

Public Document Pack

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



**Belfast
City Council**

15th April 2020

PLANNING COMMITTEE

Dear Alderman/Councillor,

The following is a list of reports with recommendations which were due to be considered by the above-named Committee on Tuesday, 21st April, 2020.

A table of Recommendations to the Committee will be sent separately, by email, and this should be completed by each Member of the Committee and returned by the deadline indicated in the email.

In accordance with the authority delegated to her by the Council on 16th March, 2020, and the procedure issued for the transaction of business, the Chief Executive will consider the Committee Members' responses and, in line with the call-in process, issue the decision register within 2 working days of the closing date for responses.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Letter from Planning Appeals Commission on Coronavirus (COVID-19) Approach** (Pages 1 - 2)
2. **Planning Decisions Issued** (Pages 3 - 18)
3. **Planning Applications**
 - (a) LA04/2019/0517/F - Residential development comprising 154 units and ground floor retail unit at El Divino Nightclub and car park and adjacent open space, Mays Meadow (Pages 19 - 42)
 - (b) LA04/2019/1475/F - Construction of 8 Pairs of semi-detached dwellings (16 units in total) for social housing on lands south west of 22 Old Park Terrace (Pages 43 - 56)

- (c) LA04/2017/1991/F - 5 storey office development for science and I.T. based business and associated car parking and public realm works Land adjacent to Concourse Buildings Queens Road (Pages 57 - 72)
- (d) LA04/2019/2215/F - Boundary fencing to rear of property, retrospective construction of a raised paved patio and raised levels to form grass patio with associated access steps and retaining walls at 14 Malone View Road (Pages 73 - 80)
- (e) LA04/2019/2358/F - 65m x 3m high fencing along the western boundary and 95m x 3m high fencing along the northern boundary, new access gates at Glenbryn Play Park (*BCC Application*) (Pages 81 - 88)
- (f) LA04/2020/0170/LBC - Reinstatement of historic railing at Central Steps, Belfast City Cemetery, Falls Road (*BCC Application*) (Pages 89 - 94)
- (g) LA04/2020/0586/F - Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation at Winecellar Entry (*BCC Application*) (Pages 95 - 100)
- (h) LA04/2020/0218/F - Upgrade works to park entrance from Glenburn Road; including road widening, new visibility splays, new entrance walls and gates, tree planting, new pedestrian path and minor regrading of grass slopes at Fullerton Park Dunmurry (*BCC Application*) (Pages 101 - 106)



CORONAVIRUS (COVID-19) PACWAC APPROACH 24 March 2020

PACWAC is very aware of the important public service that we provide but in dealing with this unprecedented situation in line with government advice our office will be closed effective from 9am on 24 March 2020.

All arrangements for submission of evidence and proceedings are suspended. Once our offices are open we will be in contact to make alternative arrangements.

Appellants are reminded of the statutory time limits for the submission of appeals. We have no power to extend the time limits. All new appeal submissions can continue to be made electronically through our website www.pacni.gov.uk.

Thank you for your co-operation.

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Decision issued between 3 March and 10 April 2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2017/2689/LBC	Scottish Mutual Building 15-16 Donegall Sq South & 2-14 Bedford Street Belfast BT1 5JG	Conversion of existing building to 63 bed hotel and all associated works.	PERMISSION GRANTED	12/03/2020
LA04/2017/2745/F	Scottish Mutual Building 15-16 Donegall Square South and 2-14 Bedford Street Belfast BT1 5JG	Conversion of building to create 63 No. bed hotel with ancillary function space, bars and restaurants, including all associated works. Single storey rear extension	PERMISSION GRANTED	12/03/2020
LA04/2019/0913/LBC	11-13 College Square East Belfast BT1 6DD.	Proposed refurbishment and alterations to office building to provide 6 No. guest house apartments (3no. 2bed) (3 No. 1 bed)	PERMISSION GRANTED	18/03/2020
LA04/2019/1111/F	11-13 College Square East Belfast BT1 6DD.	Proposed refurbishment and alterations to office building to provide 6 No. guest house apartments (3no. 2bed) (3 No. 1 bed)	PERMISSION GRANTED	18/03/2020
LA04/2019/1522/F	29 Casaeldona Park Belfast BT6 9RB	Part two storey and single storey rear extensions (amended drawings)	PERMISSION GRANTED	03/03/2020
LA04/2019/1763/F	O'Donnell's GAC 43 Whiterock Road Belfast BT12 7PF.	Beer garden for existing clubhouse with acoustic fence panels.	PERMISSION GRANTED	03/03/2020
LA04/2019/1925/DCA	College Hall Stranmillis University College Stranmillis Road Belfast BT9 5DY.	Demolition of College Hall building in the Stranmillis University College campus and demolished area returned to grass/lawn.	PERMISSION GRANTED	13/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/1929/F	Lands adjacent to the Whiterock Road and located at the City Cemetery exit point. Site boundary adjacent to an existing derelict stone building.	Temporary re-location of existing Belfast City Council's City Cemetery Service Yard consisting of a new reinforced concrete slab, 5No. new steel storage containers, modular welfare facility, 3m perimeter fence and lighting and CCTV columns. Gates to vehicular and pedestrian access points. (Amended description)	PERMISSION GRANTED	13/03/2020
LA04/2019/1945/F	4a Newforge Lane Belfast BT9 5NU.	Variation of condition 2 (hard surfaced areas) of Z/2012/0770/F to allow for change from gravel driveways to tarmac driveways	PERMISSION GRANTED	19/03/2020
LA04/2019/1994/F	4 Whitewell Road Belfast BT36 7ES.	Proposal is to add an additional 2nd floor area on the existing footprint to create additional office and storage space.	PERMISSION GRANTED	04/03/2020
LA04/2019/2107/O	Adjacent to and south of 4 Kensington Park Belfast BT5 6NR.	Proposed site for dwelling	PERMISSION GRANTED	04/03/2020
LA04/2019/2108/F	45 Newforge Lane Belfast	Erection of 5 apartments - retrospective application for changes to previously approved apartment scheme Z/2014/0986/F including revised bin/cycle store arrangements, elevation and roof profile alterations (AMENDED DESCRIPTION, AMENDED PLANS)	PERMISSION GRANTED	16/03/2020
LA04/2019/2191/LBC	West Belfast Orange Hall Shankill Road Belfast BT13.	Minor restorative works including new external lighting, re-pointing of brickwork, cleaning of facades re-painting and cleaning of gutters.	PERMISSION GRANTED	03/03/2020
LA04/2019/2192/F	Queens PEC Stranmillis Gardens Belfast BT9 5EX.	Installation of a combined heat and power unit (CHP).	PERMISSION GRANTED	04/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2306/F	Lands adjacent to and north and east of 105 Hopewell Crescent north of 50-74 Hopewell Crescent west of 1-21 Hopewell Square and south of Hopewell Avenue.	Erection of a mix 46 No. social and affordable dwellings. Mix to comprise 28No, 3 person, 2 bed houses, 2 No. 3 person complex needs houses, 8 No. 5 person, 3 bed houses and 8 No. 2 person 1 bed apartments, along with associated open amenity spaces and parking. (Amended Description)	PERMISSION GRANTED	16/03/2020
LA04/2019/2333/LBC	Lands adjacent to the Whiterock Road and located at the city Cemetery exit point. Site boundary adjacent to an existing derelict stone building.	Alterations to an existing stone wall by creating a new pedestrian access point to the proposed site and the widening of an existing access point as per Planning drawings	PERMISSION GRANTED	13/03/2020
LA04/2019/2382/F	Land adjacent to and south of 28 Townsend Street Belfast BT13 2ES	Parking area immediately adjacent to the drop-in centre for transfer of service users to the centre.	PERMISSION GRANTED	12/03/2020
LA04/2019/2385/F	Norwich Union House (1-7 Fountain Street) IPHIX (46 Castle Street) Pound Stretcher (56 Castle Street) Belfast.	Installation of 7 projector units to create an interactive lighting installation along ground floor facades (Temporary 2 years).	PERMISSION GRANTED	09/03/2020
LA04/2019/2386/F	Discount store (77 Castle Street) Kids store (79-81 Castle Street) Castle Hoarding (83-87 Castle Street) castle Rugs (89 Castle Street) Castle Home Trends (103-105 Castle Street) Old Oven Bakery (90 Castle Street) Belfast.	Installation of 8 projector units to create an interactive lighting installation along ground floor facades (Temporary 2 years).	PERMISSION GRANTED	09/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2436/LBC	43-47 University Road Belfast BT7 1ND	Planning application to regularise existing planning approval LA04/2017/2463/f and la04/2017/2371/LBC to provide ground floor alterations and refurbishment to amalgamate two cafe units into one and refurbishment and change of use on first floor and second floors to create four one bedroom apartments	PERMISSION GRANTED	04/03/2020
LA04/2019/2437/F	43-47 University Road Belfast BT7 1ND	Planning application to regularise existing approval LA04/2017/2463/f and La04/2017/2371/LBC to provide ground floor alterations and refurbishment to amalgamate two cafe units into one and refurbishment and change of use on first floor and second floors to create four one bedroom apartments.	PERMISSION GRANTED	04/03/2020
LA04/2019/2492/F	11 Osborne Park Belfast BT9 6JN.	Single storey rear extension to dwelling and the incorporation of vehicular to roadside boundary.	PERMISSION GRANTED	16/03/2020
LA04/2019/2493/DCA	11 Osborne Park Belfast BT9 6JN.	Demolition of existing single storey rear extension, to enable a new single storey rear extension to be constructed, and associated works.	PERMISSION GRANTED	16/03/2020
LA04/2019/2617/F	2 Kingsland Park Belfast BT5 7FP	Two storey extension to side, single storey extension to rear. Retrospective permission for existing painted wall and fence to property boundary. Painted wall and fence to property boundary.	PERMISSION GRANTED	19/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2624/DC	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen community allotments and opposite No's 27-29 Colin Glen Road Belfast BT17 0HW.	Discharge of conditions no's 6 and 7 of LA04/2018/2784/F (Ecological Management Plan)	CONDITION DISCHARGED	13/03/2020
LA04/2019/2628/DCA	21a Cyprus Avenue Belfast BT5 5NT	Demolition of existing garage, carport, porch and roof to dwelling	PERMISSION GRANTED	18/03/2020
LA04/2019/2632/F	Site directly opposite Kelly's Cellars Public House 30-32 Bank Street in Bank Square Belfast BT1 1HL.	Free standing demountable aluminium frame to take 10no. retractable canvas awnings & 8no. planter boxes (amended description)	PERMISSION GRANTED	04/03/2020
LA04/2019/2637/F	1-5 Lower Garfield Street Belfast.	Second floor porch extension; roof terrace (retrospective); replacement alley gateway; external restoration works including relocation of condenser units.	PERMISSION GRANTED	09/03/2020
LA04/2019/2639/DCA	1-5 Lower Garfield Street Belfast BT1.	Removal of existing painted palisade gateway across alleyway, to be replaced by 2no. gates, steel framed with timber infill panels.	PERMISSION GRANTED	09/03/2020
LA04/2019/2651/F	21a Cyprus Avenue Belfast BT5 5NT	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.	PERMISSION GRANTED	18/03/2020
LA04/2019/2662/DC	12 Upper Crescent Belfast BT7 1NT.	Discharge of condition No.3 of LA04/2019/0929/F LA04/2019/0930/LBC	CONDITION DISCHARGED	05/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2663/DC	11 Upper Crescent Belfast BT7 1NT	Discharge of condition no.3 of LA04/2019/0898/F LA04/2019/1107/LBC	CONDITION DISCHARGED	05/03/2020
LA04/2019/2697/A	45-47 University Road Belfast BT7 1ND.	Shop sign	PERMISSION GRANTED	03/03/2020
LA04/2019/2731/F	Musgrave Park Hospital Land Adjacent Stockmans Lane Belfast BT9 7JB.	New electrical HV/LV building/ substation.	PERMISSION GRANTED	05/03/2020
LA04/2019/2746/F	Moscow Road 105 Airport Road West Belfast BT3 9ED.	Existing unit will be re-roofed and re-clad. The small existing single storey sheds at either end are to be demolished. Existing canopy at front to be re-roofed and extended.	PERMISSION GRANTED	06/03/2020
LA04/2019/2749/F	308 Upper Newtownards Road Belfast BT4 3EX.	variation of condition 6 of LA04/2018/0295/F to allow ground floor restaurant to open until 12 midnight instead of 11 pm.	PERMISSION GRANTED	06/03/2020
LA04/2019/2768/F	2 Adelaide Chase Belfast	Two storey side extension including rear dormer, and single storey rear extension	PERMISSION GRANTED	13/03/2020
LA04/2019/2782/F	9 Ulsterdale Street Belfast BT5 5BT	Change of use to House of Multiple Occupation (HMO)	PERMISSION REFUSED	16/03/2020
LA04/2019/2786/F	43 Templemore Avenue Belfast BT5 4FP	Change of use from Residential to Short Term Stay/Holiday Let Accommodation (retrospective).	PERMISSION GRANTED	06/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2792/F	141B Snugville Street Town parks Belfast BT13 1NF	Retrospective change of use of existing dwelling house to a holiday let.	PERMISSION GRANTED	06/03/2020
LA04/2019/2796/A	Molly Wards Close to the lagan weir Lagan Towpath Belfast.	A totem style panel with local area information map.	PERMISSION GRANTED	18/03/2020
LA04/2019/2797/A	Lock 3 McLeave's Lock Belfast.	A side panel to be attached to existing gate post. To support the Lagan Navigation Augmented Reality App.	PERMISSION GRANTED	19/03/2020
LA04/2019/2800/A	Lock 2 Mickey Taylor's Lock Lagan Navigation Belfast.	A single panel to be attached to an existing panel frame. To support the Lagan Navigation Augmented Reality App.	PERMISSION GRANTED	18/03/2020
LA04/2019/2801/A	Lock 4 Rosie's Lock Lagan Navigation Belfast.	A single panel to be attached to an existing panel frame. To support the Lagan Navigation Augmented Reality App. App includes features such as experiences close as AR experiences close to Lagan Weir, audio, stories and an iSpy game.	PERMISSION GRANTED	18/03/2020
LA04/2019/2806/F	56 Hesketh Park Ballysillan Lower Belfast Bt14 7JS	Retrospective change of use of existing dwelling house to a holiday let.	PERMISSION GRANTED	06/03/2020
LA04/2019/2825/DC	2 Derryvolgie Avenue Belfast BT9 6FL.	Discharge of condition no. 7 of LA04/2018/0836/F	CONDITION NOT DISCHARGED	10/03/2020
LA04/2019/2829/F	21 University Street Belfast BT7 1FY	Change of use from offices to single dwelling house and elevation changes	PERMISSION GRANTED	09/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2843/F	324 Donegall Road Belfast BT12 6FR	Re-order of existing disabled access with new ramp and steps to front area of Church. New disabled toilet within church building.	PERMISSION GRANTED	13/03/2020
LA04/2019/2847/F	1A Carlisle Circus & 2-4 Antrim Road Belfast BT15 2AA.	Change of use of 3no. upper floors of the existing building from office space to 3No. apartments. Also single storey extension to the rear of the ground floor retail unit.	PERMISSION GRANTED	05/03/2020
LA04/2019/2850/F	Bombardier Wing Manufacturing and assembly Facility Airport Road West Belfast BT3 9ED.	Extensions to existing aerospace manufacturing facility and associated site works to include internal access road , replacement car parking, drainage and existing access onto Heron Road.	PERMISSION GRANTED	20/03/2020
LA04/2019/2851/LDE	23 Cameron Street Belfast.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	10/03/2020
LA04/2019/2859/F	36 Waterloo Gardens Belfast BT15 4EY.	2 storey rear extension with associated elevational changes.	PERMISSION GRANTED	03/03/2020
LA04/2019/2865/F	Land adjacent to Queens University Belfast Playing Fields Dub Lane Upper Malone Road Belfast.	Construction of 1 detached dwelling (Change of house type to approved LA04/2018/1405/F) with associated car parking, landscaping and new vehicular access.	PERMISSION GRANTED	13/03/2020
LA04/2019/2871/F	Lands at Rosepark House Upper Newtownards Road Belfast BT4 3NR.	Variation of conditions 12 & 15 of approval LA04/2017/0235/F. Variation of condition 12 to include reference to submitted drainage assessment report and variation of condition 15 to provide noise verification report prior to occupation of each phase of development.	PERMISSION GRANTED	19/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2877/F	45 University Street Belfast BT7 1FY.	Extension and change of use of existing building to create three self-contained apartments.	PERMISSION GRANTED	06/03/2020
LA04/2019/2884/F	682 Antrim Road Belfast BT15 5GP.	Two storey rear extension and new roof structure, including 2 dormers on front elevation and alterations to front porch	PERMISSION GRANTED	13/03/2020
LA04/2019/2888/DCA	2 Adelaide Chase Belfast.	Demolition of part of ground floor side and rear elevation external walls to facilitate domestic extension to side and rear.	PERMISSION GRANTED	13/03/2020
LA04/2019/2914/F	Lands to rear of 7-9 Aghery Walk Belfast Dunmurry BT17 0QH	Proposed foul pumping station with associated landscaping in connection with application LA04/2018/2726/F (housing)	PERMISSION GRANTED	23/03/2020
LA04/2019/2934/DCA	21 University Street Belfast BT7 1FY	Minor demolition to include 2no. internal walls and sections of external rear yard wall to facilitate change of use to dwelling house	PERMISSION GRANTED	09/03/2020
LA04/2019/2941/NMC	52 Redcar Street Belfast BT6 9BP	NMC 1 - External Cleaner's Store added to the rear of the building NMC 1 - Projection on the zinc bay roofs omitted NMC 1 - Aluminium triple glazed windows changed to uPVC double glazed.	NON MATERIAL CHANGE REFUSED	03/03/2020
LA04/2019/2965/DC	Lands located to the south of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast BT4.	Discharge of condition no. 9 of Z/2014/0260/F	CONDITION DISCHARGED	10/03/2020
LA04/2019/2978/F	24 Cadogan Park Belfast BT9 6HH.	Demolition of existing conservatory and replacement with new conservatory and minor internal renovations.	PERMISSION GRANTED	11/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2019/2988/F	13-17 Amelia Street Belfast BT2 7GS	Change of use from Office space to Restaurant	PERMISSION GRANTED	19/03/2020
LA04/2019/3004/DC	48-52 York Street Belfast BT15 1AS	Discharge of Condition no's 5 & 9 - LA04/2016/1213/RM	CONDITION NOT DISCHARGED	18/03/2020
LA04/2019/3005/LBC	53-59 Camden Street Belfast BT9 6AT	Redecoration to front and gable facades	PERMISSION GRANTED	04/03/2020
LA04/2019/3009/F	7 Rugby Road Belfast BT7 1PS	2 storey rear extension to Community building - to extend existing prayer room and meeting room.	PERMISSION GRANTED	04/03/2020
LA04/2020/0002/DCA	24 Cadogan Park Belfast BT9 6HH	Demolition of existing conservatory	PERMISSION GRANTED	11/03/2020
LA04/2020/0019/LDE	137A Stranmillis Road Belfast BT9 5AJ	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0032/LDE	1 Palestine street Belfast BT7 1QJ	House in Multiple occupancy (HMO)	PERMITTED DEVELOPMENT	11/03/2020
LA04/2020/0056/F	300 Lagmore Meadows Belfast BT17 0XA.	Two storey side extension.	PERMISSION GRANTED	13/03/2020
LA04/2020/0057/F	5 Norwood Park Belfast BT4 2DY.	2 No. bay window extensions to front elevation and single storey rear extension.	PERMISSION GRANTED	13/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2020/0059/F	13 Glenview Heights Belfast BT5 7NE.	Single storey rear extension with pitched roof and external chimney. Garage to existing side gable.	PERMISSION GRANTED	13/03/2020
LA04/2020/0060/LDE	149 Dunluce Avenue Belfast BT9 7AX	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT	06/03/2020
LA04/2020/0071/F	12 Lagmore Meadows Belfast BT17 0TH	Alterations to existing attached garage to form lounge and utility. (Retrospective).	PERMISSION GRANTED	13/03/2020
LA04/2020/0077/F	64 Deramore Park South Belfast BT9 5JY	Proposed single storey extension of kitchen and ground floor toilet to rear of existing dwelling.	PERMISSION GRANTED	13/03/2020
LA04/2020/0078/F	19 Norfolk Gardens Belfast BT11 8DD.	Single storey rear extension.	PERMISSION GRANTED	03/03/2020
LA04/2020/0089/F	75 Delhi Street Ormeau Road Belfast BT8	Proposed 2 storey kitchen and bedroom extension to rear of 75 Delhi Street.	PERMISSION GRANTED	13/03/2020
LA04/2020/0109/LDE	71 Rugby Avenue Belfast BT7 1RE.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	11/03/2020
LA04/2020/0110/F	70 Sunningdale Park Belfast BT14 6RX.	Single storey side and rear extension. Raised decking to rear.	PERMISSION GRANTED	13/03/2020
LA04/2020/0120/F	27 Camden Street Belfast BT9 6AT.	Conversion of 6no. bedsits to 3no. apartments (and retention of 3no. apartments to rear)	PERMISSION GRANTED	05/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2020/0122/F	388 Ormeau Road Belfast BT7 3HX.	Proposed change of use of part of ground floor from residential to private medical clinic (Class D1) with no external alterations	PERMISSION GRANTED	19/03/2020
LA04/2020/0133/A	The Range Connswater Shopping Centre Bloomfield Avenue Belfast BT5 5LP.	Non illuminated slim frame flex face.	PERMISSION GRANTED	13/03/2020
LA04/2020/0149/CONTPO	Lesley park Royal Development Upper Newtownards Road Belfast.	Pruning and cutting back to perimeter fence of 2 trees.	WORKS TO TREES IN CA - AGREED	09/04/2020
LA04/2020/0154/F	35A Everton Drive Belfast BT6 0LJ	Conversion of garage to living room. Replace garage door with new window.	PERMISSION GRANTED	10/03/2020
LA04/2020/0162/F	350 Ravenhill Road Belfast BT6 8GL	Single storey rear extension	PERMISSION GRANTED	04/03/2020
LA04/2020/0169/LDE	3 Stranmillis Gardens Belfast BT9 5AS	House in multiple occupation - (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0177/DC	11 Upper Crescent Belfast BT7 1NT.	Discharge of condition no. 13 of LA04/2019/0898/F (Waste Management Plan)	CONDITION DISCHARGED	05/03/2020
LA04/2020/0220/F	40 Knockwood Park Belfast BT5 6GB.	Single storey extension to side and rear.	PERMISSION GRANTED	13/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2020/0227/F	32 Hatton Drive Belfast BT6 9BD.	Conversion of existing dwelling to HMO.	PERMISSION GRANTED	13/03/2020
LA04/2020/0239/LDE	Flat 2 no.4 India street Belfast BT7 1LJ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0240/LDE	Flat 3 no.4 India Street Belfast BT7 1LJ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0241/LDE	Flat 4 No.4 India Street Belfast BT7 1LJ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0242/LDE	Flat 6 No.4 India Street Belfast BT7 1LJ	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0257/DC	31 Islandbawn Street Belfast.	Discharge of conditions no's. 2,3,4 and 5 of LA04/2017/0166/F (contamination)	CONDITION DISCHARGED	10/03/2020
LA04/2020/0258/F	45 Edenderry Village Belfast BT8 8LG.	Single storey rear extension with ramp.	PERMISSION GRANTED	13/03/2020
LA04/2020/0272/LDE	33 Stranmillis Gardens Belfast BT9.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0295/F	136 Brooke Drive Belfast BT11 9NR	Single storey extension to rear of dwelling.	PERMISSION GRANTED	13/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2020/0308/DC	Lands north wet of 1-6 Linen Mill Grove Edenderry Village Belfast	Discharge of condition no.21 of LA04/2018/1795/F (Piling Risk Assessment)	CONDITION DISCHARGED	09/03/2020
LA04/2020/0338/LDE	31 Sandymount Street Belfast BT9 5DP	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT	10/03/2020
LA04/2020/0340/NMC	Newforge Country Club 18b Newforge Lane Belfast BT9 5NW	Non Material Change to LA04/2015/0266/F	NON MATERIAL CHANGE REFUSED	10/03/2020
LA04/2020/0360/NMC	Kennedy Way Industrial EstateBlackstaff Way Belfast BT11 9DT	Non material change to Z/2014/1373/F	NON MATERIAL CHANGE GRANTED	11/03/2020
LA04/2020/0369/DC	12 Upper Crescent Belfast BT7 1NT	Discharge of condition no.12 of LA04/2019/0929/F (Waste management plan)	CONDITION DISCHARGED	05/03/2020
LA04/2020/0373/DCA	45 University Street Belfast BT7 1FY	Demolition of existing rear extension	PERMISSION GRANTED	06/03/2020
LA04/2020/0377/CONTPO	33 Knockdene Park Belfast.5m right of the entrance.	Felling of 1 x Birch tree	WORKS TO TREES IN CA - AGREED	09/03/2020
LA04/2020/0404/DC	Lands immediately South & South West of 79 Ballylesson Road Belfast BT8 8JT.	Discharge of conditions no's. 5-7 of LA04/2019/1658/F (Archaeological Impact Assessment)	CONDITION DISCHARGED	03/04/2020
LA04/2020/0407/DC	Open space west of Stewartstown Road and south of Partridge Road Belfast.	Discharge of condition no. 2 of LA04/2018/1890/F (programme of archaeological work)	CONDITION DISCHARGED	11/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2020/0433/PAN	99 Kingsway Dunmurry Belfast.	Mixed use re development to include office building, supermarket, nursing home and crèche facilities.	PROPOSAL OF APPLICATION NOTICE REQUIRES MORE CONSULTATION	10/03/2020
LA04/2020/0445/NMC	Asda Shore Road Supermarket Shore Road Belfast BT15 3PR.	Non material change LA04/2019/2693/F.	NON MATERIAL CHANGE GRANTED	11/03/2020
LA04/2020/0449/DC	30 University Road Belfast BT7 1NH.	Discharge of condition no. 3 of LA04/2015/0633/F (Verification report)	CONDITION DISCHARGED	09/03/2020
LA04/2020/0458/CONTPO	10 Cadogan Park Belfast BT9 6HG.	Tree surgery on 9 trees within site.	INVALID APPLICATION	30/03/2020
LA04/2020/0463/CONTPO	Riddell Hall Site Stranmillis Road Belfast.	Removal of five trees	WORKS TO TREES IN CA - AGREED	06/03/2020
LA04/2020/0482/LDE	8 Collingwood Avenue Belfast BT7 1QT	HMO	PERMITTED DEVELOPMENT	18/03/2020
LA04/2020/0500/LDP	9 Annadale Gardens Belfast BT7 3DS.	Internal renovations and replacement rear doors	PERMITTED DEVELOPMENT	19/03/2020
LA04/2020/0504/NMC	38 Boucher Road Belfast BT12 6HR.	Non material change LA04/2018/1727/F.	NON MATERIAL CHANGE REFUSED	13/03/2020

