of the plan.</div>

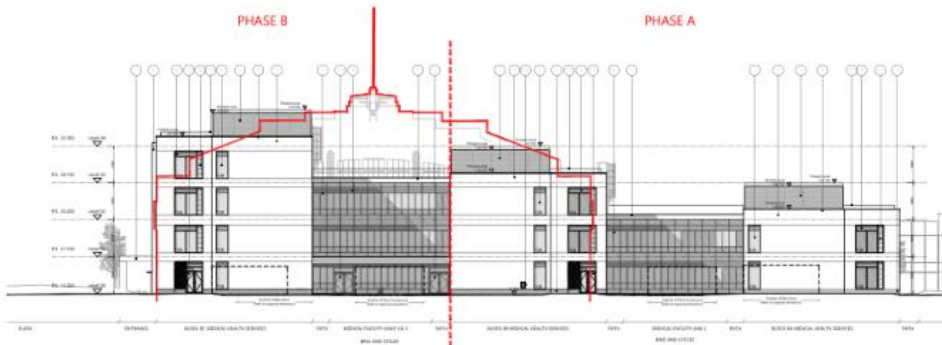
Elevations



Phase B Elevation 02 - North West
1 : 200



Phase B Elevation 01 - South West
1 : 200



Phase B Elevation 03 - South East



Phase B Elevation 04 - North East

Landscape Plan



CGI's





2.0	Characteristics of the Site and Area
2.1	The site is located within the King's Hall Complex and is currently a temporary car park to the rear of the listed King's Hall. Buildings previously located on the site have been demolished to facilitate the ongoing redevelopment of the site for a mix of uses including medical/health uses, residential and nursery uses.
2.2	Some of the adjacent plots forming part of the wider regeneration of the lands have either been constructed (Plot 1 extension to the Kings Hall; and Plot 5 - 16 Independent Living Units, Plot 7 - relocation of children's nursery, Plot 3 apartments and ground floor commercial unit), or are currently under construction (Plot 4 residential units and ground floor commercial units).
3.0	Description of Proposal
3.1	Outline planning permission was granted in December 2021 for a mixed-use regeneration of lands at the Kings Hall (Ref: LA04/2020/0845/O). This included, amongst other wider ranging development, medical or health services at Plot 9. The outline approval included a Section 76 Planning Agreement.

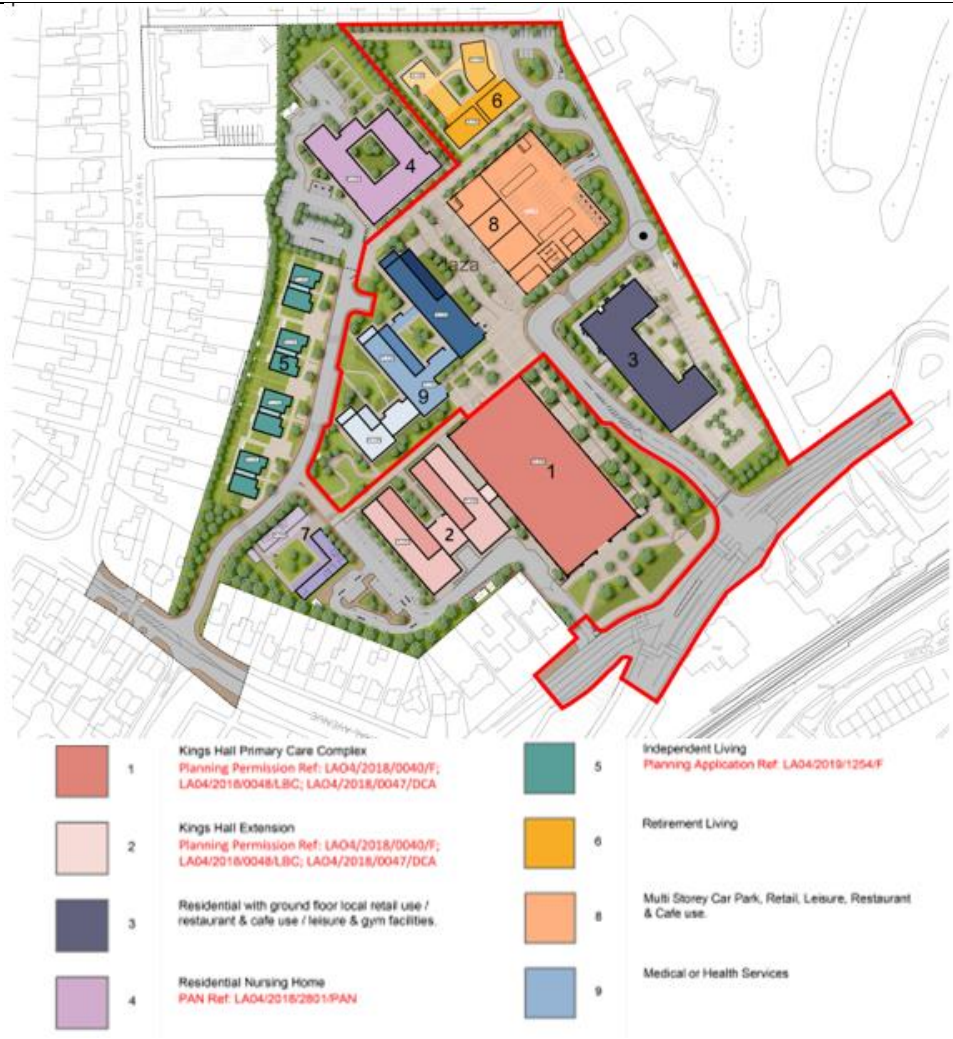
3.2	A reserved matters application was also approved on plot 9 under reference LA04/2023/2430/RM for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further plant to the roof of the 3 blocks has been added which has increased in footprint and height.
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP4 – community cohesion and good relations Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development</p> <p>Policy BH1 – Listed Buildings Policy HC1 – Promoting healthy communities Policy CI1 – Community infrastructure</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p>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>Policy GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space</p> <p>Policy TRE1 – Trees</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) Belfast City Council 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 (Belfast City Council) Strategic Planning Policy Statement for Northern Ireland (Belfast City Council)</p>
4.4	<p>Other Policies Developer Contribution Framework (Belfast City Council) Creating Places (DfI)</p>

<p>4.5</p> <p>4.6</p>	<p>Other Material Considerations Belfast Agenda (Community Plan)</p> <p>Relevant Planning History</p> <p><i>Application Site:</i></p> <p>LA04/2023/2430/RM - for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further plant to the roof of the 3 blocks has been added which has increased in footprint and height. Permission granted 08.09.23.</p> <p>LA04/2020/0845/O – Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F). Further information and amended drawings received including addendum to Environmental Statement. Amendments include temporary parking arrangements adjacent to the southern boundary with Harberton Crescent and part of the south western boundary with Balmoral Golf Club, Land at Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park and North East of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 02.12.21</p> <p><i>Adjacent Land (within the King's Hall complex):</i></p> <p>LA04/2024/0007/F – Application for the reconfiguration of ground floor to facilitate a maxillofacial surgery (Use Class D1), reduction in local retail/restaurant/leisure unit floorspace, replacement of residential plant and store rooms with local retail/restaurant/leisure floorspace with associated roof plant and ground floor fenestration changes. Permission granted 09/07/24.</p> <p>LA04/2023/2401/F – Full planning application for temporary approval of decked car park on lands forming Plot 6 of outline planning approval LA04/2020/0845/O for the provision of 210 parking spaces at ground and first floor level, including means of access and boundary treatment, for provision of parking until car parking on Plot 8 is operational, The Kings Hall, 488-516 Lisburn Road, Malone Upper, Belfast, Antrim, BT9 6 GW. Under Consideration.</p> <p>LA04/2022/0311/F – Erection of 40 no. residential units and 2 no. commercial units with associated car parking, cycle storage servicing, landscaping with access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north-east of Balmoral Golf Club, Belfast, BT9 6GW. Permission Granted 28.04.23</p>
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	<p>LA04/2019/2989/F – Erection of a care home with associated car parking, servicing, landscape and access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north east of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 20.1.21.</p> <p>LA04/2019/1254/F – Erection of independent living complex 16No. units with associated landscaping, parking and access off Balmoral Avenue, Land at former Kings Hall and RUAS Complex, located to the east of the King's Hall and to the rear of Nos. 7-23 Harberton Park, Belfast, BT9 6GW. Permission granted 18.09.20</p> <p>LA04/2019/2848/F – Construction of day nursery/playschool facility to replace existing temporary day care nursery and reconfiguration of car park approved under LA04/2018/0040/F with associated landscaping and access works, Lands at Kings Hall Complex, Lisburn Road, Balmoral Belfast, BT9 6GW. Permission granted 29.06.20.</p> <p>LA04/2020/0747/F – Application under section 54 of the Planning Act (Belfast City Council) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout, The Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, west of Harberton Park and north-east of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 29.06.20.</p> <p>LA0420211753F – Retrospective application for minimal change of elevational treatment and position from original planning approval of Family Room, Kings Hall Complex, Belfast, BT9 6GW. Permission Granted 02.02.22.</p> <p>LA04/2018/0040/F – Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments, The Kings Hall and RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North-east Of Balmoral Golf Club, Belfast BT9 6GW. Permission granted 16.04.2019</p> <p>LA04/2018/0047/DCA – Demolition of 29 Balmoral Avenue, 29 Balmoral Avenue, Belfast. Consent granted 16.04.2019.</p> <p>LA04/2018/0048/Belfast City Council – Conversion of, alterations to and side extension to King's Hall to accommodate Primary Health Care Centre, demolition of existing extensions to King's Hall and relocation and restoration of existing railings and pillars to the front of King's Hall, The King's Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North East Of Balmoral Golf Club, Belfast, BT9 6GW. Consent granted 16.04.2019.</p>
5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DfI Roads – Outstanding</p> <p>DfC Historic Environment Division (Belfast City Council) – No objection</p> <p>NIW – No objection</p> <p>NIEA – Further information requested</p>