Reference Number	Location	Proposal	Application Status	Date Decision Issued
LA04/2020/0520/CONTPO	32 Malone Park Belfast BT9 6NJ.	Tree surgery to 7 mixed trees	WORKS TO TREES IN CA - AGREED	27/03/2020
LA04/2020/0522/CONTPO	41 Derryvolgie Avenue Belfast BT9 6FP.	Felling and tree surgery	WORKS TO TREES IN CA - AGREED	04/03/2020
LA04/2020/0523/CONTPO	47 Knockdene Park South Belfast BT5 7AB.	Felling of dead tree.	WORKS TO TREES IN CA - AGREED	27/03/2020
LA04/2020/0524/CONTPO	26 Knockdene Park South Belfast BT5 7AB.	Tree surgery to reduce	WORKS TO TREES IN CA - AGREED	05/03/2020
LA04/2020/0525/CONTPO	10 Cadogan Park Belfast BT9 6HG.	Tree surgery to 9 trees	WORKS TO TREES IN CA - AGREED	19/03/2020
LA04/2020/0654/CONTPO	55 Adelaide Park Belfast BT9.	Felling 2 pinus trees overhanging Malone Road.	WORKS TO TREES IN CA - AGREED	27/03/2020
LA04/2020/0656/CONTPO	Stranmillis Teaching College Stranmillis Road Belfast.	Tree works including felling and tree surgery.	WORKS TO TREES IN CA - AGREED	19/03/2020
LA04/2020/0658/CONTPO	Rear Boundary 38 Deramore Drive Belfast.	Felling of 6 overgrown trees	WORKS TO TREES IN CA - AGREED	27/03/2020
LA04/2020/0667/PAN	Park Avenue Hotel 158 Holywood Road Belfast BT4 1PB.	Residential development including car parking.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE	18/03/2020

Development Management Report Committee Application

Summary	
Committee Application Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2019/0517/F	
Proposal: Residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage. (amended plans)	Location: El Divino Nightclub and car park and adjacent open space Mays Meadow
Referral Route: Major Application	
Recommendation:	APPROVAL
Applicant Name and Address: Benmore Property Management Services C/O Rushmere House 46 Cadogan Park Belfast BT9 6HH	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: <p>This application was to be considered by the Planning Committee in September 2019 with a recommendation to refuse planning permission. However, the application was withdrawn from the agenda to give the applicant opportunity to address the recommended refusal reasons. Officers have since had a number of meetings with the applicant to discuss the concerns, leading to the submission of a revised scheme which, on balance, Officers now consider addresses the reasons for refusal. The application was to be presented to Planning Committee in March but was deferred pending expiry of the consultation date for responses to neighbour notification and re-advertisement on the amended plans. The amendments were re-advertised in the press and neighbours notified of the revised scheme. 11 further representations have been received following re-notification. The consultation period for comments concluded on 13th March 2020.</p> <p>The proposal has been revised from the original submission and seeks to construct a residential building of varying heights including 7 storey (23m), to 10 storey (31.4m), 12 storey (37.4m) and 18 storey (54.6m) elements. The proposed building comprises 154 units with ground floor retail unit on a narrow 0.247 hectare triangular site, with the building footprint occupying around 50% of the site. The site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the River Lagan. It currently comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. The building is approximately 10.5m – 12m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south</p>	

opposite the site. The building is approximately 18m at closest point from the existing office building opposite the site.

The principle of a retail unit and residential use here is acceptable given its City Centre location and proximity to residential uses adjacent and opposite the site. There would also be an element of environmental gain in terms of amenity of existing residents if this site was redeveloped for residential purposes and the existing licenced premises / nightclub was removed.

It is considered that the revised scale, height, massing and materials of the building are, on balance, acceptable and appropriate to the site context and the area. The height of the building has been reduced next to the existing apartments at St Johns Warf to 7 storeys – slightly higher than the adjacent building. This has reduced the dominance in relation to this building and a staggered/stepped design approach assists in mitigating the impacts to the Laganbank Road streetscape, taking account of the design and massing of existing commercial buildings adjacent to the site. The design has a tower element, which is considered acceptable when assessed from the key public viewpoints due to the surrounding built context/building heights and taking account of an extant permission to increase the height of the adjacent “Price Waterhouse Cooper” office building (ref: LA04/2018/1469/F). The internal floorplan layout has been revised to provide additional active uses along the Laganbank Road elevation in particular which will assist in animation of this elevation. The proposed materials are consistent with the area insofar as brick and glass are present. The fenestration has been revised and the resulting solid to void ratios assist in reducing the massing of the building.

The location of the tower element would have a limited impact on exiting residents due to the separation distances to St John Warf (approximately 52m at the closest point).The proposal would not therefore detrimentally impact on amenity in terms of overshadowing or overlooking/privacy.

Total communal amenity space provision equates to 770 sq.m or 5 sq.m per apartment. The amount of provision is considered acceptable, on balance, given the circumstances of the site with the open space area adjacent to the building and the improvements proposed to it, and location on the riverbank with riverside access. Landscaping is also proposed, however additional details need to be provided to ensure acceptable details including future management arrangements. This can be secured by means of a Section 76 planning agreement.

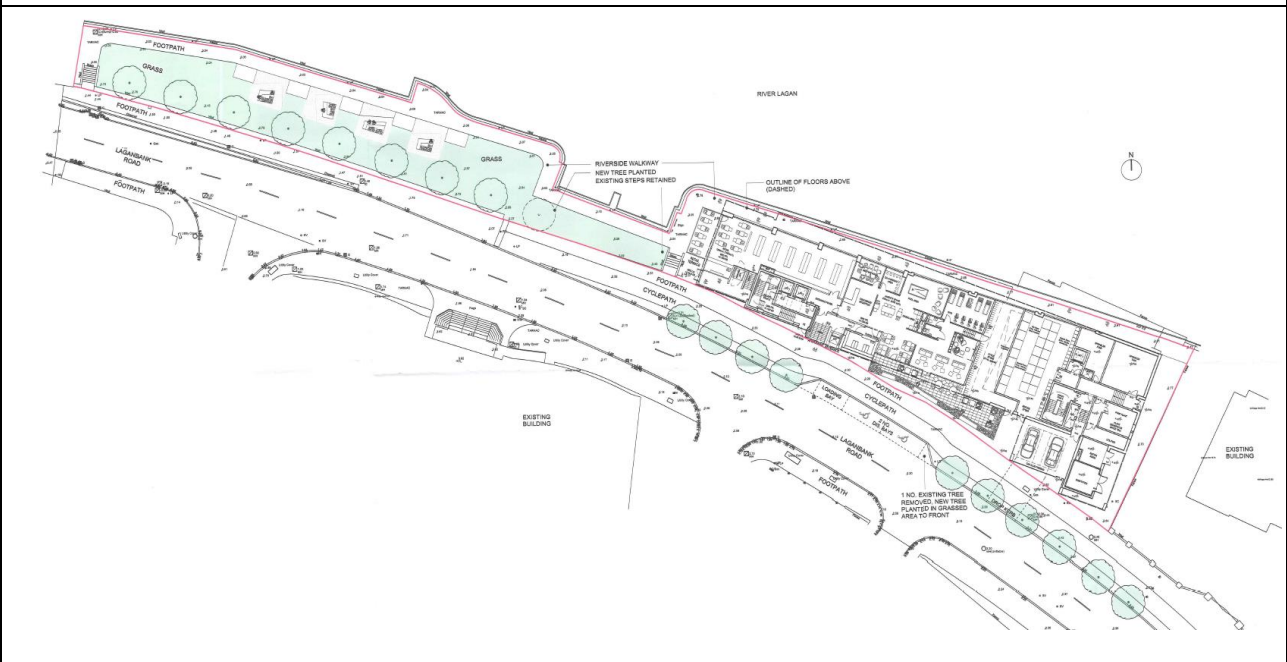
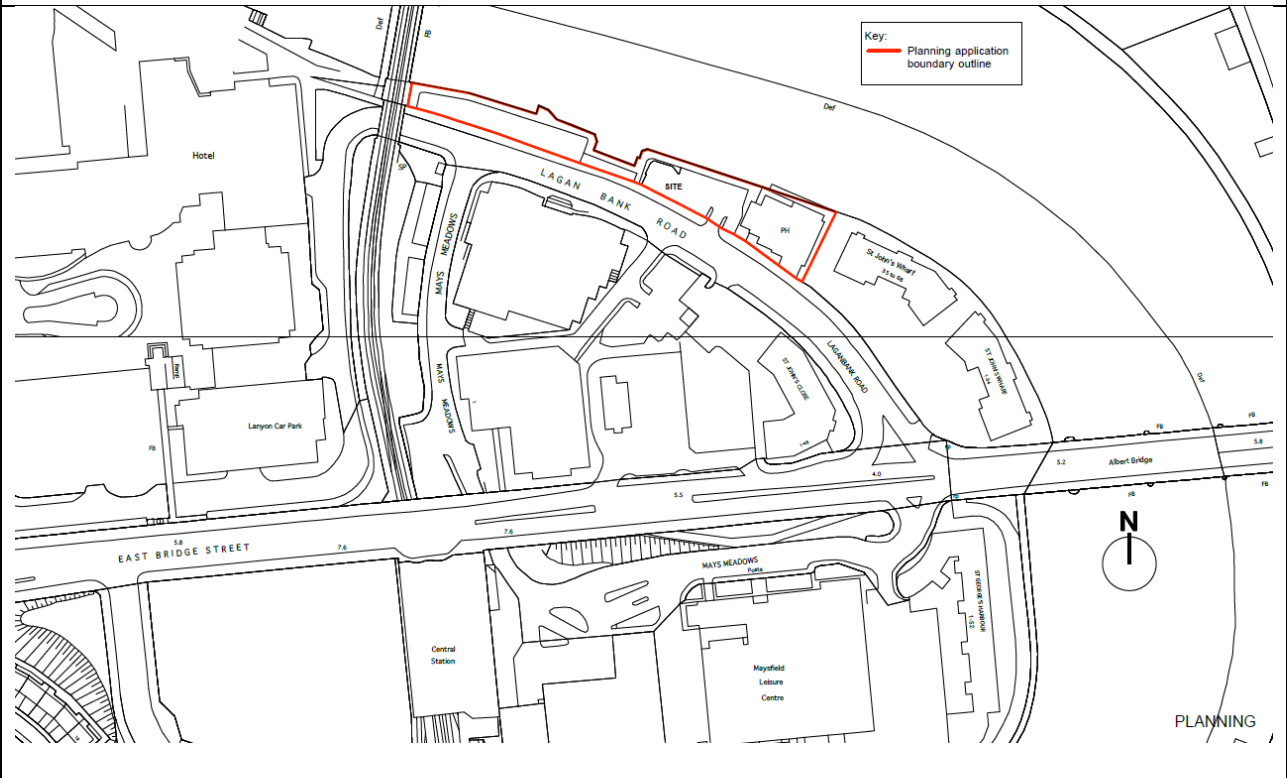
All consultees including DFI Roads, the Urban Design Officer, DEARA, HED, SES, NI Water, HED, Environmental Health and Belfast City Airport have no objections to the proposal.

18 representations comprising 15 objections and 3 letters of support were received in relation to the application.

Having regard to the Development Plan and relevant material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and to enter into a Section 76 planning agreement to secure green transport measures (i.e. travel plan, travel cards and car club) and the provision and future maintenance of the public open space and external amenity space within the site–subject to no new substantive planning issues being raised by third parties.

Case Officer Report

Site Location Plan



ALL DIMENSIONS TO BE CHECKED ON-SITE PRIOR TO COMMENCEMENT AND DISCREPANCIES COMMUNICATED TO BE INSTANTLY TO ARCHITECT IMMEDIATELY. ARCHITECTS TO TAKE FULL RESPONSIBILITY FOR THIRD PARTY SURVEY INFORMATION CONTAINED IN THIS DRAWING. THIS DRAWING TO BE HELD IN CONTACT WITH CIVIL AND STRUCTURAL ENGINEERS DRAWINGS FOR VERIFICATION & SPECIFICATION. THIS DRAWING IS PREPARED FOR USE BY THE CLIENT AND NOT TO BE USED FOR OTHER PURPOSES WITHOUT THE WRITTEN AGREEMENT OF THE ARCHITECTS. THIS DRAWING IS THE PROPERTY OF RPP ARCHITECTS LTD. & PREPARED FOR USE BY THE CLIENT AND NOT TO BE USED FOR OTHER PURPOSES WITHOUT THE WRITTEN AGREEMENT OF THE ARCHITECTS. THIS DRAWING IS THE PROPERTY OF RPP ARCHITECTS LTD.

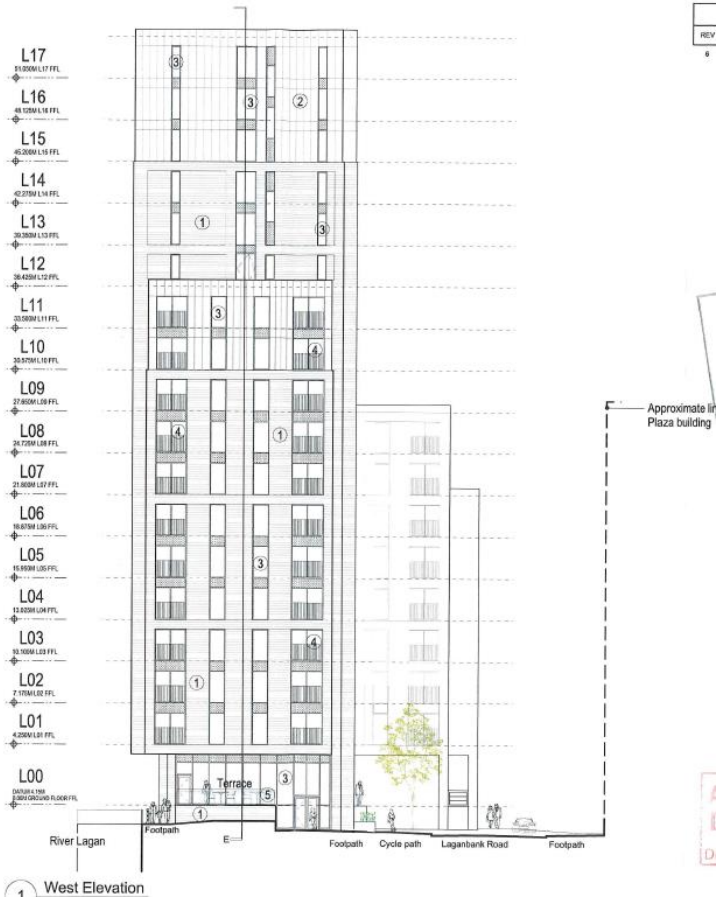
REVISION HISTORY		
REV	DESCRIPTION	DATE
8	Revised masonry to line with updated GA plans. Revisions to window locations & above. Planning issue.	18/02/20

- L16 46.020 (L1 FFL)
- L15 45.000 (L1 FFL)
- L14 42.750 (L1 FFL)
- L13 38.250 (L1 FFL)
- L12 34.000 (L1 FFL)
- L11 33.000 (L1 FFL)
- L10 30.750 (L1 FFL)
- L09 27.800 (L0 FFL)
- L08 24.750 (L0 FFL)
- L07 21.800 (L0 FFL)
- L06 18.800 (L0 FFL)
- L05 16.800 (L0 FFL)
- L04 13.800 (L0 FFL)
- L03 10.800 (L0 FFL)
- L02 7.750 (L0 FFL)
- L01 4.200 (L0 FFL)
- L00 0.000 (L0 FFL)



1 South Elevation
Scale: 1:250





RISE TO COMMENCEMENT
 LIMITED TO ARCHITECTS' INSTANTLY
 BY FOR THIRD PARTY SURVEY
 CIVIL AND STRUCTURAL ENGINEERS
 NOT BE USED FOR ANY OTHER PURPOSES
 WITHOUT THE WRITTEN PERMISSION OF
 THE ARCHITECTS' INSTANTLY









Representations:	
Letters of Support	3
Letters of Objection	15
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	None received
Neighbour Notification Checked	Yes

Planning Assessment of Policy and Other Material Considerations

1.0 Characteristics of the Site and Area

The application site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the river Lagan. It comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. It is approximately 0.25 hectares in size (building and nightclub c. 0.15 hectares and c 0.09 hectares open space area) Boundary treatments comprise a mixture of wall and railings approximately 2-3m in height. The topography of the entire site is relatively level, however the topography of Laganbank Road falls to the west, therefore the open space area sits at a higher level than Laganbank Road.

There is a block of apartments to the southeast of the site, with an office building to the south. There is a sheltered housing scheme further to the south at the junction of Laganbank Road and East Bridge Street.

2.0 Proposal

This application was to be considered by the Planning Committee in September 2019 with a recommendation to refuse planning permission. However, the application was withdrawn from the agenda to give the applicant opportunity to address the recommended refusal reasons. Officers have since had a number of meetings with the applicant to discuss the concerns, leading to the submission of a revised scheme. The application has been re-advertised in the press and neighbours notified of the revised scheme. The application was presented to Planning Committee in March and was deferred pending expiry of the consultation date for responses to neighbour notification and re-advertisement on the amended plans.

The application seeks full planning permission for residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage.

The proposal has been revised from the original submission and seeks to construct a residential building of varying heights including 7 storey (23m), to 10 storey (31.4m), 12 storey (37.4m) and 18 storey (54.6m) elements. The proposed building comprises 154 units with ground floor retail unit on a narrow 0.247 hectare triangular site, with the building footprint occupying around 50% of the site. The site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the River Lagan. It currently comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. The building is approximately 10.5m – 12m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing office building opposite the site.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

No relevant history.

4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001 (BUAP), draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004), draft Belfast Metropolitan Area Plan 2014 (dBMAP 2014), and Developer Contribution Framework (2020);

4.2 Strategic Planning Policy Statement (SPPS);

4.3 Planning Policy Statement 2 (PPS2) – Planning and Nature Conservation;

4.3 Planning Policy Statement 3 (PPS3) – Access, Movement and Parking;

4.4 Planning Policy Statement 13 (PPS13) – Transportation and Land Use;

4.5 Planning Policy Statement 7 (PPS7) – Residential Development;

4.6 Planning Policy Statement 12 (PPS12) – Housing in Settlements;

4.7 Planning Policy Statement 15 (PPS15) – Planning and Flood Risk;

4.8 Planning Policy Statement 8 (PPS8) – Open Space and Recreation.

4.9 Supplementary Planning Guidance including ‘Creating Places’, Development Control Advice Note 8 Housing in Existing Urban Areas, and Parking Standards.

5.0 Statutory Consultee Responses

5.1 NI Water - No objection;

5.2 DARD - Rivers Agency – No objection;

<p>5.3 DEARA:</p> <ul style="list-style-type: none"> - Marine and Fisheries Division - No objection subject to conditions; - Land & Groundwater Team (Contamination) - No objection subject to conditions; - Water Management Unit - No objection subject to conditions; - Natural Environment Division – Considering additional information received; <p>5.4 DFI Roads – No objection subject to conditions;</p> <p>5.5 DFC HED – No objection subject to conditions.</p> <p>6.0 Non - Statutory Consultee Responses</p> <p>6.1 BCC Environmental Health - No objection subject to conditions;</p> <p>6.2 Shared Environmental Services – No objection subject to conditions;</p> <p>6.3 Urban Design Officer – no objections;</p>	
7.0	<p>Representations</p> <p>The application has been neighbour notified and advertised in the local press.</p> <p>7 representations were received in relation to the original proposal comprising 5 objections and 2 letters of support.</p> <p>Neighbours were re-notified on 26th February 2020 in relation to the revised scheme. The application was also re-advertised in the press on 28th February 2020. A further 11 representations were received, of which 10 are objections.</p> <p>18 representations have been received in total, comprising 3 letters of support and 15 objections. These representations are set out in more detail later in the report.</p> <p>No representations from any elected representatives have been received.</p>
8.0 Other Material Considerations	
8.1	None
9.0 Assessment	
9.1	<p>Permission is sought for a residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage. The key issues in the assessment of the proposal are:</p> <ul style="list-style-type: none"> - The principle of the proposal at this location; - Layout, scale, form, massing and design; - Impact on amenity; - Impact on transport and associated infrastructure; - Flooding and drainage impacts; - Impact on natural heritage assets; - Contamination and remediation of the site; - Impact on civil aviation; <p>Regional Policy Context:</p>
9.2	<p>The Regional Development Strategy 2035 (RDS) includes a number of policies relevant to the proposal supporting Urban Renaissance (RG7), and conserve, protect and enhance where possible the built and natural heritage.</p>

9.3	In relation to Belfast, the RDS includes policies to promote economic development, grow the city population, and protect and enhance the setting of the Metropolitan Area and its environmental assets. Policy SFG3 seeks to enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities.
9.4	The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
9.5	The SPPS states at paragraph 1.13 that a number of policy statements, including those listed at paragraph 4 of this report, remain relevant under the 'transitional arrangements' in advance of a council's adoption of its new Local Development Plan. Paragraphs 4.11 and 4.12 of the SPPS require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported.
Development Plan Status:	
9.6	Following the Court of Appeal decision that quashed the adoption of the Belfast Metropolitan Area Plan 2015, the extant Development Plan is now the Belfast Urban Area Plan 2001 (BUAP). The site is not subject to any zoning within the BUAP. Both the draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004) and the version purported as adopted Belfast Metropolitan Area Plan (dBMAP 2015) are material considerations. The weight to be afforded the draft Belfast Metropolitan Area Plan is a matter of judgement for the decision maker. In dBMAP 2004 and dBMAP 2015, the site falls within the City Centre boundary, the fringe area of parking restraint, and the Laganside Character Area.
Principle of development and proposed uses:	
9.7	The SPPS requires a sequential test to be applied to 'town centre uses' including retail shops, directing them to the city centre in the first instance, then edge of city centre and lastly out of centre. The site is located within the City Centre boundary in the BUAP and both versions of BMAP where residential development is acceptable in principle. The proposal would support the aims of the <i>Belfast Agenda</i> around city centre living. Laganbank Road comprises a mix of residential and non-residential uses. Residential uses are located immediately adjacent to the site. The site is not located within the retail core, but within the city centre boundary. A retail unit is considered acceptable in this location due to the limited provision in close proximity to the site. These factors establish that the proposed uses are acceptable in principle.
9.8	In relation to the demolition of the existing building and structures, the site is not located in a Conservation Area or Area of Townscape Character, and the buildings are not listed or of any historic interest. Accordingly the demolition of the existing structures does not require planning permission and is acceptable in principle.
Planning History	
9.9	The application site is not subject to any planning history relevant to this case. However the proposals were subject to a Pre-Application Discussion process. This comprised a number of meetings with the applicant and agent, the focus of which was largely in relation to scale, height, and massing, design, and amenity issues of the proposed

	<p>scheme. The Council provided feedback to the applicant at the Pre Application Discussion stage, expressing concerns in relation to these issues.</p> <p>PPS7 – Design, Character and Appearance of Area and amenity</p>
9.10	<p>The proposal has been assessed against Policy QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. PPS7 addendum safeguarding character is also a material consideration and includes three policies, namely LC1-3.</p> <p>Proposal</p>
9.11	<p>The proposal seeks to construct a 7 to 18 storey residential building with ground floor retail unit on a narrow 0.247 hectare triangular site along Laganbank Road, with the building footprint occupying around 50% of the site. The longer southern and northern frontages of the site face onto Laganbank Road and the River Lagan respectively, while the southern edge sits immediately adjacent to St John’s Wharf an existing residential apartment complex. To the north the narrowest section of the triangular site abuts the railway bridge over the River Lagan.</p> <p>Layout</p>
9.12	<p>The proposed layout of the building is roughly ‘L’ shaped and broadly replicates the siting and layout of the existing building on site in terms of setback/relationship with the river and Laganbank Road, however the building will extend across approximately half of the application site. The building incorporates a uniform building line along its northern elevation, being setback around 2.6m from the river’s edge. This would enable extended public access along the river when compared to the existing nightclub arrangement, which is welcomed. Along Laganbank Road the building incorporates a series of steps in its form to deal with the slight curvature of the street. Key challenges are presented here concerning the level change between the finished ground floor level of the building proper and the street (1.85m difference). These issues are considered further below.</p>
9.13	<p>The ground floor comprises a retail unit (approximately 159 sq.m internally in size), entrance and amenity space area, cycle parking, bin store, and various plant rooms. The upper floors (1-18) comprise apartments, with an external amenity area on the 10th floor (c. 469 sq.m).</p>
9.14	<p>The building is approximately 10.5m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing Price Waterhouse office building also opposite the site.</p> <p>Scale, height, massing, and materials</p>
9.15	<p>PPS7 QD1 criterion (a) requires proposals to “<i>respect the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard</i></p>

	<p><i>surfaced areas.</i>” Policy CC12 in the BUAP relates to high buildings and requires buildings to be sympathetic to their immediate surroundings.</p>
9.16	<p>It is acknowledged that there were a number of taller buildings within the vicinity. These include;</p> <ul style="list-style-type: none"> - Price Waterhouse Cooper HQ (PWC) to the south of the site. It is noted that planning permission was also recently approved for additional storeys being added to this building; - The BT Tower and Hilton Hotel to the west of the site on the other side of the railway bridge; - The site also sits across the river from the former Sirocco Engineering Works site on which approval was recently granted for outline planning permission for a masterplan which included a number of taller buildings.
9.17	<p>However, these buildings are for the most part located to the west of the site on the city centre side of the railway bridge in an area which is predominantly commercial/office in nature. While the PWC building was due south of the site on the eastern side of the railway bridge, officers noted it was located some distance from existing residential developments in the area. It is critical that any development of the site respects the adjacent residential buildings and scale of development within this section of Laganbank Road.</p>
9.18	<p>It is considered that the revised scale, height, massing and materials of the building are, on balance, acceptable and appropriate to the site context and the area. The height of the building has been reduced next to the existing apartments at St Johns Warf to 7 storeys – slightly higher than the St John’s Warf building. This has reduced the dominance in relation to this building and a staggered/stepped design approach assists in mitigating the impacts to the Laganbank Road streetscape, taking account of the design and massing of existing commercial buildings adjacent to the site. The design has a tower element, which is considered acceptable when assessed from the key public viewpoints due to the surrounding built context/building heights and taking account of an extant permission to increase the height of the adjacent “Price Waterhouse Cooper” office building (ref: LA04/2018/1469/F).</p>
9.19	<p>The design also addresses existing level changes within the building albeit in a stepped approach. The internal floorplan layout has been revised to provide additional active uses along the Laganbank Road elevation in particular, which will assist in animation of this elevation. On balance the design solution is considered acceptable.</p>
9.20	<p>The proposed materials are consistent with the area insofar as brick and glass are present. The fenestration has been revised and the resulting solid to void ratio assists in reducing the massing of the building. Whilst additional glazing areas would further assist and improve the elevations, the proposal is considered, on balance, acceptable. A condition is necessary to agree the finer details of the materials proposed to ensure an appropriate solution is provided.</p>
9.21	<p>The Urban Design Officer considers the scale, massing, and design of the proposal to be acceptable. The proposed designs are therefore compliant with criteria [g] of PPS7. Accordingly, it is considered that the proposal would not adversely affect the character of the area.</p>
	<p>Impact on Amenity</p>
9.22	<p>Criteria (h) of QD1 PPS7 requires the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed</p>

	<p>properties. Paragraph 4.38 highlights the importance of privacy and daylight for residents, whilst 7.11 of Creating Places also highlights the importance of 'attractive outlook' onto existing and proposed roads.</p>
9.23	<p>The floorplan layout is broadly split longitudinally, with the majority of the apartment's main aspect towards either the river or Laganbank Road. The layout includes apartments within the middle section of the eastern section of the building, adjacent to the boundary with the neighbouring apartment building. The internal layout places the living area at the Laganbank Road end of the apartment, with the associated window positioned at this end of the apartment. Whilst outlook to the public street would not be provided, views would be available over the car park of the adjacent apartment building and distance views to East Bridge Street. Floors 5 and above would benefit from additional views/aspect as the front section of the adjacent St Johns Wharf section is 4 storeys in height. On balance the outlook proposed is considered acceptable.</p>
9.24	<p>In relation to overlooking and loss of privacy, the majority of apartments would not impact on privacy due to their location and separation distances to existing buildings. However, the apartments on the eastern gable of the building include gable window openings. The adjacent St Johns Wharf building also include gable windows, however these, as with the proposal, are predominately secondary with the main windows for outlook located on either the Riverfront or Laganbank road elevations, and are sufficiently 'staggered' to ensure no direct overlooking or loss of privacy will result.</p>
9.25	<p>In terms of loss of light/overshadowing, the building steps up in height in relation to the neighbouring apartment building St Johns Wharf, which is sited due east of the application site. Accordingly the building would reduce the daylighting in the evening as the sun occupies a westerly position. Notwithstanding the height and proximity of the building, it would not unacceptably overshadow the existing adjacent apartments building as it would benefit from sunlight for the majority of the day.</p>
9.26	<p>The location of the tower element would have a limited impact on exiting residents due to the separation distances to St John Wharf (approximately 52m at the closest point). The proposal would not detrimentally impact on amenity in terms of overshadowing or overlooking/privacy.</p>
9.27	<p>The proposal would not adversely impact on the amenity of commercial premises due to separation distances and layout/aspect of these properties.</p>
9.28	<p>The apartments comprise a mix of 1bed and 2 bed units and range in size from approximately 43 sq.m to 65 sq.m. The size of these apartments would fall slightly below space standards set out in the Addendum to PPS7 (1P1B 35/40 sq.m, 2P1B 50/55 sq.m, 3P2B 60/65 sq.m, 4P2B 70/75 sq.m), however, Members should note that these standards only apply to "established residential areas" of medium to low density.</p>
9.29	<p>In relation to amenity space provision, Policy QD1 [c] PPS7 and Policy OS2 of PPS8 require the level of provision of private space to be appropriate to the surrounding context, be useable, with further guidance on amenity space provided in Creating Places. PPS 7 indicates that, where appropriate management arrangements are in place, private open space to serve apartment developments may be in the form of communal gardens. Guidance set out in Creating Places specifies that private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. Creating Places quantifies the level of communal private open space that should be incorporated in new flat developments with a required provision in the range of 10 sq.m to 30 sq.m per apartment (paragraph 5.20). This paragraph goes on to state that inner urban/high density locations will tend towards the lower figure.</p>

9.30	<p>Communal amenity space arrangements have been increased to include an external amenity area at the front of the building of approximately 56.6 sq.m in size (excluding the planted area). The communal amenity area at the 10th floor has also been increased to 469 sq.m (including internal hire area of 107 sq.m approx.) (previous total c. 266 sq.m). There is also an internal area at ground floor (c. 244 sq.m). The total communal amenity space provision equates to 770 sq.m or 5 sq.m per apartment. The amount of provision is considered acceptable, on balance, given the circumstances of the site with the open space area adjacent to the building and the improvements proposed to it, and location on the riverbank with riverside access. Landscaping is also proposed, however additional details need to be provided to ensure acceptable details including management arrangements are secured. These arrangements can be secured by a Section 76 planning agreement.</p> <p>A condition is necessary to restrict the hours of opening (07:00 to 23:00) of the amenity area at 10th floor to ensure amenity of existing residents is not adversely affected, in line with advice from Environmental Health.</p> <p>PPS15 – Flooding and drainage</p>
9.31	<p>Rivers Agency and NI Water have been consulted on the application, and assessed the submitted flood risk assessment.</p>
9.32	<p>The intensification of use of the site as discussed under FLD1 is considered acceptable in principle, subject to adequate flood management arrangement being proposed and taking account of wider policy aims of regeneration and increased residential uses within the city centre. The Flood Risk Assessment by Albert Fry Associates dated May 2018 has included mitigation and taken into account DfI Rivers recent updated Technical Flood Risk Guidance in relation to Allowances for Climate Change in Northern Ireland on 25th February 2019. The habitable locations and plant rooms (containing essential infrastructure) including amenity spaces are to have finished floor levels (4.15m O.D.). They are designed to have greater than the 600mm freeboard above the future currently revised Q200 climate change level (3.43m O.D.) and have been raised to a sufficient level to avoid being affected by flood risk.</p>
9.33	<p>Neither consultee has any objections to the proposal. Therefore, it is considered that the proposal will not result in or be impacted unacceptably by flooding. It is considered that the proposal is compliant with PPS15 requirements.</p>
9.34	<p>PPS3 - Traffic, Parking and associated Roads considerations</p> <p>Relevant policy requirements include criteria (f) of QD1 PPS7 and PPS3. Roads have considered the revised information submitted in February 2020, including parking and access arrangements and green travel measures including car club provision (2 vehicles) and travel cards for a period of 3 years. They have no objection to the proposal subject to a number of conditions, including green travel measures. These would require to be secured through a Planning Agreement under Section 76 of the Planning Act.</p>
9.35	<p>Impact on civil aviation:</p> <p>Consultation has been undertaken with the City Airport, who have assessed the proposals in terms of air safety. The site falls within the Belfast City Airport (BCA) Obstacle Limitation Surface (OLS), namely the Inner Horizontal Surface (IHS). The maximum height of a building within this surface, at this location, which would NOT infringe the OLS would be 48.7m AMSL. At 51.9m AGL the proposed building will therefore infringe the</p>