5.2	<p>Non-Statutory Consultations Belfast City Council Environmental Health – No objections Belfast City Council Senior Urban Design Officer – No objections. Belfast City Council Tree Officer – No objection subject to conditions</p>
5.3	<p>Representations</p>
5.3.1	<p>The application has been advertised and neighbours notified. The Council has received nine objections raising the following issues:</p>
5.3.2	<ul style="list-style-type: none"> Access Road on Kings Hall Lane and traffic increase. <p><u>Officer's Response:-</u> The main access for traffic is via Lisburn Road. Servicing is proposed via Balmoral Avenue and onto Kings Hall Lane. DfI Roads has no objection to the proposed access arrangements, which are considered adequate and compliant with Policy TRAN6 of the Plan Strategy. The servicing access on Kings Hall Lane was approved at outline stage (LA04/2020/0845/O) and also approved in the most recent reserved matters application LA04/2023/2430/RM for servicing and emergency use. Therefore, the principle of development is already established and this application is for minor amendments to the previous approval.</p>
5.3.3	<ul style="list-style-type: none"> Height of the building <p><u>Officer's Response:-</u> The buildings all remain at the 2/3/4 storeys of which were set out within the Scale Parameters Plan (approved Drawing No.33a) shown in this report in para 6.7.3</p> <p>However, the previous reserved matters application approved plant enclosures to the roof to each 3 blocks 9a, 9b and 9c. Block 9a (2 storeys) was approved at +11.05m AOD (including plant) and is now proposed at +12.1m AOD.</p> <p>The highest element of plot 9c (4 storeys) was approved at +18.95m AOD (including plant) and is now proposed at +19.85.</p> <p>Whilst it is acknowledged the height of the plant has increased from the previous application and is more than the parameters plan, it is not considered that this minimal increase would be detrimental to the character and appearance of the area or that of the amenity of surrounding residents.</p>
5.4.4	<ul style="list-style-type: none"> Overlooking <p><u>Officer's Response:-</u> The positioning of each unit 9a,9b and 9c remains unchanged from the previous Planning Approved Application (LA04/2023/2430/RM), and the distances from the closest point to the nearest corner of the Plot 5 residences are shown to be all in excess of 30m. The fenestration of those elevations facing onto the existing plot 5 (apartments at Kings Hall Lane) are the same as the approved application. It is considered that overlooking concerns would be no greater than what was previously approved.</p>
5.4.5	<ul style="list-style-type: none"> Lighting from the development <p><u>Officer's Response:-</u></p>

	Environmental health have been consulted on all environmental matters including lighting and have no objections to the proposal.
6.0	PLANNING ASSESSMENT
	Development Plan Context
6.1	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.
6.2	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 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.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	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.
6.6	Background
6.6.1	This reserved matters application relates to the redevelopment of the wider King's Hall complex for which an indicative masterplan was submitted under the associated outline planning application LA04/2020/0845/O (see below). This masterplan forms the basis of the outline permission. Plot 09 which is the subject of this reserved matters application is located centrally within the wider King's Hall site and is coloured blue on the masterplan below.



6.7

Principle of development

6.7.1

The application is a reserved matters application for a medical facility previously granted outline approval under planning application reference LA04/2020/0845/O. A reserved matters application was also approved on plot 9 under reference LA04/2023/2430/RM for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further plant to the roof of the 3 blocks has been added which has increased in footprint and height.

6.7.2

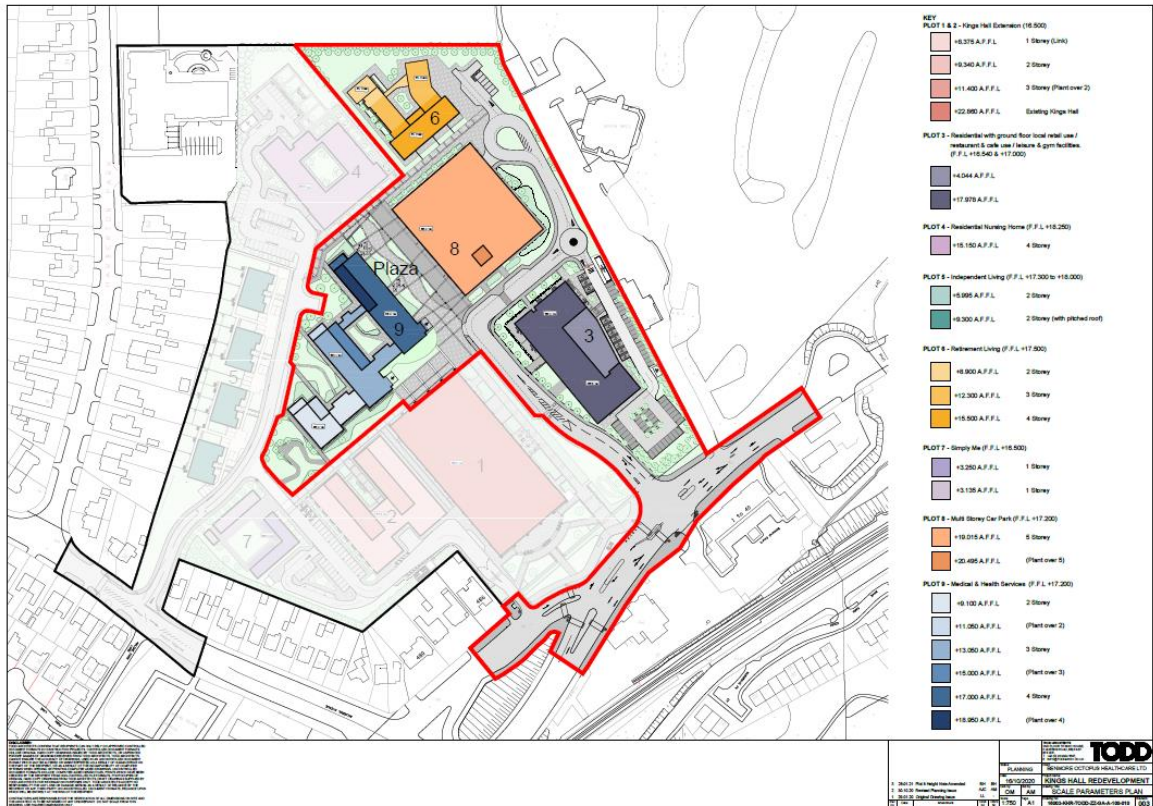
The principle of development for the proposed use is established. This application seeks approval of the following reserved matters and the assessment is confined to only those matters:-

- siting;
- design: including height, scale, massing, form of the building and floor plans;
- external appearance;
- means of access; and
- landscaping.

6.7.3

The outline approval includes a condition that states that all reserved matters shall be in general conformity with the approved design code and scale parameters plan (Drawing No. 33a of planning approval LA04/2020/0845/O – see below). The approved Design

Code set out parameters for the following matters in relation to Plot 09 - use, layout, scale, open space, plant & servicing, elevations and materials. The approved scale parameter plan identified maximum building heights for each of the plots including Plot 09. The issues pertaining to the reserved matters are assessed below.



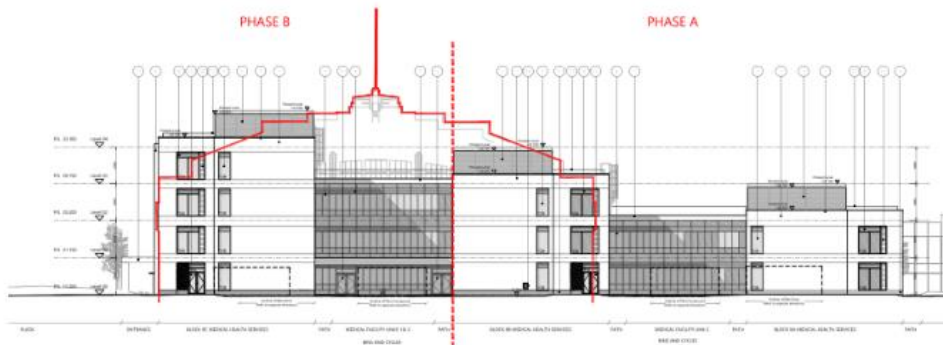
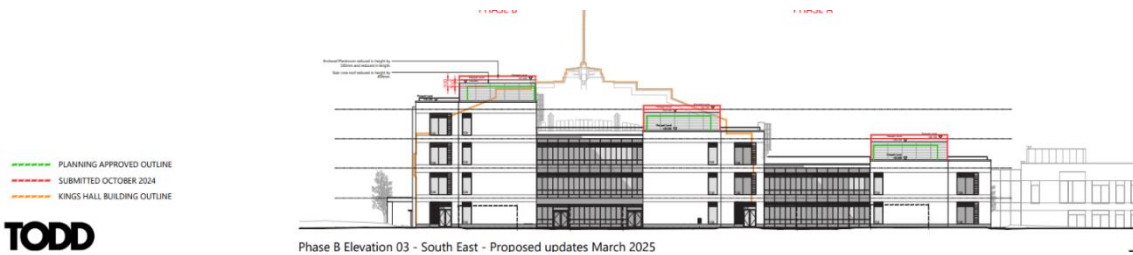
Drawing No. 33a – Scale Parameters Plan

6.8	Siting/Layout
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6.8.1	The proposed medical building will sit to the rear of the listed King's Hall and its two storey extension which has now been constructed and is operational.
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6.8.2 The building is arranged in a series of three linked blocks ranging from 2 storeys to 3 storeys and then to 4 storeys as illustrated in the image below. The 4 storey block will be situated immediately to the rear of the listed King's Hall and has been designed to step back from the King's Hall to respect the listed building and provide space to enable its appreciation. An area of public realm/open space will be formed between the rear of the King's Hall and the proposed building which will connect with the public realm across the site including the larger central plaza throughout the site providing permeability and ease of movement along with an appropriate treatment to the setting of the buildings.