	<p>Inner Horizontal Surface by 2.2m. However, given the close proximity to existing high buildings nearby, and recent assessment of other proposed building in the vicinity, Belfast City Airport have no objection to this development provided we are notified of any cranes to be used. The proposal would not therefore compromise air safety.</p> <p>9.36 Impact on Protected Habitats etc.</p> <p>DEARA Coastal Development, Natural Environment Division and Water Management Unit have no objections to the application and have recommended conditions.</p> <p>Shared Environmental Services have assessed the details of the application in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration and location of the project it is concluded that, provided the following mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site.</p> <p>The proposal is considered to comply with PPS2 and would not adversely impact on Natural Heritage.</p> <p>Other Consultee Responses</p> <p>9.37 Environmental Health has no objections to the proposal in terms of public health matters including contamination, noise, air quality and disturbance, subject to conditions, including a restriction on the hours of use of the roof-top external amenity area. This is included in the draft conditions attached to this report.</p> <p>9.38 DEARA Waste Management has no objections regarding land contamination issues. DEARA Drainage and Water have no objections subject to NIW confirmation of adequate capacity of Waste Water Treatment. NIW have confirmed sufficient capacity.</p> <p>9.39 Historic Environment Division have no objections in relation to impact on archaeological or listed building assets subject to conditions. Accordingly the proposal is considered acceptable in relation to PPS6 considerations.</p> <p>9.40 NI Housing Executive was consulted to advise in terms of the need (if any) of the proposal to provide social and affordable housing. They have indicated that NIHE would wish to see 20% of residential development on this site committed to social and affordable housing, accessible dwellings and wheelchair housing units. However, the proposal is for private residential only (no social / affordable). There is no current policy requirement for the developer to provide social housing and it would therefore be unreasonable to require the applicant to provide it at this time.</p> <p>Pre-Community Consultation</p> <p>9.41 For applications that fall within the category of Major development as prescribed in the Development Management Regulations, Section 27 of the Planning Act (Northern Ireland) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p> <p>9.42 Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an</p>
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	<p>application for planning permission for the development is to be submitted. A PAN (LA04/2017/2771/PAN) was submitted to the Council on 8th December 2017.</p> <p>9.43 Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a Pre-application Community Consultation Report to accompany the planning application.</p> <p>9.44 It is considered that the Pre-application Community Consultation Report submitted with the application 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> <p>Representations</p> <p>9.45 15 objections have been received raising the following issues (summarised):</p> <ul style="list-style-type: none"> - Greater scale than existing buildings/ inappropriate height; - Inappropriate/out of character design and would impact on area; - Impact of traffic/associated congestion; - Questionable if any demand for proposal; <p>9.46 3 Comments supporting the proposal include:</p> <ul style="list-style-type: none"> - Removal of the nightclub would benefit the residential area; - Space for a local shop welcomed; <p>9.47 Following the above assessment, it is considered that the proposal complies with policy in terms of scale, massing and design. Roads Service have not raised any concerns regarding access, traffic, or parking impacts of the proposal. Accordingly, it is not considered that the development will adversely impact on road infrastructure in the locality. It is not a policy requirement in this case for the developer to demonstrate demand or need for the proposal. Accordingly the planning authority is unable to withhold permission on this basis.</p>
<p>10.0</p> <p>10.1</p>	<p>Summary of Recommendation</p> <p>Having regard to the Development Plan and relevant material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and satisfactorily resolve outstanding issues, including:</p> <ul style="list-style-type: none"> • Consideration of any additional representations received prior to issuing the decision; • The completion of a Section 76 planning agreement to secure green transport measures (i.e. travel plan, travel cards and car club; the provision and future maintenance of the public open space and external amenity space within the site;
<p>Draft Conditions</p>	
<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>	

2. No development shall take place until samples of all external finishes has been submitted to and been approved in writing by the Council. The development shall be carried out in accordance with the approved sample details.

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

3. All services (including those for water supply, drainage, heating, and gas supplies) shall be laid underground or housed internally within the building hereby approved.

Reason: In the interests of visual amenity.

4. All windows to be finished in obscure glass shall be installed before the occupation of the building hereby permitted as indicated on the approved plans, shall be permanently retained, and in the event of breakage shall be replaced with obscure glass to the satisfaction of the Council.

Reason: In the interests of amenity.

5. No development shall take place until full details of all public realm improvements have been submitted to and been approved in writing by the Council. The development shall be carried out in accordance with the approved details before any part of the development hereby permitted becomes operations.

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

6. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

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

7. After completing the remediation works under Condition 6 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives. The Verification Report must fully verify works to address contamination, including waste assessment and classification (in line with Technical Guidance WM3), waste transfer notes and/or hazardous waste consignment notes and verification of appropriate waste disposal (in line with Waste Duty of Care).

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

8. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Council. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

9. Prior to the fit-out of the gym, full details of the proposed sound mitigation measures to ensure the residential units are not adversely impacted by structure borne or airborne noise shall be submitted to Council for review and approval in writing.

- Prior to the operation of the gym the approved sound insulation measures shall be installed and retained thereafter.
- No amplified music shall be permitted in the gym.
- No group classes are permitted the gym.
- The residential units of the hereby permitted development shall not be occupied unless a Noise Verification Report (VR) is submitted for review and approval in writing by the Council. The VR shall demonstrate that the noise mitigation measures and alternative means of ventilation have been implemented as outlined in the Irwin Carr Consulting Noise Impact Assessment, Laganbank Apartments, Belfast, report no. Rp001 2018073 (EI Divino), dated 13th June 2018 and as summarised in appendix B 'Acoustic Design Statement' so as to ensure suitable internal noise targets in line with current recognised standards and guidance are not exceeded.
- Service deliveries and collections to the retail units shall not take place between 11pm and 7am.
- The combined sound rating level from all external plant and equipment and from internal plant rooms of the hereby permitted development shall not exceed the background sound level (LA90 daytime and night time) when determined at the façade of the nearest residential premises with all measurements/calculations carried out in line with BS4142:2014.

Reason: Protection of health and residential amenity

10. Prior to the commencement of the demolition and construction of the hereby permitted development, a Construction Noise vibration and dust Management Plan shall be submitted for review and to be approved in writing by the Council. It must outline the methods to be employed to minimise any noise vibration and dust impact of demolition/construction operations demonstrating 'best practicable means'. The plan should pay due regard to current guidance and British standards. Construction works must be carried out in line with the approved plan.

Reason: Protection of Residential and office Amenity

11. No development including site clearance works, lopping, topping or felling of trees, shall take place until a landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, has been submitted to and approved by the Council. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with the Council in writing prior to implementation.

Reason: To ensure the provision of amenity afforded by an appropriate landscape.

12. All hard and soft landscape works shall be completed in accordance with the approved drawings, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to occupation of any dwelling / part of the development hereby approved.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.

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

13. Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Council gives its written consent to any request for variation.

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

14. No dwelling hereby permitted shall be occupied until all drainage mitigation measures as set out in the submitted Drainage Assessment have been constructed and installed in accordance with these details. A report verifying these measure have been installed shall be submitted to the satisfaction of the Council. The mitigation measures shall be permanently retained thereafter and not removed without the prior consent of the Local Planning Authority.

Reason: To ensure adequate flood mitigation measures are provided for the site and to protect residential amenity.

15. 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 the Council.

The POW shall provide for:

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

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

16. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 15.

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

17. 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 15. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

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

18. Before construction begins on site a final Construction Environmental Management Plan (CEMP) shall be submitted by the appointed contractor to and approved in writing by the Council. The CEMP must include all the proposed environmental mitigation as detailed in the Outline CEMP dated June 2019. It must also include the other mitigation detailed in the Preliminary Ecological Appraisal, Flood Risk Assessment and Management Plan and the draft Marine Mammal Protocol reports submitted in support of the proposal.

Reason: To negate any potential for polluting discharges entering the adjacent River Lagan that could cause adverse effects on connected features of European Sites.

19. The development shall operate using hard surfaced areas constructed generally in accordance with the approved layout Drawing No. 05B 'Ground Floor GA Plan' bearing the Council date stamp 20 February 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

REASON: To ensure that adequate provision has been made for parking and servicing.

20. The development hereby permitted shall not become operational until the vehicular access to the car club spaces, including visibility splays of 2.0 m x 45 m, has been constructed. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter. The sole exception will be slim trees provided for landscaping purposes and at least 8.0 m from the centreline of the access.

REASON: To ensure that adequate provision has been made for access.

21. The vehicular access to the car club spaces shall be across a lowered kerb access a minimum of 6.0m across. The access gradients to the parking shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, 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.

22. The Palette of Materials used on footways, on pedestrianised road surfaces and open access pedestrianised public realm, should be in accordance with the Streets Ahead 3 Palette of Materials. All such materials must satisfy Design Manual for Roads and Bridges regarding materials performance and confirm PSV value in accordance with CS 228 Skidding Resistance.

REASON: To ensure there is a safe and convenient road system within the development.

23. The development shall provide 2 car parking spaces reserved for use by the car club scheme. The development shall provide a minimum of 50 bike stands of which 8 shall be provided externally for the use of visitors to the site.

REASON: To ensure that adequate provision has been made for parking.

24. The development hereby permitted shall operate in accordance with the approved Travel Plan published by the Council on 12 March 2019. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

REASON: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

25. Prior to occupation a separate, finalised, Residential Travel Plan and Travel Pack will be submitted for approval by the Council. This will include provision of travel cards for all apartments for an agreed period and permanent support of the car club.

REASON: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

26. The development hereby permitted shall operate in accordance with the Servicing Management Plan published by the Council on 12 March 2019.

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

27. Prior to demolition and construction phases commencing, a dust management plan shall be submitted to and agreed in writing with the Council. The Plan shall incorporate the mitigation measures outlined in section 5.2 of the Irwin Carr Air Quality Impact Assessment report number Rp 003 2018073, dated 2 October 2019. The plan shall be implemented in accordance with the agreed arrangements.

Reason: Protection of residential amenity.

28. The roof top terraces / amenity space and associated facilities shall be used/operational between the hours of 07:00 and 23:00 hrs only and at no other times.

The roof top amenity space and associated entertaining facilities shall be for residents' use only and shall not be hired/available to non-residents at any times.

Reason: Protection of residential amenity

ANNEX	
Date Valid	5th March 2019
Date First Advertised	22nd March 2019
Date Last Advertised	28th February 2020
Details of Neighbour Notification (all addresses) 1 Mays Meadow, Belfast, Antrim, BT1 3DB 19 Laganview Court Belfast Down 3rd Floor, Lesley Exchange 2, 22 East Bridge Street, Belfast, Antrim, BT1 3NR 4 Lanyon Place, Belfast, Antrim, BT1 3LP 47 Marguerite Ave Dundrum Newcastle 5 Laganbank Road, Belfast, Antrim, BT1 3PH 5 Lanyon Place, Belfast, Antrim, BT1 3BT 9 Laganview Court Belfast Down Apartment 1 – 68 , St. Johns Wharf 1-3 Laganbank Road, Belfast, Antrim, BT1 3LT Lesley Exchange, Mays Meadow, Belfast, Antrim, BT1 3BL Office 1 Ground Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LY Office 1st Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3BS Office 2 Ground Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LX Office 2nd Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3BN Office 3rd - 6th, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LR Office 6th Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LY Offices (4th Floor) & Car Spaces, Leslie Exchange, 24 East Bridge Street, Belfast, Antrim, BT1 3NR Offices (Ground - 3rd Floor) & Car Spaces, Leslie Exchange, 24 East Bridge Street, Belfast, Antrim, BT1 3NR	
Date of Last Neighbour Notification	26th February 2020
Date of EIA Determination	N/A – site below threshold for Schedule 2 in EIA Regs
ES Requested	No
Planning History Ref ID: Z/1992/2275 Proposal: Office accommodation, mutli-storey car parks, retail and hotel development, multiplex cinema, restaurants and disco club, food court and drive-in takeaway, youth hostel, sports bar together with associated road network Address: LAGANBANK SITE BOUNDED BY EAST BRIDGE ST/OXFORD ST/RIVER Decision: Permission Granted Decision Date: 21.12.1993 Ref ID: Z/1997/2351 Proposal: Public house/licensed restaurant Address: SITE 2, MAYS MEADOW EAST BRIDGE STREET, BELFAST BT1 Decision: Permission Granted	

Decision Date: 23.09.1997

Notification to Department (if relevant) N/A

Date of Notification to Department:

Response of Department:

Committee Application

Development Management Officer Report	
Committee Application Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2019/1475/F	
Proposal: Construction of 8no. pairs of semi-detached dwellings (16no. units in total for social housing)	Location: Old Park Terrace/Lands south west of No. 22 Old Park Terrace Belfast BT14 6NP
Referral Route: Residential development in excess of 12 units with an objection.	
Recommendation:	Approval Subject to Conditions
Applicant Name and Address: S4S Holdings Limited 93 Killyliss Road Dungannon BT70 1LE	Agent Name and Address: Barry Owens Consulting Limited 38 Highfields Avenue Dublin Road Newry BT35 8UG
<p>Executive Summary: The application seeks full planning permission for 16 residential units. The proposal consists of 8no. Pairs of two and a half storey semi-detached dwellings (16no. units in total).</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of development / Loss of open space • Design & layout • Impact on the character and appearance of the area • Impact on amenity • Impact on Historic Monuments • Traffic Movement, Parking & Infrastructure capacity • Other Environmental Matters including contamination <p>The site is within the development limits in both the extant and draft development plans. Open space makes up part of the site and the applicant has made a case to justify the loss of that open space in this case. The proposed land use for housing is acceptable and compatible with the surrounding context. Therefore, the principle of the proposal is acceptable.</p> <p>The design and layout is traditional in form and layout and represents a quality residential environment both for existing and prospective residents. It respects the general characteristics of the area and will have a positive impact on the amenity of the locality. The proposal will not result in an unacceptable impact on residential amenity.</p> <p>All consultees offered no objection to the proposal.</p> <p>One letter of support was received from Choice Housing and one objection was received raising concerns including: Impact on residential amenity, loss of boundaries, impact on security, antisocial behaviour and crime, impact on environmental health. Nuisance from construction and noise pollution, traffic, parking and overload of drainage. These matters are considered in the case officer report.</p> <p><u>Recommendation – Approval Subject to Conditions</u> Having regard to the policy context and other material considerations, it is concluded that on balance the proposal would constitute an acceptable development with much needed regeneration of a brownfield site and provision of social housing. Planning permission is recommended subject to conditions.</p>	

It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.

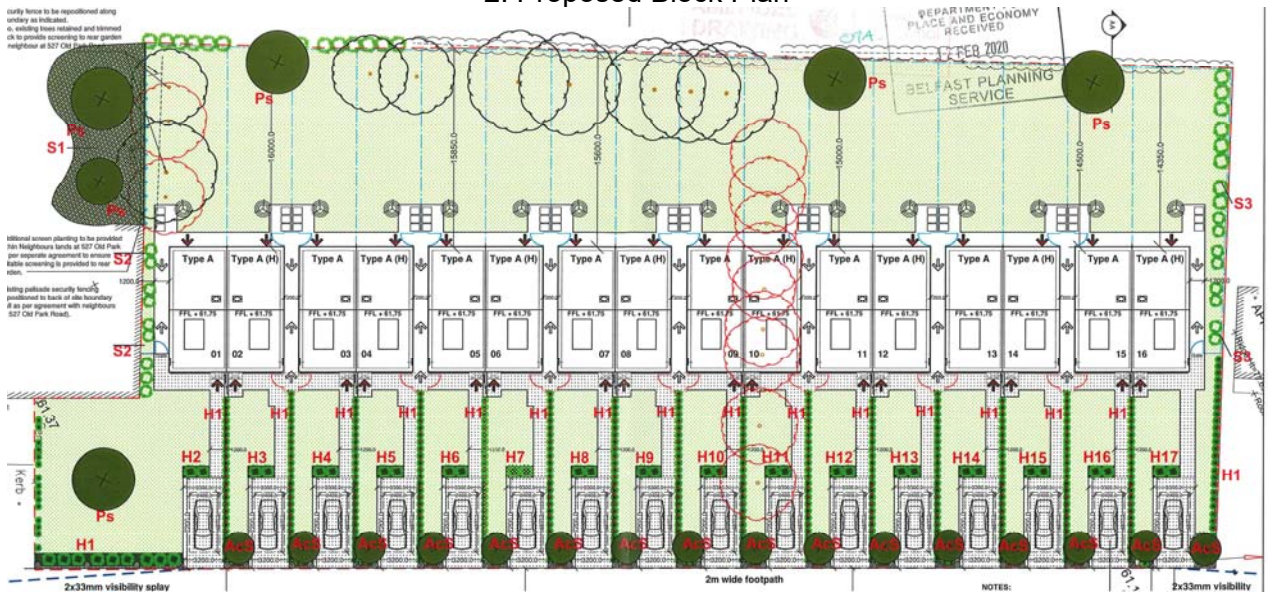
Case Officer Report

Plans

1. Site Location



2. Proposed Block Plan



3. Proposed Street Elevation



BOUNDARY WALL & RAILINGS - FRONT BOUNDARIES (STREET) scale 1.50

D	SCHEME REDUCED TO 1/800. HOUSES AS PER PLANNING COMMENTS	11.02.20	11.02.20
C	AMENDMENTS AS PER PLANNING COMMENTS	07.01.20	07.01.20
A	PLAN LAYOUT AND ELEVATIONS CHANGED	05.06.19	05.06.19

AMENDED DRAWING
Drawing Number: 06/8
C&S
Belfast City Council
BCC DEPARTMENT FOR PLACE AND ECONOMY RECEIVED
12 FEB 2020
BELFAST PLANNING SERVICE

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Construction of 16 dwelling units in 8no. pairs of semi-detached dwellings (for social housing).
2.0	Description of Site and Area
2.1	The site is existing vacant lands situated on Old Park Terrace, Belfast located in the north city. The street lies just off Old Park Road which is an arterial route.
2.2	The site has a sloping topography falling 0.3m from the North-East to South West. The site is roughly rectangular in shape with 94m road frontage and is bounded by a 2m high railing to the North, South and South-East/road frontage and trees to the North-West. The site is located in a residential area and residential properties lie to the west and the north of the site boundary and retail supermarket is located south of the site. The neighbourhood is primarily residential in character though it does have a number of commercial properties located along Old Park Road. A school, community buildings and a golf course are also within the vicinity.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
	No relevant planning history.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Area Plan 2015 The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035 (RDS)
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 7: Quality Residential Developments Planning Policy Statement 7 (Addendum) : Safeguarding the Character of Established Residential Areas Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 12: Housing in Settlements Planning Policy Statement 13: Transportation and Land Use Planning Policy Statement 15: Planning and Flood Risk
5.0	Supplementary Guidance Creating Places DCAN 8: Housing in Urban Areas Parking Standards DCAN 15: Vehicular Access Standards Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland
6.0	Statutory Consultees
6.1	DFI Roads – No objection

6.2	NI Water – No objection
6.3	Rivers Agency- No objection
6.4	Historic Environment Division- No objection
7.0	Non-Statutory Consultees
7.1	Belfast City Council Environmental Health – No objection subject to conditions
8.0	Representations
8.1	<p>The application was neighbour notified and advertised in the local press. One representation has been received to date from a neighbour at No. 527 Old Park Road raising the following concerns:</p> <ul style="list-style-type: none"> • Infringement of property rights associated with sale of their own property and impact on property value, rights of way and land ownership issues; <u>Officer response:</u> The applicant has indicated that they are in ownership of all the lands within the red line of the site as indicated on the application form where Property Certificate A was completed. The impact on the value of property is not a material consideration. • Impact on residential amenity through the impact on loss of natural light, air and privacy issues, loss of amenity, overlooking and impairment of quality of life; <u>Officer response:</u> It is considered that the proposal will not have a detrimental impact on the residential amenity of neighbours. This is covered under the assessment section of the report. • Removal of perimeter fencing and trees (impact on birds); <u>Officer response:</u> Adequate landscaping and boundary treatments are proposed. The removal of any trees landscaping will be mitigated by the provision of new landscaping which will be conditioned in the decision notice. • Impact on security, antisocial behaviour and crime; <u>Officer response:</u> The proposal offers surveillance across the street. Outlook from units is in compliance with guidance. Issues regarding potential crime and antisocial behaviour are matters out of the control of the planning authority. • Impact on environmental health, nuisance from construction and noise pollution; <u>Officer response:</u> Environmental Health offered no objections to the proposal. • Traffic and parking issues; <u>Officer response:</u> DfI Roads offered no objections to the proposal. It is the responsibility of DfI Roads / PSNI to enforce illegal parking. • Overload of drainage; <u>Officer response:</u> NI Water and Rivers Agency offered no objections to the proposal. • Impact on the character of the community by way of social housing provision at this location. <u>Officer response:</u> Social Housing is assessed in the same manner as private housing, the planning authority does not differentiate when applying planning policy in order to achieve a quality residential development for both existing and prospective residents. Social housing provision brings wider community benefits. <p>One letter of support was received from Choice Housing. The letter acknowledged the objection which was submitted and it highlighted that they were content with the design of the scheme and that it had been designed to the DfC Design Guide Standards and</p>