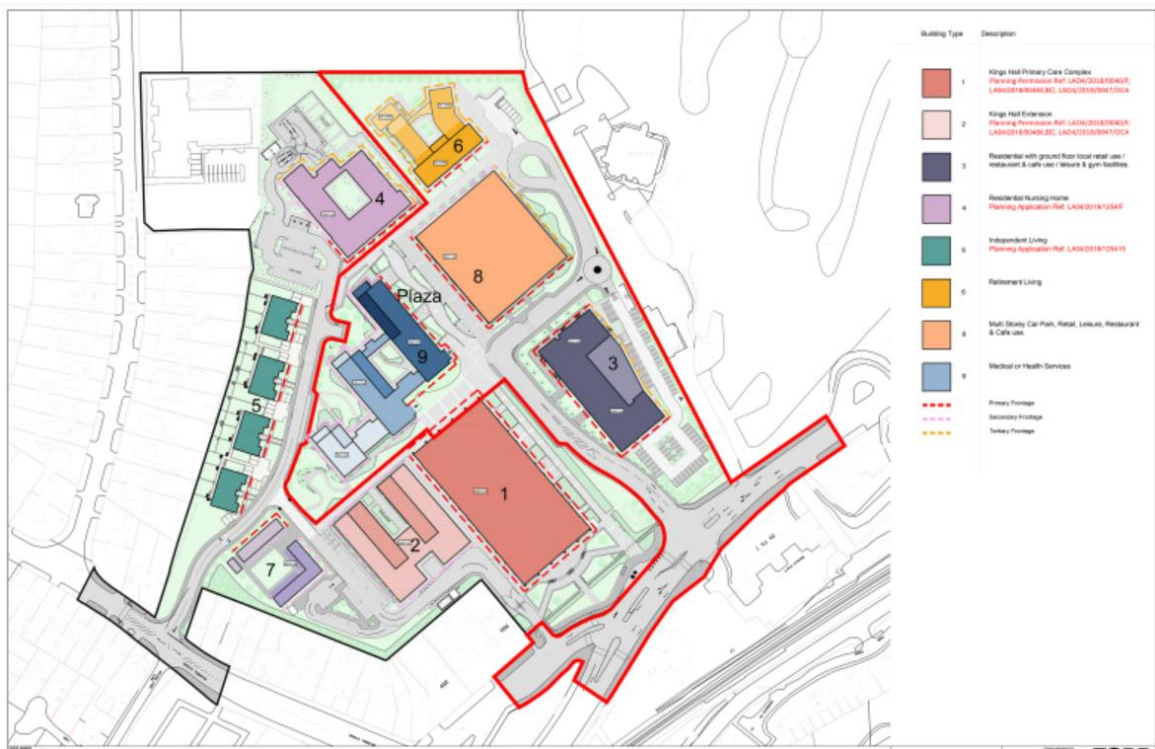
6.8.3 The siting and layout of Plot 09 is compliant with the design code and parameters plan and is considered acceptable. The height and massing are considered further below.

	 <p>Phase B Elevation 03 - South East</p>
6.9	Design and External Appearance
6.9.1	The reserved matters application includes details of the height, scale, massing, form and floor plans. As set out in the approved Drawing No. 33a – Scale Parameters Plan above, parameters were agreed at outline stage regarding the height, scale and massing of the proposed building on Plot 09.
6.9.2	The buildings linked blocks (9a,9b,9c) remain at the 2/3/4 storeys of which were set out win the Scale Parameters Plan (approved Drawing No.33a) shown in this report in para 6.7.3. However, the previous reserved matters application approved plant to the roof to each 3 blocks 9a, 9b and 9c in line with the outline application perimeters plan.
6.9.3	Block 9a (2 storeys) was approved at +11.05m AOD (including plant) and is now proposed at +12.1m AOD.
6.9.4	The highest element of plot 9c (4 storeys) was approved at +18.95m AOD (including plant) and is now proposed at +19.85m.
	 <p>Phase B Elevation 03 - South East - Proposed updates March 2025</p>
6.9.5	The reserved matters details indicates that the height of the building is in general accordance with the approved parameters plan with a minimal increase in height of no more than 900mm at the highest point on plot 9c. The height, scale and massing of the building is therefore considered compliant with the outline approval.
6.9.6	The approved Design Code included the following key design principles in relation to the proposed external appearance of the building:- <ul style="list-style-type: none">• <i>High quality material finish</i>

- *The footprint of the building has been positioned to ensure it does not sit beyond the plane of the Kings Hall.*
- *Larger elevations broken down into constituent parts / blocks to achieve a more human scale and proportion to the building.*
- *Lightweight elevations used to form connections and enclosing courtyards.*

6.9.7

The approved Design Code set out a hierarchy of elevations reflecting the visual prominence of the elevations within the site (as shown on the plan below). The primary elevation of the proposed building on Plot 09 is that of the 4 storey block which will front onto the central plaza area of public realm and the 4 storey block and 3 storey link block to the rear of the listed King's Hall. These primary elevations will be perceptible from the Lisburn Road access and whilst travelling through the site and will be viewed with the adjacent listed Kings' Hall. All other elevations are categorised as secondary elevations which have less prominent and limited views from main pedestrian and vehicular routes.



6.9.8

The treatment of the primary elevation fronting onto the plaza includes a white render base with an aluminium frame which is the same as those materials approved under the most recent reserved matters application. As per the previous application the degree of articulation proposed which includes grey aluminium framing along the primary elevation, will provide a sufficient contrast when viewed against the white render of the Kings Hall building. The render finish is also consistent with the residential block at Plot 3. The more muted composition of secondary elevations includes render and a rhythm of aluminium frames replicating the materials on the primary frame and reflecting these less prominent elevations. Elevations facing the independent living units on Plot 05 incorporate obscure glazing to provide privacy.

6.9.9

The 'Compliance with Design Code' document states that these '*Feature elevations are located facing onto the proposed Plaza to enhance the buildings contribution to the main pedestrian route across the wider masterplan*'.

6.9.10	Servicing is proposed from King's Hall Lane and an access secured by a sliding gate will provide entry from King's Hall Lane into the site for servicing and emergency use. Bin and bike stores are proposed between the 2 and 3 storey elements and between the 3 and 4 storey elements. Both are proposed to have green roofs and will provide ancillary accommodation. DfI Roads final response is awaited to confirm they are satisfied with the level of cycle parking proposed and are likely to recommend a condition to secure its delivery.
6.9.11	DfC HED has considered the proposed design and the impacts on the setting of the listed King's Hall and advises that it considers the proposal complies with the SPPS and Policy BH1 (Listed Buildings) of the Plan Strategy 2035.
6.9.12	The Urban Design officer has responded to the most recent amendments as follows. 'The revised proposal addresses many of the concerns raised by reducing the height and footprint of the plant rooms, particularly on block 9C. While some visual impact remains, especially from Balmoral Avenue approach, on balance, the changes lessen the overall effect from the key view points and maintain the setting of the listed Kings Hall.'
6.9.13	Officers consider that the design and external appearance are in compliance with the outline approval granted under application LA04/2020/0845/O and associated Design Code, and that the development would be in keeping with the character and appearance of the area. The setting of the listed Kings Hall would not be harmed and would be safeguarded.
6.10	Access
6.10.1	Although reserved, the principle of the access from Lisburn Road was established through the masterplan for the wider site which forms part of the approved Design Code at the outline stage. DfI Roads has no objection to the proposed access arrangements, which are considered satisfactory and compliant with Policy TRAN6 of the Plan Strategy.
6.11	Landscaping
6.11.1	The proposed development includes hard and soft landscaped areas in the form of public realm. The public realm proposed will connect with the wider public realm scheme throughout the site providing connectivity ease of pedestrian movements throughout the site and is in accordance with the outline approval and Design Code. The Tree Officer has considered the proposed landscaping plans and has no objection subject to conditions. The proposed landscaping will contribute to appropriate SuDS measures satisfying policy ENV5.
6.11.2	In summary the matters reserved as set out above comply with the outline planning approval LA04/2020/0845/O and associated Design Code and Scale Parameters Plan. The landscaping proposals are considered acceptable.
6.12	Noise/Odour/Lighting
6.12.1	A Noise impact assessment was submitted in support of the proposal in accordance with condition 22 of the outline planning approval. Since noise impacts are related to the design of the building, this information can be considered as part of the assessment of this Reserved Matters application. Environmental Health (EHO) have considered the details submitted and have no objections with regard to noise, odour and lighting subject to conditions.

6.13	Other issues
6.13.1	NIEA have requested further information in the form of a Preliminary Ecological Appraisal. However, planning is of the view that the site and previous buildings have been cleared for a number of years and the plot is currently in use as a temporary car park and therefore it would be unreasonable to ask for further information on this matter. NIEA were consulted as part of the Outline planning application and raised no objections.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the reserved matters are approved subject to conditions as set out below.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with DFI Roads outstanding consultation, and any other matters which may arise in so far as 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 external finishes shall be applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external finishes.

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

3. The parapet levels do not exceed the levels noted on this application, drawing reference

Phase B Elevations 03 & 04 (P03): –

Phase C - 34.20m /36.15m /36.65m /37.05m

Phase B – 30.25m/ 32.20m / 32.7m / 33.10m

Phase A – 26.30m / 28.25m / 28.75m / 29.15m

Reason: to protect the character and appearance of the setting of the listed building.

4. Prior to installation of any plant and equipment associated with phase A (plots 9a and 9b) and phase B (plot 9c), details of all final plant, including final drawings showing the layout of the mechanical plant/services and their location accompanied by a final noise assessment report, shall be submitted to and approved in writing by the Council. The final noise assessment shall include a review of the manufacturers' noise data (including 1/3 octave band data) or measurements where data is unavailable. The final noise assessment shall include updated computer noise modelling to confirm predicted specific noise levels at

identified sensitive residential receptors and shall be assessed in line with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'. Noise mitigation measures shall be clearly identified and designed to ensure no adverse noise impact during the day or at night at nearby residential receptors.

Reason: Protection of residential amenity against adverse noise impact.

5. Prior to commencement of operation of phase A and phase B all plant and equipment and associated noise mitigation/abatement technology and enclosures installed within the hereby permitted development shall be in accordance with the details presented in the approved final noise assessment and be retained and maintained thereafter.

Reason: Protection of residential amenity against adverse noise impact.

6. Service collections from or deliveries to the hereby approved development are only permitted between the hours of 07:00hrs-23:00hrs Monday to Friday and between 09:00hrs- 23:00hrs on Saturdays and Sundays.

Reason: Protection of residential amenity against adverse noise impact.

7. Prior to commencement of development on site, including site clearance or site preparation, a Construction Environmental Management Plan (CEMP) produced by the appointed contractor with assessment input from an environmental consultant shall be submitted to the planning authority for review and approval in writing. The CEMP shall include measures to control noise, dust and vibration throughout the site preparation and development, demonstrating the use of site-specific 'best practicable means'. The CEMP shall demonstrate through technical assessment that the methods of construction works proposed that noise, dust and vibration will not have an adverse impact on nearby premises (including commercial premises).

The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites, parts 1 and 2: Noise and Vibration and to the IAQM (Institute of Air Quality Management) document 'Guidance on the assessment of dust from demolition and construction' version 2.1, and dated August 2023 and to the IAQM 'Guidance on Monitoring in the Vicinity of Demolition and Construction Sites', dated October 2018, version 1.1 .

Reason: Protection against adverse construction impacts.

8. The design of any proposed lighting scheme for the proposal shall be in accordance with guidance contained within the Institute of Lighting Professionals (ILP) 'Guidance for the Reduction of Obtrusive Light' Guidance Note GN01/21 (2021) available online at: <https://www.theilp.org.uk/resources/freeresources/ilp-guidance-notes>.

Reason: Protection of residential amenity from adverse light impact.

9. No development shall commence on Plots 6, 8 and 9, until a plot and development specific Remediation Strategy for each plot has been submitted to and agreed in writing by the Council. This Remediation Strategy should be in line with Environment Agency guidance, and must demonstrate how the pollutant linkages identified in the Ashfield Solutions Ltd report entitled 'Contaminated Land Risk Assessment, Kings Hall Primary Care Complex, Upper Lisburn Road, Belfast, Benmore Octopus Healthcare Developments (KH) Ltd' (dated 17/11/2017 and referenced 59716-S12),

are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

In particular, the Remediation Strategy must clearly detail:

- The remedial measures to be adopted in all gardens and/or soft landscaping areas of the site.
- The gas protection measures to be incorporated in all proposed buildings, commensurate with the Characteristic Situation 2 classification of the site (as defined by BS 8485:2015+A1:2019).

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

Reason: Protection of human health

10. Prior to the occupation/operation of Plots 6, 8 or 9, in order to demonstrate that the required remedial measures have been incorporated within the plot, a Verification Report shall be submitted to and agreed in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

11. No development of a particular phase shall commence until details of any combustion plant to be installed in that phase has been submitted to and agreed in writing by the Council. Combustion plant in the hereby permitted phased developments shall meet the technical specification as provided in ES Addendum Appendix 12.8 (published on the planning portal on 19 October 2020). Moreover, the flues to all proposed combustion plant must terminate above the roof level of the building for which that combustion plant serves and as per location as presented in Figure 12.6 in ES Addendum Appendix 12.6 (published on the planning portal on 19 October 2020). The development shall not be carried out unless in accordance with the approved details.

Reason: To protect against adverse impacts on air quality

12. No development shall commence on either Plots 06, 08 or 09 until specification details of the kitchen extraction and odour abatement systems proposed to be installed within any cafe/restaurant units for that plot have been submitted to and agreed in writing by the Council. The applicant is directed to the following guidance document for advice in determining a suitable fit-for-purpose system: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by the Department for Environment, Food and Rural Affairs (Defra); updated by EMAQ+ on 5/9/18. Each plot shall not be occupied until the approved kitchen extraction and odour abatement systems are in place in accordance with the approved details.

Reason: Protection of residential amenity.

13. The interim landscaping shall be carried out in accordance with the approved drawing No. 18 (received 15/10/24) – Interim Landscape Proposal Plot 9A prior to the occupation of Phase 9A and shall be retained until such times as work commences on the development of Phase 9B.

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

14. Notwithstanding the interim landscaping details, all permanent landscaping works shall be carried out in accordance with the approved details on drawing No. 05 (received 15/10/24) – Landscape Layout Plan. The works shall be carried out prior to the occupation of Phase 9B of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

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

Reason: In the interests of visual amenity.

16. Prior to commencement of development, all protective barriers (fencing) and ground protection shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging 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.

17. If roots are accidentally damaged the Council must be immediately notified in writing and given the opportunity to inspect the damage before it is covered over. The roots must be wrapped in wet hessian wrap until the arrival of an arborist or Council tree officers. Remedial works to roots/trees shall be submitted to and agreed in writing by the Council. The development shall not proceed unless in accordance with the approved details.

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

18. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires shall take place within the Root Protection Areas of the trees within the site and adjacent lands during the construction period.

Reason: To safeguard existing trees.

19. Each phase of the development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved details. The covered bicycle storage shall be retained in accordance with the approved details at all times.

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

20. Each of phase of the development shall not be occupied unless in accordance with the Service Management Plan Rev A.

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

Roads conditions to be added on receipt of consultation response.

DRAFT INFORMATIVES:

1. This decision notice should be read in conjunction with the decision notice for associated outline approval LA04/2020/0845/O dated 2nd December 2021 and its associated Section 76 planning agreement.
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.

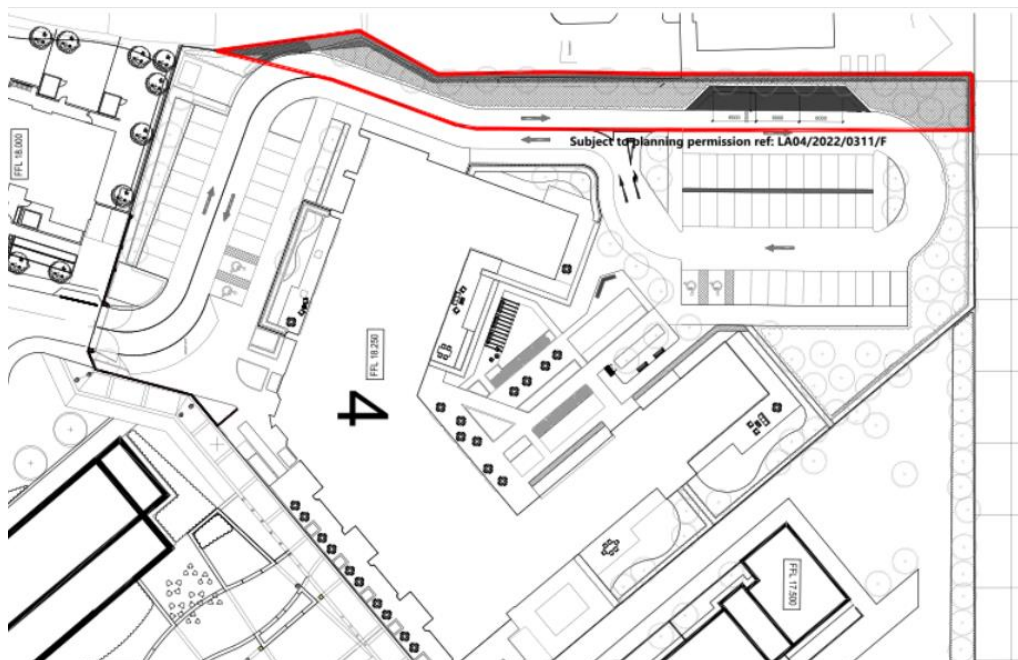
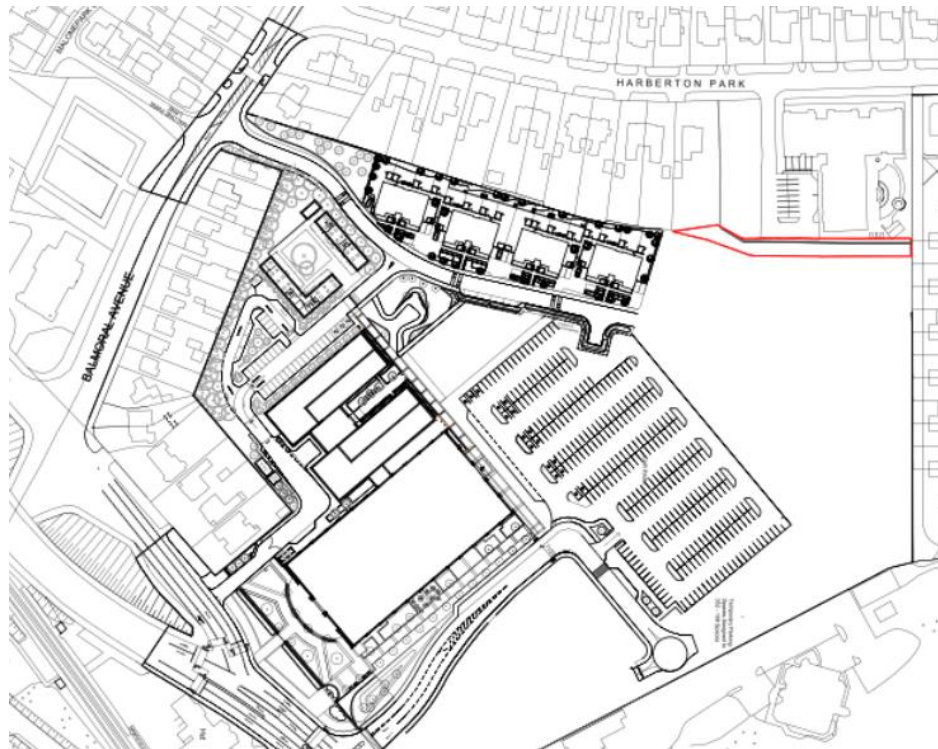
ANNEX	
Date Valid	15.10.24
Date First Advertised	18.11.24
Date Last Advertised	N/A