8.2	approved by the NIHE. Choice Housing commented that there was a need for this scheme to help address unmet social housing need in this area of North Belfast.
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of development / Loss of open space • Design & layout • Impact on the character and appearance of the area • Impact on amenity • Impact on Historic Monuments • Traffic Movement, Parking & Infrastructure capacity • Other Environmental Matters including contamination
9.2	<p>The principle of development and use at this location</p> <p>The site is within the development limits of Belfast as designated in both the BUAP and draft BMAP. It does not fall within any designations but lies in close proximity to the Oldpark/Cliftonville Road Arterial Route, in the Draft Belfast Metropolitan Area Plan. The Strategic Planning Policy for Northern Ireland (SPPS) is a material consideration for all decisions on individual planning applications and provides general policy context. The immediate area is primarily characterised by residential properties which are within walking distance to local amenities and recreational areas around the Oldpark Road area.</p>
9.3	<p>Open Space</p> <p>PPS 8 Open Space, Sport and Outdoor Recreation defines open space as ‘all open space of public value.’ Annex A of PPS 8 highlights that outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) – including tennis courts, football pitches etc. and other outdoor sports areas fall within the definition of open space. Part of the site was formerly used as a five a side soccer pitch and would fall under the definition of open space and therefore its loss must be assessed against the tests set out in PPS 8 Open Space Sport and Recreation. The area of existing open space represents approximately 1,400 square metres 40% cover of the site.</p>
9.4	<p>Policy OS 1 highlights that a planning authority will not permit development that would result in the loss of existing open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. An exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of open space. In order to comply with Policy OS 1 of PPS 8 the applicant provided a justification for the loss of this open space in terms of showing that the redevelopment will bring substantial community benefits that decisively outweigh the loss of open space.</p>
9.5	<p>The agents argue that the principle community benefit in this case is the provision of social housing, in an area of need and that outweighs the loss. They refer to another case, decided by the Planning Appeals Commission (PAC) which allowed open space to be set aside for social housing. McClure Street, where a loss of open space was accepted to bring substantial community benefit (2016/A0102 & Z/2014/0586/F for the construction of 20 No. 3 bedroom and 7 No. 2 bedroom social housing dwellings with associated landscaping for Apex Housing). Whilst the appeal was dismissed, this was based on other amenity grounds.</p>

9.6	<p>The applicant provided compelling evidence which shows that the site was previously occupied by housing. It was highlighted from an extract of a 1969 map that the street historically had a form of built development most likely in the form of terraced dwellings occupying it. An extract from a 1983 OSNI map shows that these properties had been demolished.</p>
9.7	<p>The applicant forwarded housing needs figures. These are contained in the Belfast Housing Investment Plan 2019-2023. This confirms the need for 1400 dwellings over the next 4 years within North Belfast. The proposal has the support of both Choice Housing and the Housing Executive. The site is identified in the general needs client group under the NIHE investment plan. The Housing Investment Plan 2019-2023 also indicates that within North Belfast there were 1984 applicants on the waiting list, 1570 of whom were considered to be in housing stress.</p>
9.8	<p>Other community benefits presented were the generation of employment within the construction industry and the opportunity for apprenticeships for local unemployed people for the duration of the building works. As a result it is considered that on balance the proposal represents a substantial community benefit and outweighs the loss of open space and overall, the proposal would fulfil the main objectives of the policy.</p>
9.9	<p>Design, layout and impact on the character and appearance of the area The proposal consists of 8 pairs of two and half storey dwellings (16no. units in total). The dwellings measure approximately 93 square metres in total floor space area. Each unit has a rear garden with a green area and parking space to the front. The dwellings are proposed to be bounded by a wall and railings to the front and close boarded timber fencing to the rear gardens. Proposed trees and planting will help to improve the visual amenity of the site.</p>
9.10	<p>Density The surrounding area is defined by a mixture of medium density housing, retail, community and educational buildings. The proposed density of development would be within the density parameters already established in the local area.</p>
9.11	<p>Design The form of the development which consists of traditional two and a half storey dwellings with pitched roofs is in keeping with the character of the wider area. The external materials proposed include red clay facing brick and smooth render (colour white), grey/black coloured roof tiles, and uPVC rainwater goods, doors and windows. The design, building line, ridge heights, fenestration and solid to void proportions are typical of the surrounding area. As such the proposal is in keeping with the locality and is compliant with PPS 7 Policy QD1. The proposed dwellings maintain the established building line along the street which helps it to integrate into the existing urban grain.</p>
9.12	<p>Amenity Space Amenity space provision for the dwellings are well in excess of minimum standards as set out in supplementary guidance, with provision of private amenity space ranging from 70 sqm and increasing to approximately 90 sqm for some units. The site will be bounded by palisade security fencing to the rear of the development and along the boundary with No. 527 Old Park Terrace. Soft planting, timber fencing, walls and railings will form the remaining boundaries.</p> <p>Waste</p>

	<p>The scheme has been amended to provide appropriate access from the rear gardens to the front of the site to allow prospective residents to bring bins to the front on bin collection days.</p>
9.13	<p>Overall the proposed development would not cause unacceptable harm to the local character, appearance and environmental quality of the area of the area in accordance with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Creating Places and the SPPS.</p>
9.14	<p>Impact on neighbouring amenity</p>
9.15	<p>The layout/aspect of all buildings within the site is such that there will be no significant overlooking into neighbouring properties. This includes the objector's property at No. 527 Old Park Road. In addition, there is sufficient separation distances to existing neighbouring properties to ensure that dominance and overshadowing will not occur to an unacceptable degree. A separation distance of approximately 18m is proposed between No. 527 Old Park Road and unit No.1. This ensures that there will be no issues with loss of light, overshadowing or overlooking. It is considered that the proposal will not have a detrimental impact on the residential amenity of any neighbours. In terms of prospective residents, each unit has adequate outlook to the public street and external amenity areas. It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.</p>
	<p>Impact on Historic Monuments</p>
9.16	<p>The application site is located on the site of a terrace of houses marked on the 1st Edition Ordnance Survey map, potentially the dwellings of workers in the nearby Old Park Print Works. These buildings are therefore of historical interest as well as potentially part of the industrial heritage of Belfast. While the houses are no longer in situ, it is possible that below-ground remains associated with these buildings may still survive on site. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any possible below-ground remains associated with the former houses on site in advance of new construction, as per Policy BH 4 of PPS 6. This will be subject to a condition.</p>
	<p>Traffic Movement and Parking</p>
9.17	<p>This is a highly accessible sustainable location. The development lies within close proximity of public transport routes along Oldpark Road and Cliftonville Road. Each unit has a dedicated incurtilage parking space, this is below standard however, given the location of the site in proximity to public transport options it is considered that the proposal is acceptable in terms of PPS 3 as the proposal will not result in a significant impact on traffic or road safety. DFI were consulted on the proposal and have offered no objections. In light of the above, it is considered that the proposed development would be acceptable in terms of highway safety, capacity and car parking in accordance with the SPPS, PPS3, Policy QD 1 of PPS7, Creating Places, BUAP and Draft BMAP.</p>
	<p>Drainage, flooding and infrastructure capacity</p>
	<p>The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. DFI Rivers have reviewed the drainage assessment and offer no objections to the proposal. NI Water have no objection to the proposal. Owing to the scale and nature of development proposed, it is not considered that proposed development would have a significant impact on existing infrastructure and as such, there are no issues of principle. In addition, connections to the water and foul sewer system are covered by separate legislation.</p>

<p>9.18</p>	<p>Other Environmental Matters including contamination The proposal will not result in an unacceptable impact in terms of noise, air quality or contamination issues. Environmental Health has no objection subject to conditions.</p>
<p>9.19</p>	
<p>10.0</p>	<p>Summary of Recommendation – Approval subject to conditions</p>
<p>10.1</p>	<p>Taking all factors into consideration, on balance, the proposal is considered acceptable and approval is recommended subject to conditions.</p>
<p>11.0</p>	<p>Conditions</p> <p>11.1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>11.2 If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use. Reason: Protection of human health.</p> <p>11.3 The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No. 08A, published on the Planning Portal 13th February 2020, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development. Reason: To ensure that adequate provision has been made for parking within the site.</p> <p>The vehicular accesses shall be constructed in accordance with Drawing No. 02A, published on the Planning Portal 13th February 2020. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>11.4 Access gates, if erected, shall not open out over the public road, verge or footway. Reason: In the interest of pedestrian safety, road safety and convenience of road users.</p> <p>11.5 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</p>

<p>11.6</p>	<p>by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: The identification and evaluation of archaeological remains within the site; Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and Preparation of the digital, documentary and material archive for deposition.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition L15a.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
<p>11.7</p>	<p>A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition L15a. 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>11.8</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>11.9</p>	<p>All hard and soft landscaping works shall be carried out in accordance with the approved details as per drawing No 09a date stamped 12th February 2020. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the City 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 City 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>If within a period of 5 years from the date of the planting of any proposed tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>

11.10	
11.11	The boundary treatments as shown on drawing X date received X shall be completed prior to occupation of each dwelling unit hereby approved. Reason: to ensure a quality residential environment.
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member: Cllr Nicholl forwarded Objection from constituent only – no further representation

ANNEX	
Date Valid	26th June 2019
Date First Advertised	12th July 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
1 – 19 Dunowen Gardens,Belfast,Antrim,BT14 6NQ	
10 -15b Oldpark Terrace,Belfast,Antrim,BT14 6NP	
17-21 Youth Club Centre,Oldpark Terrace,Belfast,Antrim,BT14 6NP	
2 Oldpark Terrace,Belfast,Antrim,BT14 6NP	
22 Oldpark Terrace,Belfast,Antrim,BT14 6NP	
24 Oldpark Terrace,Belfast,Antrim,BT14 6NP	
521 Oldpark Road,Belfast,Antrim,BT14 6QU	
527 – 533 Oldpark Road,Belfast,Antrim,BT14 6QU	
Deerpark Post Office,523 Oldpark Road,Belfast,Antrim,BT14 6QU	
Date of Last Neighbour Notification	26 th February 2020
Date of EIA Determination	N/A Site less than 0.5Ha
ES Requested	No

Drawing Numbers

01, 02B, 03, 04A, 05A, 06B, 07B, 08A, 09A.

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

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Development Management Officer Report

Committee Application	
Committee Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2017/1991/F	
Proposal: Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.	Location: Land adjacent to Concourse Buildings Queens Road Belfast BT3 9DT.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: Catalyst Inc The Innovation Centre Queens Road Belfast BT3 9DT	Agent Name and Address: McAdam Design 1c Montgomery House 478 Castlereagh Road Belfast BT5 6BQ
Executive Summary: The application seeks full permission for the construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works. The key issues are: <ul style="list-style-type: none"> - Principle of use on the site - Access, movement, parking and transportation, including road safety - Design - Impact on natural environment - Impact on built heritage - Landscaping - Flood Risk - other environmental matters - Legal Agreement <p>The site is located on land adjacent to Concourse Buildings, Queens Road, Belfast. The 3.18 ha site is located on both sides of Queens Road (to the front and rear of the Legacy Building) within the existing grounds of Catalyst Inc, formerly known as the Northern Ireland Science Park. The area is currently used for car parking on both sides of the road. Both areas are defined by a mix of hedging and fencing. The site is in proximity to a number of National, European and International designated areas, Thompson Dry Dock (archaeological site) as well as the Pump House (listed building). The site is sited within Belfast Harbour and is identified as whiteland in the BUAP 2001. The site is located within the development limits of Belfast in dBMAP and is identified as being within Zoning BHA 01 Titanic Quarter, a site zoned for mixed use development in the draft plan.</p> <p>The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (dBMAP), PPS 2, PPS 3, PPS 4, PPS 6 and PPS 15.</p>	

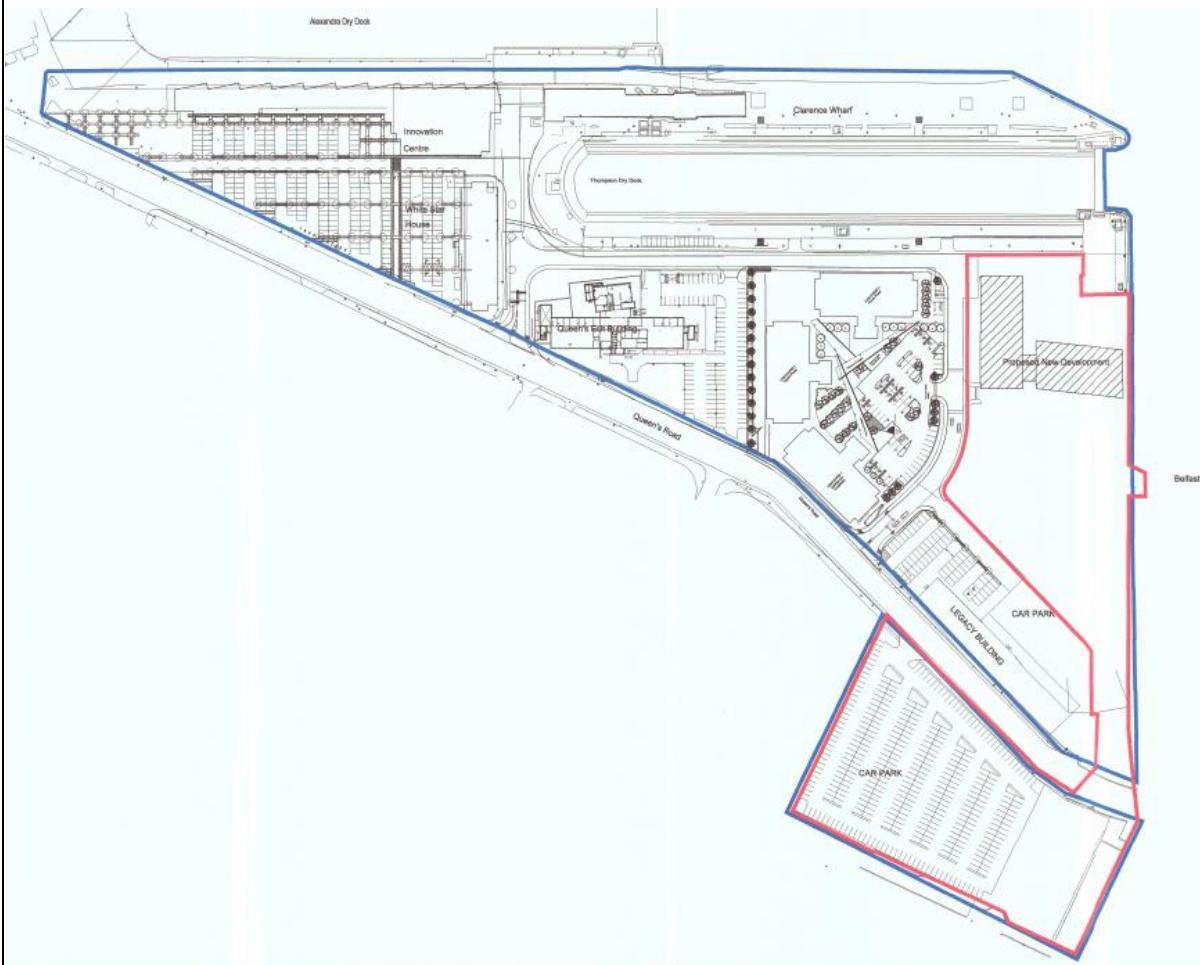
All statutory and non-statutory consultees responded with no objections subject to conditions.

Accordingly, it is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and to enter into a Section 76 planning agreement to provide a mechanism to linking the occupation of the proposed office building to the completion of the Eastern Access Road and to secure a vibration monitoring regime extending beyond the application site and a condition survey of the Thompson Dock subject to no new substantive planning issues being raised by third parties.

Page Break

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None received
Letters of Objection	1 received, then withdrawn
Number of Support Petitions and signatures	No petitions received
Number of Petitions of Objection and signatures	No petitions received

Characteristics of the Site and Area

1.0 Description of Proposed Development

The application seeks full planning permission for the construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.

2.0 Description of Site

The site is located on land adjacent to Concourse Buildings, Queens Road, Belfast. The 3.18 ha site is located on both sides of Queens Road (to the front and rear of the Legacy

Building) within the existing grounds of Catalyst Inc, formerly known as the Northern Ireland Science Park. The area is currently used for car parking on both sides of the road. Both areas are defined by a mix of hedging and fencing. The site is in proximity to a number of national, European and international designated areas, Thompson Dry Dock (archaeological site) as well as the Pump House (listed building). The site is sited within Belfast Harbour and is identified as whiteland in the BUAP. The site is located within the development limits of Belfast in dBMAP and is identified as being within Zoning BHA 01 Titanic Quarter, a site zoned for mixed use development.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

The most recent planning history on the site relates to a small portion of the overall site on the opposite side of the road from the Legacy Building under Z/2013/1511/F. This was for an “Existing building to be extended to the south-east and south to create additional 2330 sq metres of lettable work space and 98 car parking spaces remotely located 300 metres north east of the NISP building”, and permission was granted on 26th November 2015. The proposal falls under the category of Major Development and Pre Application Community Consultation was carried out under the planning reference LA04/LA04/2017/0751/PAN.

4.0 Policy Framework

- 4.1 Belfast Urban Area Plan 2001 (BUAP)
- 4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) 2004
- 4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015
- 4.4 Developer Contribution Framework 2020
- 4.5 Strategic Planning Policy Statement (SPPS)
- 4.6 Planning Policy Statement (PPS) 2: Natural Heritage
- 4.7 Planning Policy Statement (PPS) 3: Access, Movement and Parking
- 4.8 Planning Policy Statement (PPS) 4: Planning and Economic Development
- 4.9 Planning Policy Statement (PPS) 6: Planning, Archaeology and the Built Heritage
- 4.10 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees Responses

- 5.1 DfI Roads Service – No objection subject to conditions
- 5.2 DfC Historic Environment Division (Historic Monuments) – No objection subject to conditions
- 5.3 DfC Historic Environment Division (Historic Buildings) – No objection
- 5.4 NI Water – No objection
- 5.5 DAERA Regulation Unit – No objection subject to conditions
- 5.6 DAERA Natural Environment Division – No objection subject to conditions
- 5.7 DAERA Marine and Fisheries Division – No objection
- 5.8 DAERA Coastal Management – No objection
- 5.9 DAERA Water Management – No objection subject to conditions
- 5.10 DFI Rivers Agency – No objection

6.0 Non Statutory Consultees Responses

- 6.1 Belfast City Council (BCC) Environmental Health - No objection subject to conditions
- 6.2 Belfast City Council (BCC) Local Development Plan Team – No objection subject to conditions
- 6.3 Belfast City Council (BCC) Tree Officer – No objection subject to conditions
- 6.4 Belfast City Airport – No objection
- 6.5 Shared Environmental Services – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. An objection was received from Strategic Planning dated 3rd July 2018, on behalf of IBM who occupy the Legacy Building. The issues raised were construction noise, discrepancy within the parking layout, parking provision already at full capacity, and discrepancy relating to the public walkway. Following direct dialogue between the Applicant and Objector this representation was withdrawn on 14th September 2018.

8.0 Other Material Considerations

8.1 Parking Standards (supplementary planning guidance)

9.0 Assessment

9.1 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remained contentious). The site is located inside the development limits of Belfast as shown in the draft Belfast Metropolitan Area Plan 2015 and within Zoning BHA 01, Titanic Quarter.

9.2 The proposal will develop the existing site by erecting a five storey office building for science and I.T. based business, with associated car parking and public realm works. The proposed building will be located to the rear of the site adjacent to Thompson Dry Dock with car parking to the front (to the rear of the Legacy building), with further proposed car parking on the opposite side of the road. The proposed building is an 'L shape' with two main elements and a link between. Each section features a small projection for stairs, lift and WCs. The plans show the two main sections of the building on each floor as open plan office space with the link areas showing lifts, stairs, as well as showering facilities and two conference rooms on each floor, with the exception of the ground floor. This area is characterised by the entrance foyer, café and reception area.

9.3 The key issues are:

- Principle of use on the site
- Access, movement, parking and transportation, including road safety
- Design
- Impact on natural environment
- Impact on built heritage
- Landscaping
- Flood Risk
- other environmental matters
- Section 76 Planning Agreement

9.4 Principle of use on the site

The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below. As stated the proposal is sited within dBMAP zoning BHA 01, and there are a number of key site requirements (KSRs) for the zoning which outline the acceptable uses in Titanic Quarter. These include business uses (as currently specified in Class B1 (a), (b) or (c) of the Planning (Use Classes) Order (Northern Ireland) 2004), now superseded by the 2015 Order. The KSRs go on to state that 'the total amount of floorspace for Use Class B1 (a) Offices shall not exceed 15,000m² and that consideration may be given to office proposals above 15,000m² where it can be demonstrated that the proposal cannot be accommodated within

Belfast City Centre and which would otherwise result in a loss of significant inward investment'. The agent has confirmed the proposed use as B1(c) Research and Development. Under the KSRs for zoning BHA01 there is no floorspace restriction of B1(c). Following consultation with the BCC Local Development Plan Team they had no objection to the proposal and suggested a condition be included, should approval be granted, restricting the office use to B1(c). The site is within a commercial area and compatible with surrounding uses. The proposal, subject to planning considerations, is considered to make a positive contribution to the area.

9.5 Access, Movement, Parking and Transportation

The proposed car parking has been located to the front of the proposed building, as well as on the opposite side of the road (directly opposite the Legacy Building). A Transport Assessment Form, Transport Assessment, Travel Plan, and Service Management Plan were submitted with the application. DfI Roads were consulted and they raised a number of concerns regarding traffic and road safety.

9.6 After extended engagement and discussions between Planning, DfI Roads Service and the applicant's agent and roads consultant, an updated Travel Plan, traffic calculations as well as other supporting information was submitted and forwarded to DfI Roads for comment. They responded on 9th April 2020 stating no objection subject to a number of conditions, including a restriction on the occupation of the proposed office building. It is considered necessary to allow no more than 40% of the floor area of the proposed development to be occupied or otherwise operational until the 'Titanic Quarter Eastern Access Road', recommended for approval by the Planning Committee in March 2020 under planning reference LA04/2019/2810/F, has been constructed to the satisfaction of DfI Roads and become operational. The condition is considered necessary because if the building was wholly occupied in advance of the new road it would have an adverse impact on the existing road infrastructure.

9.7 Design

The proposed building is 5 storeys high, and consists of 2 main elements linked by a circulation core to form a general "L shaped" block. Plant is proposed to the roof and will be screened by parapet walls. The proposal is sited approximately 105m from the Legacy building to the front and 30m to the nearest of the three Concourse buildings adjacent to the East, also 5 storeys. The proposed height, massing and design are acceptable for the site and its surroundings. The Agent states that the design and materials been carefully considered in relation to the industrial history of the site.

9.8 The building is of a modern design with large areas of glazing. The external materials are a mix of grey curtain wall cladding; rainscreen cladding and grey brick (to the ground floor). The proposed mix of materials are similar to that of a number of buildings in the immediate area, which overall is characterised by a variety of building types and elevation treatment. Should approval be granted a condition shall be attached stating development shall not commence under materials have been submitted to and agreed in writing with the Council.

9.9 Impact on natural environment

The site is in proximity to a number of national, European and international designated areas, Belfast Lough Open Water ASSI, Belfast Lough Ramsar/SPA, The Maidens SAC, East Coast Marine Proposed SPA and North Channel SAC, as well as the Outer Belfast ASSI.

9.10 A Habitats Regulation Assessment (HRA) was submitted demonstrating the potential impacts on the above European Sites. This assessment determines if there could be any significant effects on the features and conservation objectives, and hence integrity, of any

European sites to meet the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). This information was forwarded to Shared Environmental Services for comment, along with an Outline Construction Environmental Management Plan (CEMP), Piling Risk Assessment as well as the proposed drainage layout. They responded with no objections to the proposal subject to a condition relating to the submission of a final CEMP. They also placed emphasis on the importance of Conditions which had been suggested by DAERA's Regulation Unit.

9.11 DAERA Natural Environment Division assessed the same information as Shared Environmental Services, as well as the submitted GQRA. They are content the proposal is unlikely to significantly impact protected and/or priority species and habitats subject to conditions. They have also requested the submission of a final CEMP for agreement prior to works commencing. They also stated that a buffer of at least 10m must be maintained between the location of all construction works etc and Belfast Lough. This shall be conditioned should approval be granted.

9.12 DAERA Marine and Fisheries Division were content with the conclusions of the HRA and consider that provided the proposal is confined to the red line boundary and there is no significant noise disturbance associated with construction works there should be no impact on the natural environment. In conclusion the proposal is in keeping with PPS 2, Natural Heritage.

9.13 Impact on built heritage

The proposal is within the vicinity of archaeological sites (including Thompson Dock) and a listed building (Pump House) and therefore the policies in PPS 6 are a material consideration in this case. HED Historic Buildings assessed the application in relation to the setting of the listed Pump House. On the basis of the information provided, HED is content that the proposal is satisfactory and complies with the policies in the SPPS and Policy BH11 of PPS 6.

9.14 HED Historic Monuments (HM) was consulted given the site's proximity to a scheduled monument (Thomson Dock). HED HM raised concerns relating to any potential physical impacts of construction works upon the structural integrity and fabric of adjacent maritime sites. A structural engineer's report, piling methodology details, as well as details of a vibration monitoring scheme were forwarded to HED HM for consideration. In their response dated 8th April 2019 they made a number of recommendations. They stated in view of the proposed piling works it is essential that a robust monitoring regime is agreed and implemented. The regime will however require the monitoring of vibration levels outside the red line of the boundary of the application site and a condition survey of Thompson Dock. They suggested that any approval for the scheme should be conditional on the agreement and implementation of a piling and monitoring methodology that provides for the requirements described within their response. As the requirements for the monitoring of vibration levels relate and the condition survey of the dock relate to land beyond the red line of the application site, it is necessary that these requirements are secured as part of a Section 76 Planning Agreement. These measures will ensure the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

9.15 Landscaping

The site exhibits a small number of trees which the BCC Tree Officer has confirmed as more than likely the result of natural regeneration or self-seeded. These should be retained, where it is reasonably possible to do so. The proposed landscaping plan shows 50 semi mature trees of mixed species. These will soften the visual aspect of the proposed site. The BCC Tree Officer responded to consultation with no objection subject to a number of standard conditions.

9.16 Flood Risk

A flood risk and drainage assessment was submitted for consideration, and consultation undertaken with Rivers Agency in relation to these matters. They responded on 23rd November 2017 with no objection to the proposal, and it is therefore considered that the proposal complies with the policy requirements set out in PPS15 as acceptable drainage and flood risk protection measures are proposed. On reviewing the updated Flood Risk Assessment on 19th February 2019 their previous comments remained the same.

9.17 Other Environmental Matters

A Preliminary Risk Assessment and Generic Quantitative Risk Assessment were submitted and comments were invited from both BCC Environmental Health and DEARA. BCC and DEARA both responded suggesting conditions to be included should approval be granted. These are included below as part of this report.

9.18 Section 76 Planning Agreement

A current application, under LA04/2019/2810/F, for “Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works.” was recommended for approval at the BCC Planning Committee meeting on 10th March 2020 with powers delegated to the Director of Planning and Building Control to finalise the wording of conditions and resolve any outstanding matters. DfI Roads Service have recommended by condition that no more than 40% of the floor area of the proposed development shall be occupied or otherwise become operational until the ‘Titanic Quarter Eastern Access Road’ has been constructed to the satisfaction of DfI Roads and become operational. This will be generally in accordance with the approval LA04/2019/2810/F ‘Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works’. The condition is considered necessary because if more than 40% of the building was occupied in advance of the new road it would adversely impact on the existing roads infrastructure.

9.19 As the new road is outside the red line for the office development, and subject to a separate planning permission, it is considered that should planning permission be granted for the new office development, the developer will be required to enter into a Section 76 planning agreement with the Council to provide a mechanism to link the occupation of the proposed office development, if granted, under LA04/2017/1991/F to the completion of the Eastern Access Road (LA04/2019/2810/F).

9.20 In addition the planning agreement should include the HED HM requirements for monitoring of vibration levels outside the red line boundary of the application site and a condition survey of the scheduled dock. The developer has expressed a willingness and commitment to enter into such a legal agreement.

9.21 Economic Benefit

The Planning Design and Access Statement submitted in support of the proposal states the development will provide accommodation for 1400 people approximately with of course a number of short term construction jobs and will bring an injection of vitality to this area of Chichester Street. The increased footfall to the area will also boost trade for local restaurants and retailers.

10.0 Conclusion

10.1 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and it is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and to enter into a Section 76 planning agreement to provide a mechanism to linking the occupation of the proposed office building to the completion of the Eastern Access Road and to secure a vibration monitoring regime

extending beyond the application site and a condition survey of the Thompson Dock subject to no new substantive planning issues being raised by third parties.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions and a Section 76 Planning Agreement

Conditions:

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

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

2. No part of the development hereby permitted shall become operational until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. 15 'Queens Road Access Sightlines', bearing the Belfast City Council Planning Office date stamp 14 May 2019 and Drawing No. 16 'Sightlines and Car Parking Dimensions', bearing the Belfast City Council Planning Office date stamp 14 May 2019, prior to the occupation of any other development hereby permitted. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 16 'Sightlines and Car Parking Dimensions', bearing the Belfast City Council Planning Office date stamp 14 May 2019 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking and servicing.

4. A minimum of 24 No. secure cycle parking stands shall be provided and permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.

Reason: To encourage the use of alternative modes of transport for development users.

5. The development hereby permitted shall operate in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 22 January 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. This Travel Plan will be issued as a standalone document and the measures contained within will be monitored and assessed from the inception of the Plan on a minimum of an annual basis to ensure the Plan's effectiveness.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

6. Prior to the commencement of development, a detailed Construction Environmental

Management Plan (CEMP) shall be submitted to, and agreed in writing by the Council. This should reflect all the mitigation and avoidance measures to be employed as detailed in the outline CEMP, Proposed Drainage Layout (May 2018), Piling Risk Assessment (March 2018) and all additional submitted information. The CEMP shall include a detailed environmental monitoring plan to include suitable groundwater and surface water monitoring to take place during and after the construction works. This should include at least three rounds of monitoring for a suitable analytical suite. Reported contaminant concentrations should be screened against Generic Acceptance Criteria (GAC) protective of the water environment and results should be submitted in writing to the Council for agreement. In the event of unacceptable risk to receptors being identified, works shall cease and the requirements of Condition 11 will apply.

Reason: Protection of environmental receptors to ensure that the site is suitable for use, and to ensure there are no adverse impacts on European site features.

7. Prior to the development proceeding, a detailed remediation strategy shall be presented to the planning authority for agreement. The remediation strategy should consider all unacceptable risk to receptors and should identify the most appropriate remedial options and how these should be implemented and verified. The remediation strategy should be completed in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

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

8. Any piling work undertaken at the site should use a continuous flight auger piling method. Should the applicant wish to change piling methods a revised piling risk assessment will need to be submitted to the planning authority for agreement.

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

9. If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented and verified to its satisfaction.

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

11. After completing all remediation works required under Conditions 7-10, and prior to occupation of the development, a Verification Report shall be submitted and agreed in writing with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

This report must demonstrate that all remedial measures outlined in the MCL Consulting Ltd report titled Phase 2 Generic Quantitative Risk Assessment (GQRA) Pierpont Office Development Queens Road, Belfast Harbour, dated March 2018, Project Number:P1509-1 have been implemented.

The verification report shall demonstrate the successful completion of remediation works and that the site is now fit for the intended end-use (Commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

In particular, this Verification Report must demonstrate:

- All Commercial Buildings have gas protection measures in line with CIRIA C665 Characteristic Situation 2.
- For those areas not covered in hardstanding, the report must demonstrate that these areas have been encapsulated in a clean cover fill of at least 600mm. This fill material must be demonstrably suitable for end use (commercial).

Reason: Protection of environmental receptors to ensure the site is suitable for use, and the protection of human health.

12. In the event that contamination not previously considered is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to the Council for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.

Reason: Protection of human health

13. A buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and Belfast Lough.

Reason: to ensure there are no adverse impacts on European site features.

14. The development hereby approved shall be used only for B1(c) Research and Development, as described within The Planning (Use Classes) Order (Northern Ireland) 2015.

Reason: To control the use at this location and to secure a satisfactory mix of land uses.

15. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to and have been approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To protect the visual amenities of the area.

ANNEX	
Date Valid	20th September 2017
Date First Advertised	29th September 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>1, Pavilions Office Park, Holywood, Down, Northern Ireland, BT18 9JQ B L Refrigeration & Air Conditioning Ltd,Unit 3,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Base Group,Unit 3,The Legacy Building,22 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, Cimpina Ltd,Unit 5,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, D V 8 Shoe Shop,Unit 6,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Ibm United Kingdom Ltd,Unit 1,The Legacy Building,22 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT,</p> <p>Navinet,Unit 4,The Legacy Building,22 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, New Sirocco Works,Musgrave Channel Road,Queen'S Island,Belfast,Down,BT3 9DT, Offices 1-10,Unit 7,20 Queens Road,Belfast,Down,BT3 9DT, Pyeroy(Northern Ireland)Ltd,Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, Queens Road,Queen'S Island,Down,, Sterling Fluid Systems Ltd,Unit 2,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT,</p> <p>Stratton Engineering,Unit 4,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT,</p> <p>Unit 1,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 1 - 4,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 17,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 3a,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, Unit 9,Oakbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT, W H Scott & Son Ltd,Unit 2,Elmbank,Queens Road,Channel Commercial Park,Belfast,Down,BT3 9DT,</p> <p>Workman Road,Queen'S Island,Down,,</p>	
Date of Last Neighbour Notification	22nd January 2020
Date of EIA Determination	19th October 2017
ES Requested	No

Planning History

Ref ID: Z/2013/1511/F

Proposal: Existing building to be extended to the south-east and south to create additional 2330 sq metres of lettable work space and 98 car parking spaces remotely located 300 metres north east of the NISP building.

Address: Northern Ireland Science Park, Queen's Road, Queen's Island, Belfast, BT3 9DT,

Decision: PG

Decision Date: 08.12.2015

Ref ID: Z/2000/2205/O

Proposal: Science Park (research driven centre for knowledge based industry)

Address: Queen's Road, Queen's Island, Belfast

Decision:

Decision Date: 12.04.2001

Ref ID: Z/2001/0922/O

Proposal: Redevelopment of the site as a science park

Address: Queens Road, Queens Island, Belfast

Decision:

Decision Date: 22.03.2002

Ref ID: Z/1997/0103

Proposal: Refurbishment and sub-division of existing vacant plumbing works to create 8 no.industrial units with office extension to unit no.1

Address: PHASE 3 CHANNEL COMMERCIAL PARK QUEENS ISLAND BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2000/0196/F

Proposal: Proposed workshop extension located within existing covered parking area.

Address: Unit 1, Phase 3, Channel Commercial Park, Queens Road, Belfast.

Decision:

Decision Date: 06.05.2000

Ref ID: LA04/2018/1510/PAN

Proposal: Part demolition of existing building and erection of storage and distribution facility and associated car parking, site works and access.

Address: Lands at Kings Works, Channel Commercial Park, Queens Road, Titanic Quarter, Belfast.,

Decision: PANACC

Decision Date:

Ref ID: Z/2000/2505

Proposal: Proposed mixed use development.

Address: Titanic Quarter, Belfast Harbour, Belfast BT3.

Decision:

Decision Date:

Ref ID: LA04/2017/0357/PAN

Proposal: The construction of a 5 storey office development for science and IT based businesses, and associated car parking, landscaping, public amenity space etc.

Address: Queens Road, Queens Island, Belfast, BT3 9DT,

Decision: PANCON

Decision Date:

Ref ID: LA04/2017/1991/F

Proposal: Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.

Address: Land adjacent to, Concourse Buildings, Queens Road, Belfast, BT3 9DT.,

Decision:

Decision Date:

Ref ID: LA04/2017/0751/PAN

Proposal: The construction of a 5-storey office development for Science and I.T. based business, and associated car parking, landscaping, public amenity space etc.

Address: Queens Road, Queens Island, Belfast, BT3 9DT.,

Decision: PANACC

Decision Date:

Ref ID: Z/2005/1842/F

Proposal: Construction of 3 no. buildings to provide accommodation for high growth, medium to large high technology companies and a landscaped courtyard with associated car parking.

Address: Northern Ireland Science Park, Queen's Road, Queen's Island, Belfast, BT3 9DT

Decision:

Decision Date: 16.06.2006

Ref ID: Z/2007/1412/F

Proposal: Construction of 3 No. 5 storey buildings with associated landscaping and car parking.

Address: Northern Ireland Science Park, Queen's Road, Queen's Island, Belfast, BT03 9DT

Decision:

Decision Date: 12.06.2008

Ref ID: Z/2003/0546/RM

Proposal: Refurbishment of existing building, infrastructure, associated car parking, landscaping and other ancillary work for building (No.4) of Science Park to provide accommodation for high growth medium to large technology companies.

Address: Queens Road, Queens Island, BT3 9DU.

Decision:

Decision Date: 18.12.2003

Ref ID: Z/1974/1100

Proposal: CHANGE OF USE OF STORE TO AMENITY CENTRE

Address: BLACKSMITHS SHOP, QUEENS ROAD

Decision:

Decision Date:

Ref ID: Z/2009/0185/LDP

Proposal: Construction of a skip enclosure.

Address: Channel Commercial Park, Queens Road, Belfast. BT3 9DT.

Decision:

Decision Date:

Ref ID: Z/2007/2213/F

Proposal: Erection of new 27m x 9.6m modular building for staff amenities (Amended description).

Address: Channel Commercial Park, Queens Road, BT3 9DT

Decision:

Decision Date: 05.02.2008

Ref ID: LA04/2019/0683/F

Proposal: Demolition of existing industrial warehouse buildings and erection of warehouse distribution facility, associated ancillary office, van storage, yards, car parking and accesses.