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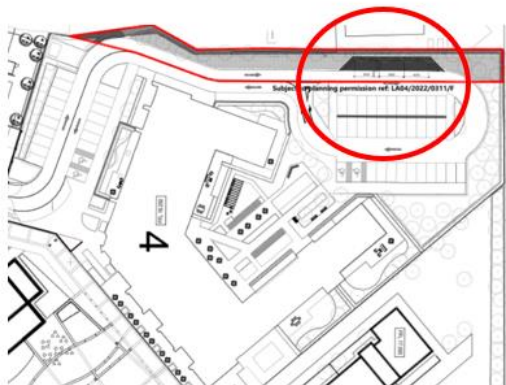
Committee Report

Development Management Report	
Application ID: LA04/2025/0399/F	Date of Committee: 17 th June 2025
Proposal: Additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development (planning permission ref: LA04/2022/0311/F)	Location: Lands at Plot 4 of Kings Hall Healthcare Village, west of 25 Harberton Park and north of 27 Harberton Crescent
Referral Route: The Committee previously agreed that any applications regarding the Kings Hall site would be considered by the Committee.	
Recommendation:	Approval
Applicant Name and Address: KH (Balmoral) Developments Ltd Crobane Enterprise Park 25 Hilltown Road Newry BT34 2LJ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
Date Valid: 3 rd April 2025	
Target Date: 17th July 2025	
Contact officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>Planning permission was granted in April 2023 for the erection of 40 no. residential units and 2 no. commercial units with associated car parking, cycle storage servicing, landscaping with access off Balmoral Avenue. (Ref: LA04/2022/0311/F).</p> <p>This application seeks approval for an additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development.</p> <p>The principle of development is established by the previous planning permission and only the proposal for the additional car parking spaces is considered in the assessment of this application.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the application is granted permission.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise conditions.</p>	

Site Location Plan and Proposed Site Layout



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks planning permission for an additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development (planning permission ref: LA04/2022/0311/F)
2.0	Description of Site
2.1	The site is part of the King's Hall complex and sits in the southern corner of the lands. Works are ongoing on the site in relation to a number of recent approvals. Plot 4 is currently under construction following approval ref LA04/2022/0311/F
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2022/0311/F - Erection of 40 no. residential units and 2 no. commercial units with associated car parking, cycle storage servicing, landscaping with access off Balmoral Avenue. Approved 28/04/2023.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and v2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Policy Tran 8 – Car parking and servicing arrangements. Policy TRE 1 – Trees
5.0	Statutory Consultees Responses DFI Roads – No objection
6.0	Non Statutory Consultees Responses None

7.0	Representations
7.1	The application was advertised on the 18th April 2025 and neighbour notified on the 8 th April 2025.
7.2	No objections were received.
9.0	Assessment
9.1	It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
9.2	Principle of development The principle of development has already been established through the previous approved application LA04/2022/0311/F. Therefore, Policy Tran 8 has already been complied with.
9.3	The additional 3 car parking spaces have been added to an area that was previously approved as landscaping. Further landscaping in the form of a deeper landscaping band has been proposed as shown on the proposed site plan when compared with the previous approval. Therefore, there has been no loss of landscaping in the form of open space, a condition is proposed to ensure this is complied with. The proposal complies with TRE1.
9.4	DFI Roads have considered the proposal and have offered no objections and no further conditions. The proposal complies with TRAN8
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Proposed site plan LA04/2022/0311/F</p>  </div> <div style="text-align: center;"> <p>Proposed site plan LA04/2025/0399/F</p>  </div> </div>
9.5	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the application is granted permission.
10.1	Delegated authority is sought for the Director of Planning and Building Control to finalise conditions.
11.0	Draft Conditions 1. The development hereby permitted must be begun within five years from the date of this permission.

	<p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. All hard and/or soft landscaping works 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.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>DRAFT INFORMATIVES:</p> <p>1. This decision notice should be read in conjunction with the decision notice for associated approval LA04/2022/0311/F.</p> <p>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.</p>
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ANNEX	
Date Valid	3 rd April 2025
Date First Advertised	18 th April 2025
Date Last Advertised	8 th April 2025
Date of Last Neighbour Notification	NA

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Committee Report

Development Management Report	
Application ID: LA04/2024/1036/F	Committee Date: 17 th June 2025
Proposal: Lagan Gateway Phase 2 – Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works	Location: Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA
Referral Route: Section 3.8.5 (c) of the Scheme of Delegation. Application made by the Council	
Recommendation: Approval subject to conditions and a satisfactory response from NIEA	
Applicant Name and Address: Ryan Riddell Belfast City Council 9 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Tony Sloan AECOM The Clarence West Building 2 Clarence Street West Belfast BT2 7GP
Date Valid: 10 th May 2024	
Target Date: 23 rd August 2024	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>The application relates to the Lagan Gateway Project which aims to enhance connectivity along the River Lagan. The Project has been broken down into two phases with phase 1 completed in 2022 approved under reference LA04/2016/0041/F. Phase 1 included a Link Bridge connecting Annadale Embankment and Lagan Meadows as well as a new boat lock at Stranmillis and a path linking Annadale embankment with Stranmillis.</p> <p>The site for phase 2 comprises of a section of land to the South of Phase 1 and will connect Lagan Meadows to Belvoir Forest Park. An associated certificate of Lawfulness application (LA04/2025/0083/CLOPUD) has been submitted to cover a section of the development to be completed under Permitted Development. The overall length of the proposed new Greenway will be approx. 1km. The greenway will consist of gravel paths, a timber boardwalk and associated landscaping and tree planting.</p> <p>The application follows Pre-Application Discussions with officers.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside • Layout, Scale, Massing and Design and Impact on the character and appearance of the area • Open Space • Impact on Natural Heritage 	

- Impact on the Archaeological Assets
- Flood Risk
- Climate change
- Proposed Access and Car Parking
- Community Infrastructure, and Health and Wellbeing

The site is located outside the development limits and within Lagan Valley Regional Park as designated within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).

The proposal is considered to enhance the area by improving connectivity to the existing greenway, and increasing the length of the greenway by approx. 1km. The proposal will include gravel paths, and elevated timber boardwalk and also provide additional landscaping and additional cycle stands.

The proposal is sympathetic to the rural character of the surrounding area and the proposed greenway will improve connectivity in the area and will contribute to enhancing the character of the area. The proposal is not considered to have significant impacts on the Lagan Valley Regional Park.

There is one outstanding consultation from NIEA. NIEA's Natural Environment Division requested further information which has been submitted and have been reconsulted. There was a significant delay in NIEA's initial response with the consultation issued on the 5th July 2024 and response not received until the 11th March 2025 despite a previous PAD. Given the time funding pressures associated with the application and the delays in the initial response from DAERA, delegated authority is requested to deal with the outstanding consultation provided it raises no substantive issues.

The application was neighbour notified and advertised in the local press, 3 letters of support and 3 letters of objection have been received. The matters raised in the letters of objection have been addressed in the main section of the report.