Address: Lands at Kings Works, Channel Commercial Park, Queens Road, Titanic Quarter, Belfast.,

Decision: AL

Decision Date:

Ref ID: LA04/2019/0162/DETEI

Proposal: E I A requests for Warehouse Distribution facility at lands at Queens Road, Belfast

Address: Lands at Queens Road, to the south west of Wolff Road and west of Musgrave Channel Road, Belfast Harbour Estate, Belfast,

Decision: NRES

Decision Date:

Notification to Department (if relevant)

Date of Notification to Department: N/A

Response of Department:

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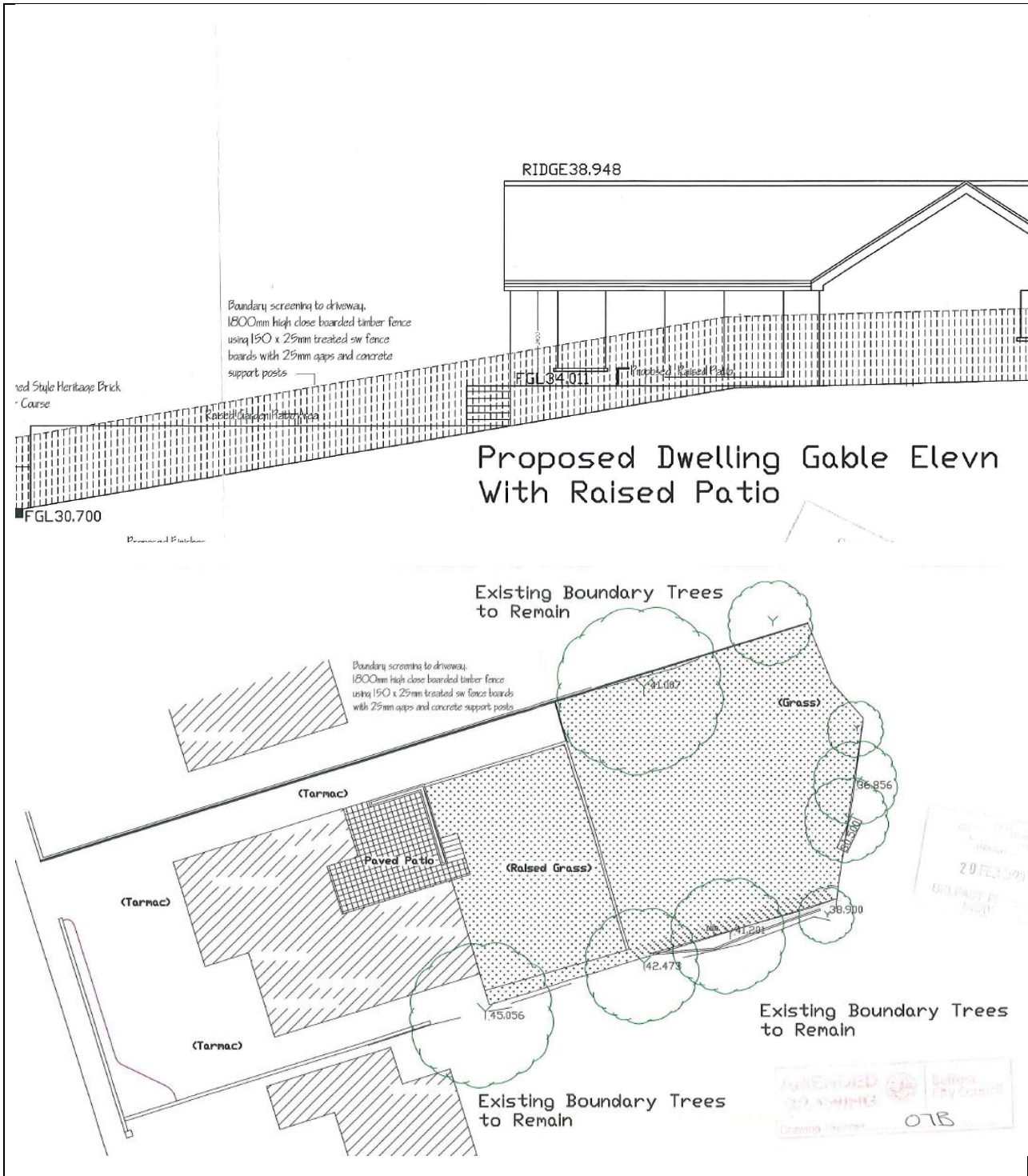
Committee Application

Development Management Report	
Committee Application Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2019/2215/F	
Proposal: Boundary fencing to rear of property. Retrospective construction of a raised paved patio and raised levels to form grass patio with associated access steps and retaining walls.	Location: 14 Malone View Road Belfast BT9 5PH
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Adrian Rice 14 Malone View Road Belfast BT9 5PH	Agent Name and Address: Aidan Stott 18 Lough Road Ballinderry Upper BT28 2HA
<p>Executive Summary</p> <p>The application seeks full planning permission for boundary fencing to the rear of the property and retrospective permission for the construction of a raised paved patio and raised levels to form a grass patio with associated access steps and retaining walls.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • The design of the proposal. • Impact on the character and appearance of the existing dwelling and surrounding area. • Impact on the amenity. <p>10 third party representations have been received including an Elected Representative. The original plans included a detached garage to the rear of the property which has now been removed. The majority of comments centred on the garage. All comments/ concerns have been addressed in full in the case officer report.</p> <p>Consultees Tree and Landscape Team – no objection.</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable as it will not detract from the character or appearance of the surrounding area or host dwelling and its curtilage. It is considered that it will not have a significant impact in terms of neighbouring residential amenity.</p> <p>Recommendation: It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions, subject to no new substantive planning issues being raised by consultees and third parties.</p>	

Case Officer Report

Site Location Plan:





Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application is seeking full planning permission for boundary fencing to the rear of the property and retrospective permission for the construction of a raised paved patio and raised levels to form grass patio with associated access steps and retaining walls.
2.0	Description of Site and Area
2.1	The application site is located at 14 Malone View Road in South Belfast and consists of a single storey dwelling, finished in render with a roof of the dwelling is pitched and covered in concrete roof tiles. The dwelling at no.16 Malone View Road is separated by

2.2	a boundary fence topped with mesh and black screening with sparse tree growth. There is currently no boundary with no.12.
2.3	The area is characterised by single storey residential dwellings of various scales and finishes. The site does not fall within any special designations.
	In respect of the topography of the site – Levels fall steadily towards the rear of the site.
Planning Assessment of Policy and Other Material Considerations	
3.0	Site History
3.1	LA04/2018/0079/F - 14 Malone View Road Belfast BT9 5PH - Internal alterations and extension to rear of dwelling to allow an additional bedroom and extended kitchen, dining and garden room accommodation to rear. – PERMISSION GRANTED
4.0	Surrounding Area
4.1	LA04/2017/2486/F - 10 Malone View Road Belfast BT9 5PH - 2 storey rear extension, first floor extension and elevation changes (Amended Plans) – PERMISSION GRANTED
4.2	LA04/2017/2664/F - 4 Malone View Road Belfast BT9 5PH - Single storey rear & side extension. Provision of a pitched roof to an existing flat roof garage and associated works. – PERMISSION GRANTED
4.3	LA04/2016/0836/F - 16 Malone View Road Belfast BT9 5PH - Ground floor side and rear extension. First floor front extension. Elevation changes. Pitched roof at front and 2no. front dormers. – PERMISSION GRANTED
5.0	Policy Framework
5.1	<ul style="list-style-type: none"> • Regional Development Strategy (RDS) • Belfast Urban Area Plan 2001 • Draft Belfast Metropolitan Area Plan (dBMAP) 2015 – White Land <p>The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p> <ul style="list-style-type: none"> • Strategic Planning Policy Statement for Northern Ireland • Addendum to PPS7 – Residential Extensions and Alterations
6.0	Statutory Consultees
6.1	None
7.0	Non Statutory Consultees
7.1	BCC Tree and Landscape Team – No objections
8.0	Representations
8.1	<p>The application has been neighbour notified three times and advertised in the local press. The original plans included a detached garage to the rear of the property. following the first round of neighbour notification, 5 objections were received. The following concerns were raised:</p> <ul style="list-style-type: none"> • Design, size, scale and massing of the garage/ office space would be out of character with the dwelling and surrounding area. • Amenity concerns from the garage including dominance and overlooking

8.2	<ul style="list-style-type: none"> • Issues regarding the potential use of the garage and office space i.e. for commercial purposes or to convert to a house. It would appear that a building company is being run from the address with multiple building vehicles parked outside. • Garage/ office space would create precedent in the area. • Concerns regarding damage to trees along the shared boundary as a result of the garage. <p>Amended plans were received and the application was re-notified. A further 4 objections were received, mirroring the concerns listed above. And were received from the same addresses.</p>
8.3	<p>As stated above, the agent amended the plans/ description to remove the garage and the application was re-notified for a final time. One representation was received from the neighbouring property, no.16 Malone View Road. The matters raised were as follows:</p> <ul style="list-style-type: none"> • Impact on amenity which regard to overlooking to the garden/ patio and living and bathroom window.
8.4	<p>Case Officer Response:</p> <ul style="list-style-type: none"> • Issues regarding the garage are now not relevant given its removal from the plans. • The application is a householder application and as such any development would need to be ancillary to the main dwelling. A change of use to a commercial business is not proposed. Any unauthorised use should be reported to the Planning Enforcement Team within Council. • Whilst the garage was removed, the Tree and Landscape Team were still consulted. They have no objection to the revised proposal, further detail later in the report. • The topography of the site as well as the neighbouring sites has a steady decline to the rear. The applicant is creating a flat usable space with the majority at a lower floor level to the dwelling. There is precedent for changing levels in the area including the objector's property. It is considered that overlooking will not be to such a significant level that would cause an unacceptable impact on residential amenity. However, to ensure no direct overlooking, it is recommended that a boundary screen should be conditioned.
9.0	<p>Assessment</p> <p>9.1 The key issues in the assessment of this application are:</p> <ul style="list-style-type: none"> - Design of the proposal - Impact on the character and appearance of the existing dwelling and the surrounding area - Impact on the amenity of the area. <p>9.2 <u>Design, Character and Appearance</u></p> <p>The proposal is considered to comply with Policy EXT 1 of the addendum to PPS7 as the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing dwelling and the surrounding area. The boundary fencing will measure 1.8m in height and as such can be constructed under permitted development. The topography of the site as well as the neighbouring sites has a steady decline to the rear. The proposal has created a flat usable space. The paved patio that adjoins the rear of the dwelling has increased the level by approximately 1m and is enclosed by a low retaining wall. The change of levels to</p>

	create the raised grassed area, sits 1m below the paved area. At the rear of this raised level, it has increased levels by approx. 1.5metres.
9.3	There is precedent for raised patios/ levels in the area including the neighbouring property no.16. Given the above, it is considered that the proposal will not become an overly dominant addition to the dwelling, integrating well within the application site and will not detract from the character or appearance of the surrounding area.
9.4	<p><u>Impact on Amenity</u></p> <p>The proposal is considered to be in accordance to Policy EXT1 of the addendum to PPS7 in that the proposal will not unduly affect the privacy or amenity of neighbouring residents. The proposal will not result in any significant impact to neighbouring properties in terms of over shadowing.</p>
9.5	<p>There is currently a fence and trees along the boundary of no.16 which screens the development ensuring limited overlooking. However, it would appear that the fence with mesh and black material does not have planning permission and to protect the future privacy of no.16, should permission be granted, a condition will be placed that a privacy screen of a minimum height 1.8m shall be erected along the raised level at the boundary. With regard to the neighbour at no.12, there is currently no boundary treatment affording any privacy to either neighbour, therefore it would be difficult to determine that the proposal will exacerbate the existing situation. However, the proposal includes boundary fencing, which will help screen the development, which will also be conditioned, should planning permission be granted.</p>
9.6	<p>The proposal will also not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality. The Tree and Landscape Team were consulted and have “<i>no objection to revised proposal on the basis that any potential damage to existing trees will have already occurred from the already completed construction works on this and the neighbouring property at No. 16 Malone View Road.</i>” They have recommended conditions to protect a tree along the northern boundary as it is considered to add amenity value.</p>
9.7	<p>There is sufficient space remaining within the curtilage of the property for recreational and domestic purposes including bin storage.</p>
10.0	Summary of Recommendation – Approval
10.1	<p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>
11.0	Conditions
11.1	<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>2. The existing tree coloured in green on stamped approved drawing No. 07b, date stamped 20 February 2020 shall be permanently retained. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance without the written consent of the Council. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of this decision, another tree or trees shall be planted at the same place</p>

	and that tree shall be of such size and species and shall be planted at such time as may be specified by the Council. Reason: To ensure the continuity of amenity afforded by existing trees.
11.3	3. Where fences are proposed within the Root Protection Area (RPA) of existing trees, careful hand digging will be employed with extreme care being taken not to damage tree roots and root bark within the Root Protection Areas of all trees to be retained. Mini-pile / post foundations or equivalent shall be used in the construction of any boundary fence. Reason: To avoid root severance.
11.4	4. A boundary screen/ fencing shall be erected and thereafter retained at a minimum height of 1.8m, as highlighted in drawing no. 07B, date stamped received 20 Feb 2020. Reason: To protect the amenity of neighbouring properties. Informative:
11.5	1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

ANNEX	
Valid	20.09.2019
Date First Advertised	04.10.2019
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
16 Malone View Road,Belfast,Antrim,BT9 5PH 21 Malone Heights,Belfast,Antrim,BT9 5PG 3 Malone View Crescent,Belfast,Antrim,BT9 5PL 3 Malone View Road,Belfast,Antrim,BT9 5PH 43 Malone Heights,Belfast,Antrim,BT9 5PG 6 Malone View Crescent,Belfast,Antrim,BT9 5PL 12 Malone View Road,Belfast,Antrim,BT9 5PH	
Date of Last Neighbour Notification	28.02.2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01 – Site Location Plan 02B – Existing Site Plan 03B – Existing and Proposed Elevations	

04B – Proposed Site Plan
07B – Proposed Landscape Plan

Notification to Department (if relevant) – N/A

Date of Notification to Department: n/a

Response of Department: n/a

Elected Representatives: Councillor Kate Nicholl – Alliance Party

Committee Application

Development Management Officer Report	
Committee Application Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2019/2358/F	
Proposal: Erection of 65m of 3m high fencing along the western boundary and 95m of 3m high fencing along the northern boundary. New access gates for maintenance.	Location: Glenbryn Play Park Glenbryn Park Belfast BT14 7JG
Referral Route: Belfast City Council Application	
Recommendation: Approve with conditions	
Applicant Name and Address: Belfast City Council Physical Programmes Department 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: McCartan Muldoon Architects 222a Lisburn Street Hillsborough BT26 6AB
<p>Executive Summary:</p> <p>This application seeks full planning permission to erect a 65m length of 3m high paladin fencing along the western boundary of Glenbryn Play Park (to the rear of dwellings along Berwick Road) and a 95m length of 3m high paladin fencing along the northern boundary of Glenbryn Play Park (to the rear and side of dwellings 93 to 107 Alliance Road). The new fencing is to be positioned 1 metre from the boundaries with integral access gates to each section for maintenance purposes.</p> <p>The main issues to be considered are:</p> <ul style="list-style-type: none"> • The effect of the proposal on the character and appearance of the area • The impact on the living conditions of the neighbouring properties. • Road safety <p>No third party objections were received.</p> <p>Consultees Belfast City Council Environmental Health requested a Condition to be added to any approval. DfI Roads offered no objections to the proposal.</p> <p>Recommendation: Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is approved with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	Erection of a 65m length of 3m high paladin fencing along the western boundary of Glenbryn Play Park (to the rear of dwellings along Berwick Road) and a 95m length of 3m high paladin fencing along the northern boundary of Glenbryn Play Park (to the rear and side of dwellings 93 to 107 Alliance Road). The new fencing is to be positioned 1

	metre from the boundaries with integral access gates to each section for maintenance purposes.
2.0	Description of Site
2.1	<p>The site is a recently developed playground and newly landscaped area of open space bounded by a 1.2m perimeter fence. This was approved in 2017 under application ref LA04/2016/2275/F.</p> <p>The site is generally triangular in shape. A row of semi-detached dwellings along Alliance Road back onto the northern section of the site. Another semi-detached row along Berwick Road backs onto the western section of the site. These northern and western boundaries have defensive shrub planting enclosed by 1.2m high fencing, providing a boundary to the rear of these dwellings.</p> <p>The site is in a mostly high density residential area interspersed with areas of open space and previously developed scrubland.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	<p>LA04/2016/2275/F Open space adjacent to Glenbryn Park. Provision of playground and erection of fence. Permission Granted</p> <p>LA04/2019/1825/DC Open space adjacent to Glenbryn Park. Discharge of condition no. 2 of LA04/2016/2275/F. Condition Discharged</p> <p>Z/2001/3220/F Sites 14/14a, 15/15a, 16-27, 28/28a, 29/29a Alliance Road (between Glenburn Parade and Glenburn Park). 12No semi-detached dwellings and 8No apartments. Permission Granted</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015
4.2	SPPS, Planning Policy Statements: Strategic Planning Policy Statements for NI (SPPS) Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005)
5.0	Statutory Consultees Responses
5.1	Dfl Roads – No objection.
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection, Condition recommended.
7.0	Representations
7.1	The application has been advertised in the local press and neighbours notified. No representations have been received regarding the application.
8.0	Assessment

8.1	<p>The main issues to be considered are:</p> <ul style="list-style-type: none"> • The effect of the proposal on the character and appearance of the area • The impact on the living conditions of the neighbouring properties. • Road safety
8.2	<p>The application seeks permission to erect a 65m length of 3m high paladin fencing along the western boundary and a 95m length of 3m high paladin fencing along the northern boundary. Existing 1.2m high chestnut/chespale fencing will be removed and replaced with 3m high black mesh paladin fencing, offset by 1m to the adjacent properties along the 2 boundaries. Lockable access gates 2.2m high and 1m wide will be incorporated within the western paladin fence for maintenance access. A gate from Alliance Road will provide access adjacent to the northern boundary fence.</p>
8.3	<p>The proposal is to secure the boundaries of an existing play park which was granted Planning Permission under LA04/2016/2275/F under the provisions of the Area Plan and PPS 8 to utilise an existing green space within a residential zoning (dBMAP) for such use.</p>
8.4	<p>Impact on the Character and Appearance of the Area</p>
8.5	<p>The proposal is compatible with its surroundings and will not unacceptably affect the existing land use.</p>
8.6	<p>The heavy duty wire mesh perimeter fencing will provide improved security for the park. The new fence will be 3m high and the gates will be self-closing and lockable. The fence will provide a barrier between the play area and the residential properties bounding the site and will deter anti-social behaviour.</p>
8.7	<p>Residential amenity will not be adversely impacted by the wire mesh fence. The existing planted areas between the proposed fencing and the play area will provide a buffer and a degree of visual screening between the adjoining residential properties and the playground. The mesh nature of the fence offers some transparency reducing the visual impact of the increased boundary height.</p>
8.8	<p>The proposal is considered compliant with the principal of supporting good design and positive place-making within the SPPS.</p>
8.9	<p>The impact on the living conditions of the neighbouring properties</p>
8.10	<p>The proposal will enhance security of the park and as such will positively benefit neighbouring properties. The proposed fencing will deter access between the rear of the residential properties and the play area. The proposal will have no negative impact on the living conditions of the neighbouring properties. Whilst the fencing is higher than existing the transparent mesh nature of the material combined with buffer planting will offset any visual impact.</p>
8.11	<p>The fencing will secure a facility that improves the quality of life of local residents. The proposal is considered compliant with the relevant core planning principals within the SPPS.</p>
8.12	<p>Road Safety</p>
	<p>The alterations to the access will allow for maintenance access to the play area. DfI Roads have offered no objection. The proposal complies with PPS 3.</p>

8.13	<p>Consultations DfI Roads were consulted and offered no objection. Environmental Health were consulted and offered no objection to the proposal subject to a condition.</p>
8.14	<p>Conclusion On balance it is considered that the proposal for a perimeter fence on the application site is acceptable taking account of all the material considerations presented.</p>
9.0	<p>Summary of Recommendation: Approval</p>
9.1	<p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>
10.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. In the event that the proposed development will disrupt the existing capping layer in place on the site then prior to operation of the site, the capping layer must be fully reinstated in line with the documentation submitted under LA04/2016/2275/F and LA04/2019/1825/DC. All materials used in the reinstated capping layer must be suitable for a Public Open Space (Public Park) end use.</p> <p>Reason: Protection of human health.</p> <p>Informatives</p> <p>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://www.planningni.gov.uk/index/tools/public-access-info.htm.</p>

ANNEX	
Date Valid	12 th November 2019
Date First Advertised	29 th November 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
101 - 107 Alliance Road,Belfast,Antrim,BT14 7JE	
101- 111 Glenbryn Park,Belfast,Antrim,BT14 7JG	
140 - 146 Alliance Road,Belfast,Antrim,BT14 7JD	
199 -217 Berwick Road,Belfast,Antrim,BT14 7JP	
77 - 99 Glenbryn Park,Belfast,Antrim,BT14 7JG	
89 - 99 Alliance Road,Belfast,Antrim,BT14 7JE	
97 Alliance Avenue,Belfast,Antrim,BT14 7NT	
Date of Last Neighbour Notification	20 th November 2019
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: LA04/2016/2275/F Proposal: Provision of playground and erection of fence. Address: Open space adjacent to Glenbryn Park. Decision: Permission Granted Decision Date: 23 May 2017</p>	
<p>Ref ID: LA04/2019/1825/DC Proposal: Discharge of condition no. 2 of LA04/2016/2275/F. Address: Open space adjacent to Glenbryn Park. Decision: Condition Discharged Decision Date: 2 October 2019</p>	
<p>Ref ID: Z/2001/3220/F Proposal: 12No semi-detached dwellings and 8No apartments. Address: Sites 14/14a, 15/15a, 16-27, 28/28a, 29/29a Alliance Road (between Glenburn Parade and Glenburn Park). Decision: Permission Granted Decision Date: 12 December 2003</p>	

Summary of Consultee Responses

Dfl Roads – no objection

BCC Environmental Health – no objection, condition attached.