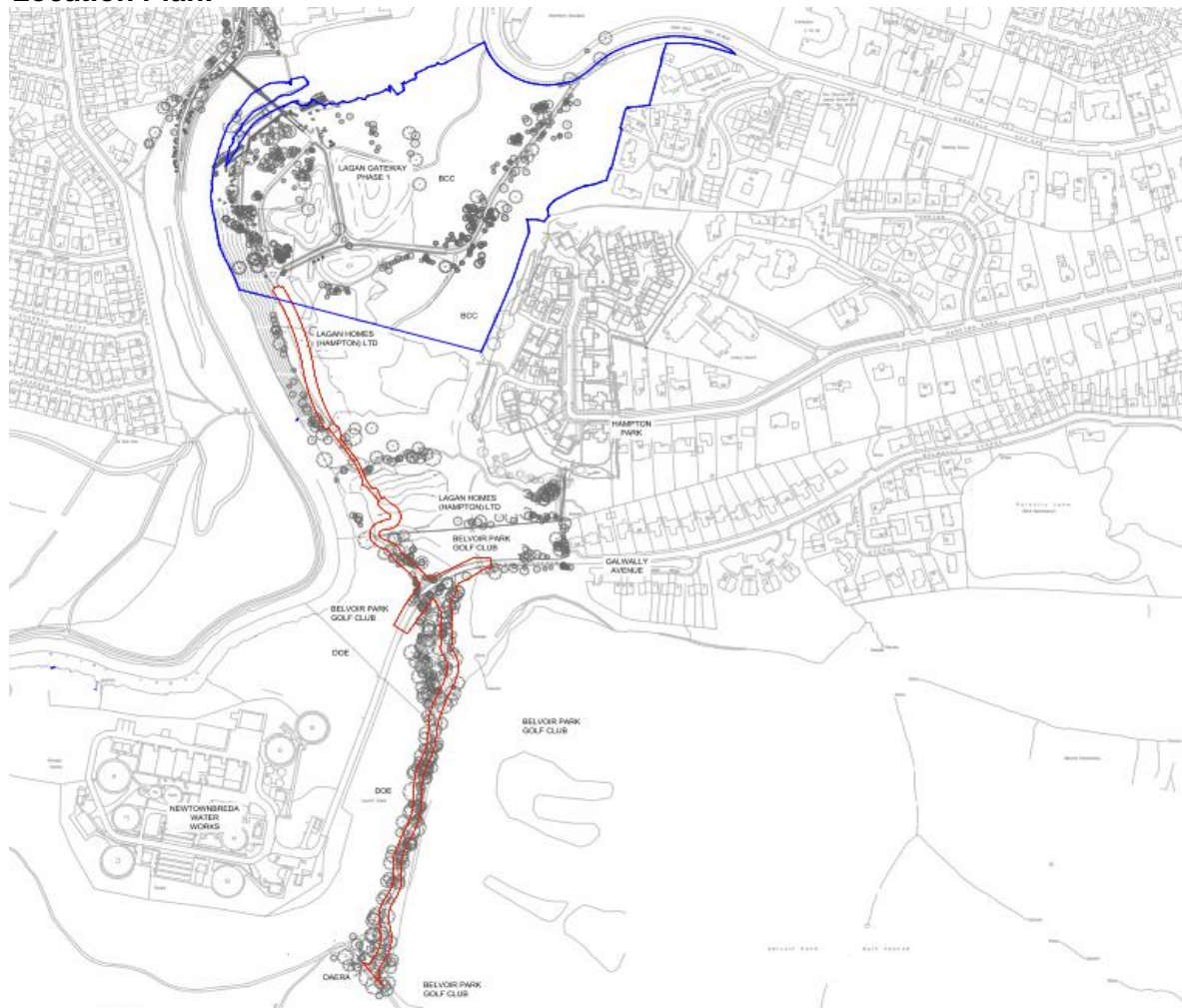
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

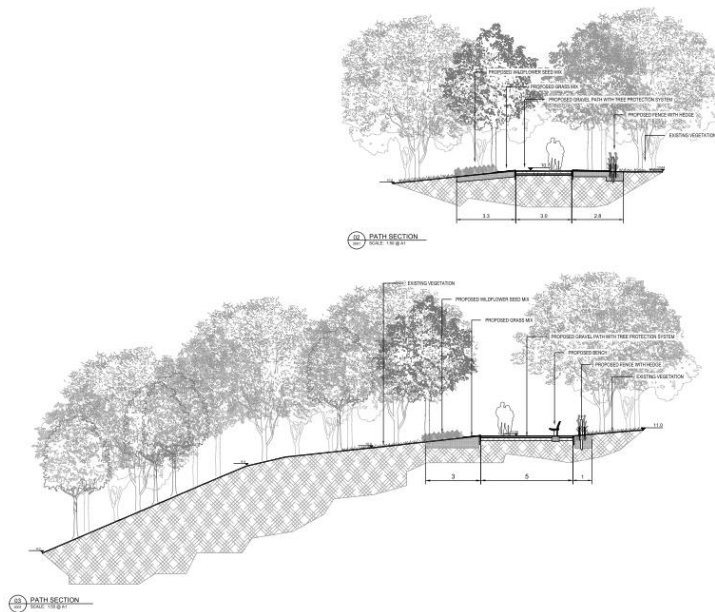
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding NIEA consultation response provided that no substantive matters are raised.

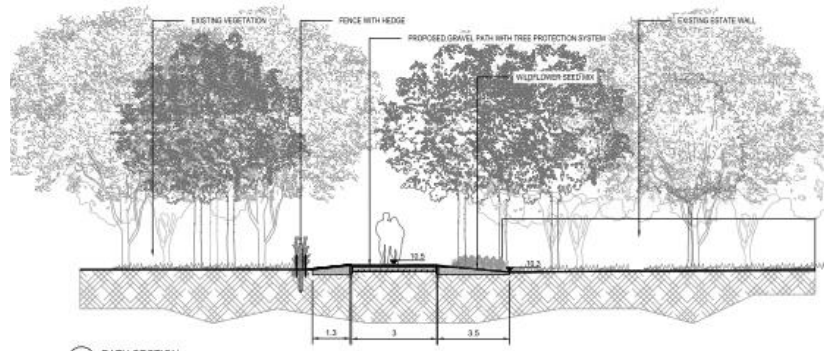
DRAWINGS AND IMAGERY

Site Location Plan:

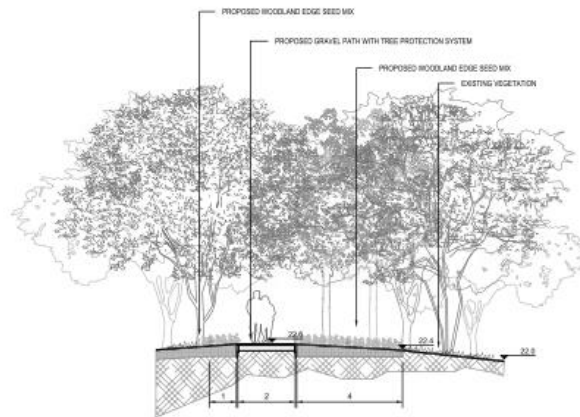


Path Sections:



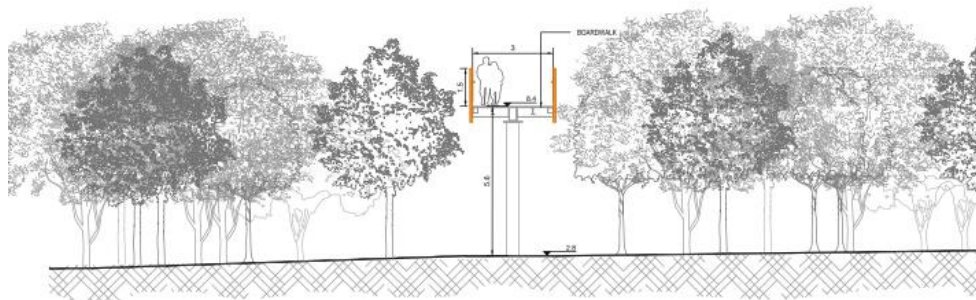


01 PATH SECTION
SCALE: 1:50 @ A1

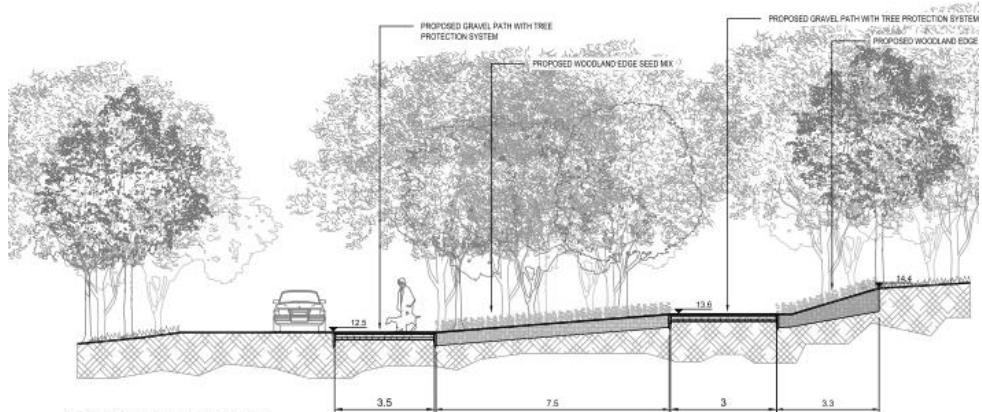


02 PATH SECTION
SCALE: 1:50 @ A1


Boardwalk Elevations:



01 BOARDWALK
SCALE: 1:50 @ A1



02 GALWALLY AVENUE JUNCTION
SCALE: 1:50 @ A1

	
1.0	Characteristics of the Site and Area
1.1	<p>The site is located along River Lagan on the Eastern side of the river. The site is primarily open space within an expanse of land between the Lagan Gateway Phase 1 project beginning at Annadale Embankment and Belvoir Forest Park. The side extends beyond the West of Galwally Avenue with the southern portion of the site running to the West of Belvoir Golf Club and East of Newtownbreda Water Works.</p> <p>The proposed development is located within a number of designated sites as per the most recent version of draft BMAP. These include the Lagan Valley Regional park, the Lagan Valley AONB and a Site of Local Nature Conservation Importance.</p>
1.2	Description of Proposed Development
1.3	<p>The application seeks full planning permission for a Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works</p>
1.4	<p>The application follows Pre-Application Discussions with officers.</p>

<p>2.0</p> <p>2.1</p> <p>2.2</p>	<p>RELEVANT PLANNING HISTORY</p> <ul style="list-style-type: none"> LA04/2016/0041/F - Site located at the weir at Stranmillis near Belfast Boat Club BT9 5FJ. Lagan gateway project includes: the provision of a new boat lock at Stranmillis to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis and paths to Belvoir Park. Works involve working in the river Lagan near an existing weir and fish pass and constructing a footbridge near a scheduled monument area. PERMISSION GRANTED LA04/2025/0083/CLOPUD - Lands to the east of the River Lagan and to the south of Lagan Gateway Phase 1, located approximately 150 m south west of 7 Mornington and 250m north west of 109 Galwally Ave, Belfast BT8 7AJ. Proposed 2 metre wide compacted gravel path with associated drainage and landscaping enhancements, to include planting of 37no. new trees along with grass, wildflower, and woodland seed planting UNDER CONSIDERATION
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>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 Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy BH5 – Archaeology Policy HC1 – Promoting Healthy Communities Policy CI1 – Community Infrastructure Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN 5 – New Transport Schemes Policy TRAN 6 – Access to Public Roads Policy TRAN8 – Car parking and servicing arrangements 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) Policy GB1 – Green and blue infrastructure network Policy OS1 – Protection of Open Space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources Policy DC1- All Countryside Proposals- General Policy Principles Policy DC13 – Other Development in the Countryside Policy LC1- Landscape</p>

	<p>Policy LC1A – AONB's</p> <p>Policy LC2 – Lagan Valley Regional Park</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design</p> <p>Sustainable Urban Drainage Systems</p> <p>Planning and Flood Risk</p>
3.2	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
3.3	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.4	<p>Other Material Considerations</p> <p><i>Belfast Agenda</i> (Community Plan)</p>
4.0	<p>CONSULTATIONS AND REPRESENTATIONS</p>
4.1	<p><u>Statutory Consultees</u></p> <p>Historic Environment Division – No objection subject to conditions</p> <p>DfI Roads – No objections</p> <p>NIEA – Initial response requested further information for Natural Environment Division. This information has been submitted and NIEA have been reconsulted.</p> <p>DFI Rivers- No objections subject to conditions</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>BCC Tree Officer- No objections</p> <p>Environmental Health – No objections subject to conditions</p> <p>Shared Environmental Services (SES) – No objections</p> <p>NI Water - No objections</p>
4.3	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified. A total of 3 letters of support and 3 letters of objection have been received. The letters of support referenced better connectivity in the area for cyclists and a safer environment for cycling.</p> <p>The objections raise concerns regarding; DfI Roads concerns relating to visibility splays, and surface finishes, land ownership issues, liability issues, health and safety concerns, anti-social behaviour, increase in vehicular traffic, administrative fairness.</p> <p>Following the receipt of amended drawings, showing the visibility splay at the junction with Galwally Avenue, DfI Roads are now content with the proposal in terms of road safety and surface finishes.</p> <p>Land ownership this is a civil matter that falls outside the remit of Planning. The applicant has completed Certificate C on the application form to serve notice on Belvoir Park Golf Club regarding the application. Further to this any potential liability issues fall outside the planning process remit.</p>

	<p>With regard to health and safety, DFI Roads are content with the proposal. The proposal is considered to provide a safe and accessible environment. Concern has been raised regarding health and safety in the surrounding area. This relates to health and safety issues that fall outside the red line of the application and again falls outside the remit of planning.</p> <p>Concerns regarding potential anti-social behaviour would be a matter for the PSNI. The design and layout of the proposal will provide a safe and accessible environment that is not considered to encourage anti-social behaviour in the area.</p> <p>Concerns regarding an increase in vehicular traffic to the area have been considered. DFI Roads are content with the proposal. It is not considered that the development will result in a significant increase in vehicular traffic to Galwally Avenue. Due to the nature of the proposal it is considered most users of the greenway will arrive as a pedestrian or bicycle.</p> <p>Another concern raised in the objection refers to the proposal not complying with Policy CI1 (Community Infrastructure) in that it is not suitable for all in terms of those with mobility impairment. Policy CI1 states that;</p> <p><i>Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of any proposals. All proposals shall ensure that there is no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements are provided for access for all, including for pedestrians, cyclists and public transport.</i></p> <p>The proposal is considered to meet this policy in that provides new community infrastructure whilst also linking to phase 1 of the Lagan gateway project and therefore improving the existing offering. The proposal is suitable for both pedestrians of all mobility, and cyclists. The proposal links to phase 1 which can be accessed via Annadale Embankment and therefore accessible by public transport.</p> <p>The objection references LTN1/20 in terms of gradients and how the proposal is not suitable for all. LTN 1/20 is a 'Local Transport Note' produced by DFI relating to cycle infrastructure. This is not planning policy or legislation therefore not a material consideration.</p> <p>Another issue raised was administrative fairness with regard to the proposed surface not being in accordance with LTN 1/20 whilst DFI Roads have insisted other cycle infrastructure complies with this guidance. DFI Roads are a statutory consultee and are content with the proposal regarding design and road safety.</p>
5.0	PLANNING ASSESSMENT
5.1	<p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside/ Lagan Valley Regional Park • Layout, Scale and Design and Impact on the character and appearance of the area • Open Space • Impact on Natural Heritage

	<ul style="list-style-type: none"> • Impact on the Archaeological Assets • Flood Risk • Climate change • Proposed Access and Car Parking • Community Infrastructure, and Health and Wellbeing
5.2	Development Plan Context
5.3	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.
5.4	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.
5.5	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.
5.6	<u>Operational Policies</u>
5.7	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.
5.8	<u>Proposals Maps</u>
5.9	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.
5.10	Belfast Urban Area Plan 2001 – the site is located within Lagan Valley Regional Park.
5.11	Belfast Metropolitan Area Plan 2015 (2004) – the site is located outside the development limits and within Lagan Valley Regional Park
5.12	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located outside the development limits and within Lagan Valley Regional Park
5.13	<p><u>Principle of Development in the Countryside/ Lagan Valley Regional Park</u></p> <p>Policy DC1 provides general policy principles for all countryside development and states that all proposals should be supported by a justification of rural locational need</p>

	and site-specific need and must demonstrate that there is no significant detrimental impact on rural amenity and environmental quality.
5.14	<p>The submitted Planning Statement provides the aims of the proposal which are below:</p> <ul style="list-style-type: none"> • Aims to release pressure from the existing Lagan Towpath, creating a new greenway connection from the foot and cycle bridge at Stranmillis into Belvoir Forest Park. • Users will be able to join back onto the towpath from Belvoir Park, resulting in a new circular route. • This new connection also helps close the existing gap for cyclists commuting along the route from Cairnshill Park and Ride, Beechill Road and Belvoir Road.
5.15	<p>Policy LC2 (Lagan Valley Regional Park) states Planning permission will only be granted for development proposals outside the settlement boundaries in the Lagan Valley Regional Park which meet each of the following criteria and all other policy requirements of the LDP</p> <ul style="list-style-type: none"> • They are for a use appropriate to the character of the park and to the locality. • They conserve or enhance the landscape quality and features of the LVRP • They are of a scale & design that integrates with the sensitive landscape of the Park.
5.16	<p>The proposals are to enhance the existing offering on the site by connecting with Belvoir Forest Park with Phase one of the Lagan Gateway project approved under LA04/2016/0041/F. Given the proposals are to enhance and lengthen the existing greenway and overall connectivity in the area, it is considered development within the countryside and LVRP in this instance is acceptable in principle provided there is no significant detrimental impact on rural amenity, environmental quality or loss or erosion of rural character. Each of these issues are assessed further in this report.</p>
5.17	<p><u>Layout, Scale and Design and Impact on the character and appearance of the area</u></p>
5.18	<p>The site is located within Lagan Valley Regional Park and Lagan Valley Area of Outstanding Natural Beauty, and is currently an area of woodland and a grassland field. The proposal is sensitively designed with a mixture of compacted gravel paths, an elevated timber board walk, additional landscaping and street furniture in the form of cycle stands, benches, and bollards. Due to the topography of the site the raised boardwalk is required to maintain the route and link two high points of the site and will be sited within a wooded area. A mixture of the existing and proposed landscaping ensures the development is located sensitively within the rural character of LVRP and will not have a significant adverse effect on the character of the park. It is of appropriate scale and high quality design with appropriate use of materials, the area of open space is enhanced and it will make a positive contribution to the parks recreational function thus complying with Policy LC2 (LVRP) and Policy OS1 (Protection of Open Space).</p>
5.19	<p>Policy LC2 refers to the need for all proposals to conserve or enhance the landscape quality and features of LVRP; and are of a scale & design that integrates with the sensitive landscape of the Park</p>
5.20	<p>The development will conserve and enhance the landscape quality due to improving connectivity, usability and recreational enjoyment of this section of LVRP. The proposal is sensitively sited and will increase connectivity and active travel in the surrounding area.</p>

	The proposed site layout integrates with the surrounding landscape within the wider site and utilises the natural features of the area to provide a safe and well-connected greenway that will not harm the rural character of the area.
5.21	The proposed signage, furniture, bollards and tactile paving will enhance the visitor experience and accessibility without harming the character of the rural area.
5.22	The proposal is compliant with Policy CI1 in that will improve the existing offering of community infrastructure by connecting Belvoir Forest Park and Phase 1 of the Lagan Gateway Project. The proposal is in an accessible location, whilst having no impact on neighbouring amenity or built heritage. Suitable arrangements are provided for access for all, including for pedestrians, cyclists and public transport.
5.23	The proposed site is located within an AONB. Policies LC1 (Landscape) and LC1A (AONB's), provide criteria to be met to ensure that proposals will not have a significant adverse impact on the landscape character. For the reasons previously stated it is considered that the proposal will protect and enhance the landscape and visual character by enhancing the connectivity and recreational value of the area and integrating the proposed board walk, gravel paths and associated street furniture sensitively within the site.
5.24	The proposals are considered to enhance the existing landscape and surrounding area, improving accessibility and improving the visitor experience.
5.25	<u>Impact on Natural Heritage</u>
5.26	The proposed site is in a highly sensitive location designated as Lagan Valley Regional Park. Policy NH1 states the Council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international heritage resources, including designated sites, protected species and other important interests of biodiversity and geodiversity.
5.27	The applicant has submitted a number of documents in order to support that the application will protect heritage resources including Tree Surveys/Protection Plans, a Habitats Regulation Assessment, Geo-technical and geo- environmental interpretive report, an Ecological appraisal, Habitat Regulations Assessment, Invasive Species Management Plan, Outline Construction Environmental Management Plan and an EIA Screening.
5.28	NIEA were consulted on the 5 th July 2024 on the submitted information and responded on the 11 th March 2025 requesting additional information including; <ul style="list-style-type: none"> • Details of the appointment of an Ecological Clerk of Works • A bat roost survey for all mature trees • An updated badger survey and otter survey • Updated tree constraints plan • Clarification on Tree Protection Order trees • An amended Construction Environmental Management Plan • An amended Invasive Species Management Plan. • A light plan if lighting is proposed.
5.29	The additional information has been submitted and is now under consideration by NIEA. Due to funding pressures a decision is required prior to the next Committee meeting that will be held in August 2025. Given the delay in NIEA's response the application is

	being presented to committee members and delegated authority is sought to deal with the further outstanding NIEA response. Given the information requested has been provided officers are satisfied that Policy NH1 can be adhered to and that the proposal will protect on site habitats, species, ecosystems and networks. However delegated authority is requested to deal with any matters arising from the final NIEA response so long as they are not substantive.
5.30	A Habitats Regulations Assessment has been carried out by the applicant that concludes that the possibility of likely significant water quality and habitat deterioration effects can be discounted for Belfast Lough SPA, Belfast Lough Ramsar Site, East Coast Marine Proposed SPA and the Maidens SAC without further evaluation and analysis. HRA report identifies and recommends mitigation measures including an Outline Construction Environmental Management Plan (oCEMP) and an Invasive Species Management Plan (ISMP), both of which have been submitted with the application. Shared Environmental Services were consulted on the proposal, and specifically the Habitats Regulations Assessment and offered no objection.
5.31	In regards to trees on the site overall there will be a net gain as required by Policy TRE1. Trees felled as a result of the proposed development will be mitigated through the provision of a significant net gain for tree planting, native hedging, woodland seed, and wildflower planting across the application site. This is considered to greatly improve the biodiversity and amenity quality on the site. BCC Tree Officer was consulted and offered no objections with conditions. The proposal is considered compliant with Policy TRE1.
5.32	<u>Impact on the Archaeological Assets</u>
5.33	Policy BH5 states that the Council will seek to conserve and protect and where possible enhance archaeological assets.
5.34	An Archaeological Impact Assessment was submitted with the application. DfC Historic Environment Division were consulted and had no objections to the proposal subject to a number of conditions including the submission of a programme of works to ensure that any archaeological remains within the application site are properly identified, and protected or appropriately recorded.
5.35	The proposal therefore satisfies Policy BH5.
5.36	<u>Flood Risk and Proposed Drainage</u>
5.37	The proposal includes a Flood Risk Assessment and DFI Rivers were consulted. The Flood Maps (NI) indicates that a portion of the site lies within the 1 in 100 year climate change fluvial flood plain.
5.38	Within the Planning and Flood Risk Supplementary Planning Guidance Table1 details a list of exceptions as to when development within an undefended flood plain may acceptable. Exception 'U4' refers to the use of land for sport and outdoor recreation, amenity open space or for nature conservation purposes. The proposed development is considered to provide an amenity for open space therefore meets the above criteria.
5.39	DFI Rivers acknowledge the submitted Flood Risk Assessment and have no reason to disagree with its findings.
5.40	Water Management Unit within NIEA have been consulted and offer no objection to the proposal.

5.41	<u>Transport, Access and Road Safety</u>
5.42	The proposal meets the criteria of TRAN1 (Active Travel) and TRAN2 (Creating an accessible Environment) in that it provides a safe and convenient walking and cycle route with cycle parking whilst also providing a safe, accessible and convenient walking and cycle links. The proposal also provides tactile paving and prioritises pedestrians in its design. The proposal is in accordance with HC1 in that it is supporting active travel options, improving accessibility, reducing the use of private car travel, provides adequate provision of public open space, leisure and recreation facilities.
5.43	The proposal involves a crossing at Galwally Avenue. DFI Roads were consulted and raised concerns regarding visibility splays from this crossing. Following amended drawings and additional information DFI Roads are now content with the proposal subject to conditions relating to visibility splays, hard surfacing and cycle provision on the site.
5.44	The proposal by way of design, siting and layout as well as the proposed access in terms of road safety is considered to comply with Policies TRAN1, TRAN 2, TRAN5, TRAN 6, TRAN8.
5.45	<u>Climate change</u>
5.46	Policy ENV2 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. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.47	The proposal complies with policy ENV 2 in that the development will encourage active modes of transport, therefore reducing Greenhouse Gas emissions. The development seeks to improve connectivity in the area and provide a safe and accessible environment to encourage more active travel and less reliance on the private car. Associated landscaping, including wild meadows, hedging and additional trees provided within the overall development will maximise the use of sustainable design features.
5.48	The proposal enhances the green and blue infrastructure network within the city, whilst also enhancing the biodiversity offering and SUD's in the surrounding area through additional planting of wildflowers and woodland seed. This ensures the proposal is compliant with Policy ENV 3.
5.49	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The site is located within an existing wooded area and grassland field therefore there is considered to be significant SUD's in the surrounding area. Additional SUD's will be provided in the form additional tree planting and wildflower planting. The slatted timber boardwalk will ensure there will be no significant surface water runoff from the development. Any small potential runoff will aid the biodiversity and nature conservation in the surrounding area.
5.50	The proposal therefore complies with Policies ENV2, ENV3 and ENV5.

5.51	<p><u>Community Infrastructure and Health and Wellbeing</u></p> <p>Policy CI1 states planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations subject to consideration of nature and location of the proposal.</p>
5.52	<p>The proposal is compliant with Policy CI1 in that it will improve the existing offering of community infrastructure by connecting Belvoir Forest Park and Phase 1 of the Lagan Gateway Project. The proposal is in an accessible location in that it is located within Lagan Valley Regional Park, whilst having no impact on neighbouring amenity or built heritage. Suitable arrangements are provided for access for all, including for pedestrians, cyclists and public transport.</p>
5.53	<p>The improved community infrastructure in the form of a community greenway will improve the health and wellbeing of the local residents and those in the surrounding areas, therefore complying with the following policies.</p>
5.54	<p>The improved community infrastructure will encourage active travel in line with policy TRAN1. The development makes an overall positive contribution and enhances the area of open space and ensures it is a more usable connected space. This complies with both policy GB1 and OS1.</p>
5.55	<p>The net gain of trees and additional landscaping on the site will improve the visual amenity offering of the site and in turn improves the biodiversity quality of the area. This in turn improves the health and wellbeing of surrounding residents and complies with Policy HC1</p>
5.56	<p><u>Environmental Impact Assessment</u></p> <p>The proposed development falls within Category 10(b) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 and therefore the Council is required under Regulation 12(1) to make a determination as to whether the proposal is EIA development. The Planning Service has determined that the proposal is unlikely to have any significant environmental effects in the context of the regulations and is not EIA development. Therefore, the application does not require to be accompanied by an Environmental Statement.</p>
6.0	<p>Recommendation</p>
6.1	<p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p>
6.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding NIEA consultation response provided that no substantive matters are raised.</p>
7.0	<p>DRAFT CONDITIONS</p>
7.1	<p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
7.2	<p>2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast</p>

	<p>City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <p>The identification and evaluation of archaeological remains within the site; Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and Preparation of the digital, documentary and material archive for deposition.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>7.3 3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 2.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>7.4 4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 2. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p> <p>7.5 5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.</p> <p>In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a 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 and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
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7.6	<p>6. Prior to commencement of the hereby approved development, including site clearance or site preparation, a Final Construction Environmental Management Plan (FCEMP) shall be produced by the appointed contractor and be submitted to the planning authority for review and approval in writing. The CEMP shall include measures to control noise, dust and vibration during the construction phase, demonstrating the use of 'best practicable means' (BPM). The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for construction hours of work, noise and vibration control measures on construction and open sites, and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 12.1', dated August 2023. The Final CEMP shall include arrangements for communication and liaison with nearby sensitive receptors throughout the construction phase.</p> <p>Reason: Protection against adverse impact on amenity during construction.</p>
7.7	<p>7. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan.</p> <p>Reason: To ensure that adequate provision has been made for pedestrian circulation within the site.</p>
7.8	<p>8. The pedestrian access, including visibility splays, shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users</p>
7.9	<p>9. The development shall not be occupied until secure cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
7.10	<p>10. All soft landscaping works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
7.11	<p>11. Details specified within the submitted Tree Survey Report – Andy Boe – date 4th May 2023 and proposed site plan submitted in support of the application shall be adhered to in full, subject to site supervision as specified within the report, by a suitably qualified tree specialist.</p>

7.12	<p>Reason: Required to safeguard and enhance the character and amenity of the streetscape and to avoid any irreversible damage to retained trees.</p> <p>12. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.</p>
7.13	<p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p>
7.14	<p>Reason: To avoid compaction within the RPA.</p> <p>NIEA Conditions to be included.</p>
7.15	<p>INFORMATIVES</p> <p>Compliance with planning permission 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.</p> <p>Discharge of condition(s) 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.</p> <p>Non-planning requirements The grant of planning permission does not dispense with the need to obtain licenses, 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. consents or permissions under other legislation or protocols.</p> <p>Protected Species The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:</p> <ol style="list-style-type: none"> Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;

	<ul style="list-style-type: none"> b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. <p>If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.</p>
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By virtue of paragraph(s) 6 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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