Drawing Numbers and Title

Drawing No. 01
Type: Location Map
Status: Submitted

Drawing No. 02A
Type: Proposed Layout
Status: Submitted

Drawing No. 03
Type: Fencing Detail & Elevation
Status: Submitted

Drawing No. 04
Type: Fencing Elevations
Status: Submitted

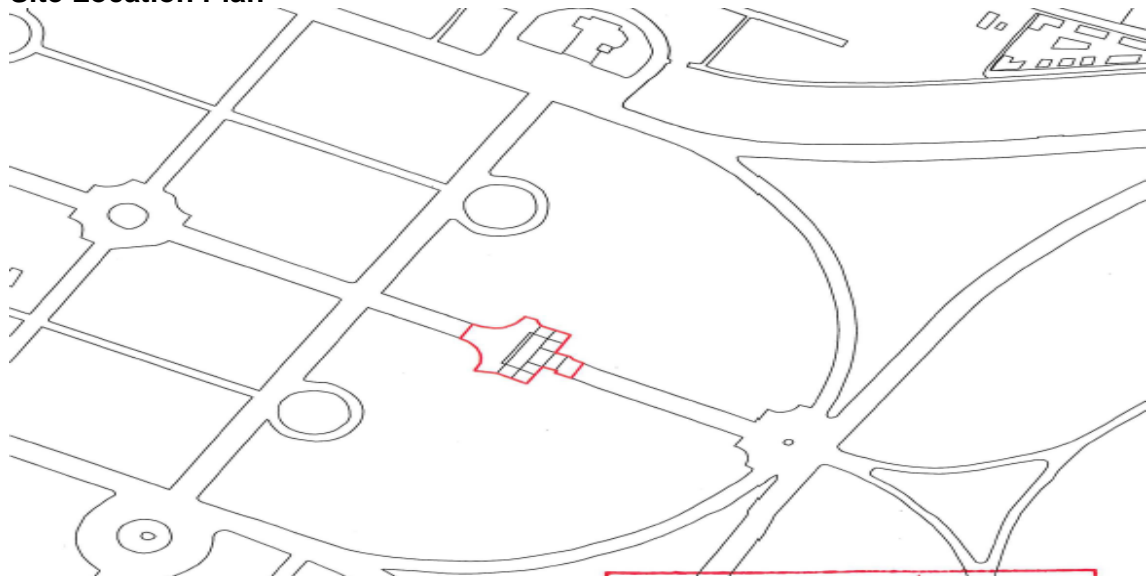
Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

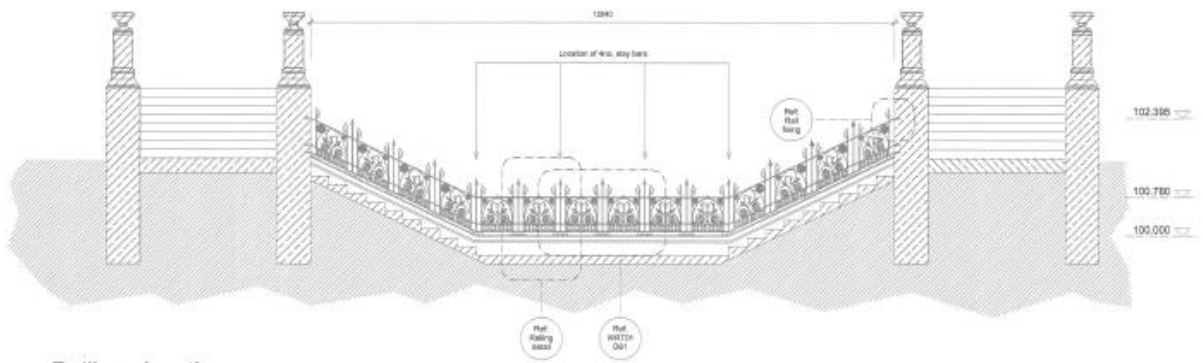
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Committee Application	
Development Management Officer Report	
Application ID: LA04/2020/0170/LBC	Date of Decision: Tuesday 21 April 2020
Proposal: Reinstatement of historic railing	Location: Belfast City Cemetery Falls Road Belfast BT12 6DE
Referral Route: Referral to the Planning Committee under Section 3.8.5 of the Scheme of Delegation (BCC Own Application)	
Recommendation: Grant Consent	
Applicant Name and Address: Belfast City Council 9 Adelaide Street Belfast	Agent Name and Address: Alastair Coey Architects 96 Sydenham Avenue Belfast BT4 2DT
<p>Executive Summary: Listed Building Consent is sought for the reinstatement of a historic railing located at the Central Steps in the centre of the city cemetery.</p> <p>The Central Steps and Vault Belfast City Cemetery Falls Road (HB26/25/001D) is a Grade B1 listed building of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Impact on the Listed Building <p>The proposal complies with the SPPS and PPS 6. The proposed development is considered acceptable with no adverse impacts on the setting of a listed building. Historic Environment Division (HED) were consulted and had no objections subject to conditions.</p> <p>The application is brought before committee under section 3.8.5 (c) of the scheme of delegation as the application is made by the Council.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be granted.</p> <p>Recommendation It is recommended that listed building consent is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	

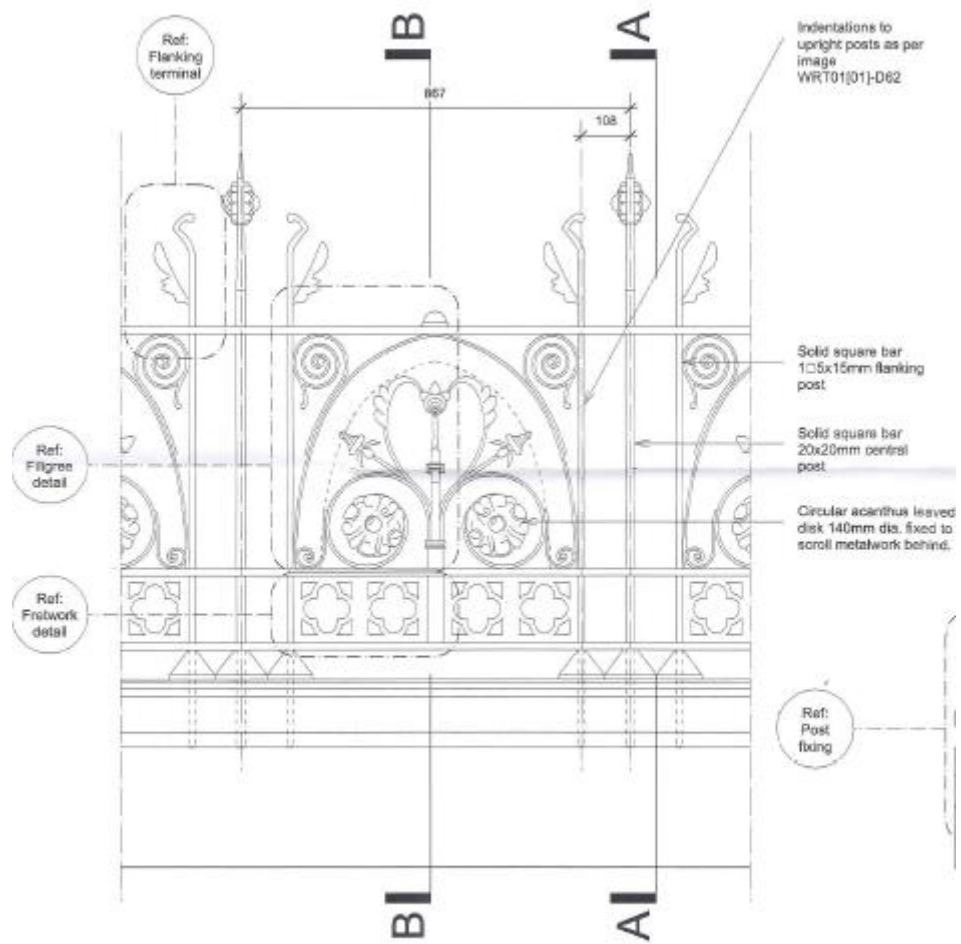
Site Location Plan



Existing photographs



Railing elevation SCALE 1:50



Railing detail SCALE 1:10

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Listed Building Consent is sought for the reinstatement of a historic railing located at the central steps in the centre of the city cemetery.
2.0	Description of Site
2.1	The site is comprised of gothic-revival style steps and vaults built in sandstone dating from 1869. The site is in a central location within the Belfast City Cemetery.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2019/1929/F, Temporary re-location of existing Belfast City Council's City Cemetery Service Yard consisting of a new reinforced concrete slab, 5No. new steel storage containers, modular welfare facility, 3m perimeter fence and lighting and CCTV columns. Gates to vehicular and pedestrian access points. Lands adjacent to the Whiterock Road and located at the City Cemetery exit point. Site boundary adjacent to an existing derelict stone building. PERMISSION GRANTED.
3.2	LA04/2018/1651/F, Creation of a new visitor centre for the Belfast City Cemetery. Belfast City Cemetery 511 Falls Road Belfast BT12 6DE. PERMISSION GRANTED.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 The extant development plan is the BUAP. However, given the stage at which the Draft BMAP has reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 6- Planning, Archaeology and The Built Heritage
4.4.1	Policy BH 8: Extension or Alteration of a Listed Building
5.0	Statutory Consultees Responses
5.3	HED- No objections with conditions
6.0	Non-Statutory Consultees Responses
6.1	None

7.0	Representations
7.1	The application has been advertised on the 7 th February 2020. No representations have been received to date.
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues to be considered are: <ul style="list-style-type: none"> • Impact on the Listed Building
9.3	Impact on the Listed Building The proposed reinstatement of the historic steel railing is considered to satisfy Policy BH 8 of PPS 6. The proposed railing will retain the character of the listed building. The proposal is to replicate the previous railings as best as possible using sympathetic materials which were used in the original design. HED were consulted and had no objections with conditions. It is deemed the proposal will retain the character of the listed building and complies with policy BH 8 of PPS 6 and paragraph 6.13 of the SPPS.
9.4	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and it is recommended that listed building consent is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.
10.0	Summary of Recommendation: Grant Consent
11.0	Conditions <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. Vegetation removal, raking of joints & repointing shall be carried out by hand or by tools held in the hand other than power-driven tools.

	<p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.</p> <p>3. Cleaning of masonry, shall be low pressure (20-100 psi) surface cleaning using a nebulous water spray and all cleaning should conform to BS 8221-1:2012 (Code of practice for cleaning and surface repair of buildings).</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.</p> <p>4. Repointing to existing stone walls/copings as well as the bedding of stonework shall be suitable lime mortar specification to match existing.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.</p>
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ANNEX	
Valid	14.01.2020
Date First Advertised	07.02.2020
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
N/A	
Date of Last Neighbour Notification	N/A
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01 – Site Location Map	
02 - Existing Railings	
03 – Proposed Railings	
Notification to Department (if relevant) – N/A	
Date of Notification to Department: n/a	
Response of Department: n/a	
Elected Representatives: None	

Committee Application

Development Management Report	
Application ID: LA04/2020/0586/F	Committee Decision Date: 21 st April 2020
Proposal: Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation.	Location: Winecellar Entry Belfast BT1 1QN
Referral Route:	Application made by Belfast City Council
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ
<p>Executive Summary: Planning Permission is sought for the installation of artwork on the external façade of the building within Winecellar Entry as well as the installation of a feature lighting system. This forms part of a citywide lighting strategy undertaken by Belfast City Council to improve Belfast Entries to create more welcoming, vibrant and safer places.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • Impact on character and appearance of the area including Belfast City Centre Conservation Area • Impact on amenity • Impact on highway safety <p>The application site lies within the development limits for Belfast. The site is located within Belfast City Centre Conservation Area. Overall, the proposal would enhance the character and appearance of the area including the City Centre Conservation Area and would not be detrimental to the amenity of neighbouring properties or harmful to highway safety.</p> <p>The application has been neighbour notified and advertised in the local press, no comments have been received to date. Historic Environment Division have been consulted and have raised no initial objections and a final response following re-consultation on further details submitted is awaited. Environmental Health have also been consulted and a final response is also awaited.</p> <p>The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3 and PPS6. Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval.</p> <p>Recommendation It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	

Case Officer Report

Site Location Plan



CGI – Proposed Scheme

Winecellar Entry



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The application is for an environmental improvement scheme comprising of painted artwork on the building facade within Winecellar Entry as well as a feature lighting installation which will consist of 100 individual lights, covering an area of approx. 6.6m x 10.5m that will be almost 5.5m above ground level. The feature lighting will be of an organic fluid floating form, created by 3D printing with ocean plastic.</p>
2.0	<p>Description of Site and Area</p> <p>The application is located at Winecellar Entry, which connects Rosemary Street, High Street and Lombard Street. The character of the area is representative of the city centre, comprised primarily of retail and office uses. The site is within the development limit of Belfast as designated in both the BUAP and draft BMAP. The site also falls within the City Centre Conservation Area.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p><u>Castle Arcade</u> LA04/2020/0589/F – Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation – Under Consideration</p> <p><u>Crown Entry, Wilsons Court, Joys Entry, Pottinger’s Entry, Coles Alley</u> LA04/2020/0587/F – Environmental Improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation – Under Consideration</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015
	The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
	Draft BMAP 2004
4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)
4.2.2	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 6: Planning Archaeology and the Built Heritage
5.0	Statutory Consultees Responses
5.1	Historic Environment Division – awaiting a response <ul style="list-style-type: none"> • Consulted due to the potential impact on surrounding listed buildings.
6.0	Non-Statutory Consultees Responses
6.1	Environmental Health - awaiting a response
7.0	Representations

7.1	The application was neighbour notified on the 23 rd March 2020. It was advertised in the local press on the 20 th March 2020. The consultation period does not expire until the 30 th April 2020. No representations have been received to date. Any further representations received will be reported as an update to committee.
8.0	Other Material Considerations
8.1	Belfast City Centre Conservation Area Design Guide Section 104 of the Planning Act (Northern Ireland) 2011
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> • Impact on the character and appearance of the surrounding area including Belfast City Centre Conservation Area • Impact on amenity • Impact on highway safety <p><u>Impact on the character and appearance of the area including Belfast City Centre Conservation Area</u></p>
9.3	The scale, form, materials and detailing of the artwork respects the adjoining buildings in the area. At present, the pedestrianised thoroughfare of Winecellar Entry is run down and uninviting. The proposed artwork and floating feature lighting would enhance the lighting of the entry and help create a safer and more inviting space. The proposed lighting which would be almost 5.5m above ground level and would create an aesthetically pleasing feature within the entry way. Due to the self-contained nature of the entry, there would be no impact on the wider area or surrounding listed buildings.
9.4	Historic Environment Division were consulted as part of the application process and they have initially confirmed they have no concerns with the proposal. Historic Environment Division has been re-consulted following the receipt of further details on the feature lighting and we are awaiting a response. It is envisaged, given HED's initial response and the nature of the lighting, there will be no objections raised. Overall, the proposal complies with PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 2011 in that the artwork and lighting would enhance the character and appearance of the area including the City Centre Conservation Area.
9.5	<u>Amenity</u> Environmental Health Team have been consulted as part of the application process – we are awaiting a response. It is envisaged there will be no in principal objections given the high-level nature of the projection, low-level lighting and surrounding land uses. There are no residential properties located in close proximity to the proposal with the majority of buildings in commercial use and therefore there will be no detrimental impact on the amenity of adjoining properties in accordance with the SPPS.
9.6	<u>Impact on highway safety</u> The lighting will be positioned above the entry, almost 5.5m above ground level therefore it will not block or impair views of any road signs or interfere with vehicular or pedestrian traffic. As such, there will be no impact on highway safety and the proposal would comply with PPS3 and the SPPS in this regard.
10.0	Summary of Recommendation: Approval subject to conditions Having regard to the policy context and other material considerations, it is concluded that the proposal is considered acceptable is recommended. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building

	Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
Notification to Department (if relevant): N/A	
Representations from Elected members: N/A	

Details of Neighbour Notification (all addresses)

The Owner/Occupier,

9 - 18 Rosemary Street, Belfast, Antrim, BT1 1QD

7 – 17 Bridge Street, Belfast, Antrim, BT1 1LT

11 – 24 Lombard Street, Belfast, Antrim, BT1 1RB

1-3 Scottish Widows Building, Lombard Street, Belfast, Antrim, BT1

14-16 Washington House, High Street, Belfast, Antrim, BT1 2BD

18 High Street, Belfast, Antrim, BT1 2BD

19 Bridge Street, Belfast, Antrim, BT1 1LT

1-9 , Winecellar Entry, Belfast, Antrim, BT1 1QN

1 Bridge Street, Belfast, Antrim, BT1 1LT

13 Lombard Street, Belfast, Antrim, BT1 1RH

20-22 , High Street, Belfast, Antrim, BT1 2BD

21-27 , Lombard Street, Belfast, Antrim, BT1 1RB

22-24 Gordon House, Lombard Street, Belfast, Antrim, BT1 1RD

24 Rosemary Street, Belfast, Antrim, BT1 1QD

2-6 , Winecellar Entry, Belfast, Antrim, BT1 1QN

2-8 , Rosemary Street, Belfast, Antrim, BT1 1QD

2 High Street, Belfast, Antrim, BT1 2BA

3-5 , Bridge Street, Belfast, Antrim, BT1 1LT

4-10 Middleton Building, High Street, Belfast, Antrim, BT1 2BA

4-8 , High Street, Belfast, Antrim, BT1 2BA

7 Bridge Street, Belfast, Antrim, BT1 1LT

9 Rosemary Street, Belfast, Antrim,

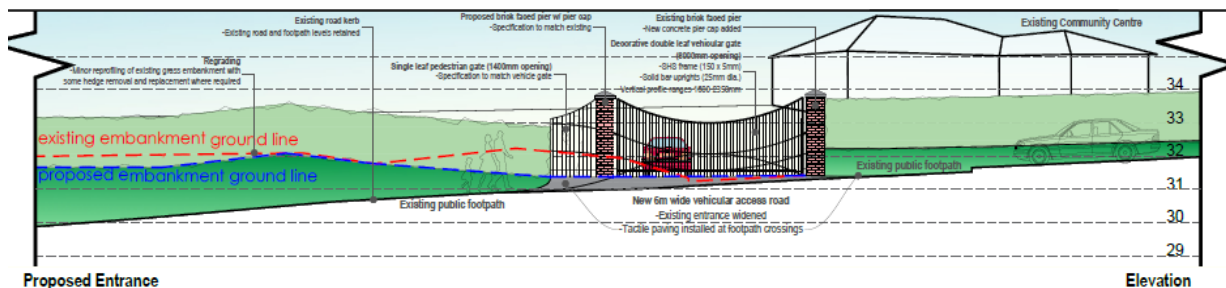
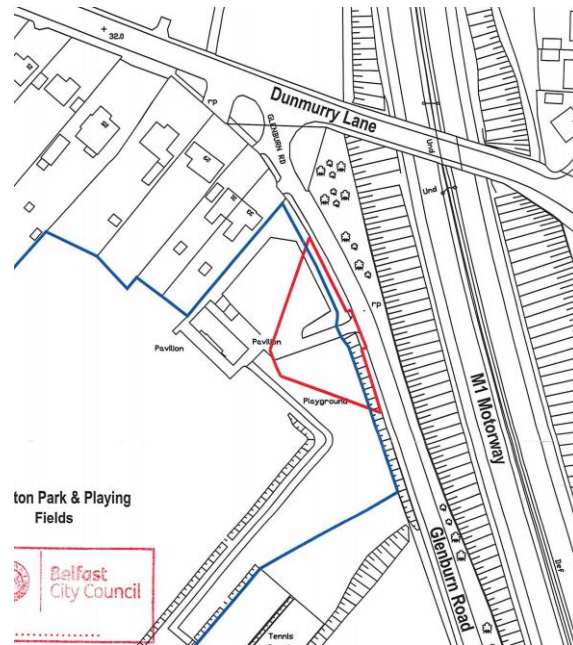
Ground - 1st 3rd Floor, 9 Rosemary Street, Belfast, Antrim, BT1 1QA

Horwath House, 20 Rosemary Street, Belfast, Antrim, BT1 1QD

Committee Application	
Development Management Officer Report	
Application ID: LA04/2020/0218/F	Date of Decision: Tuesday 21 st April
Proposal: Upgrade works to park entrance from Glenburn Road; including road widening, new visibility splays, new entrance walls and gates, tree planting, new pedestrian path and minor regrading of grass slopes.	Location: Fullerton Park Dunmurry Belfast BT19 9RR
Referral Route: Referral to the Planning Committee under Section 3.8.5 of the Scheme of Delegation – Belfast City Council Application	
Recommendation: Approval Subject to Conditions	
Applicant Name and Address: Belfast City Council 9 Adelaide Street Belfast	Agent Name and Address:
<p>Executive Summary</p> <p>Full planning permission is sought for upgrade works to the entrance of Fullerton Park in Dunmurry. These include road widening, new entrance walls and gates, tree planting, a new pedestrian path and minor regrading of grass slopes</p> <p>The site is accessed from the Glenburn Road. The park comprises a children’s’ play park, sports pitches and a pavilion. The proposed gates measure a height of 2.35m with new entrances wall on either side of the gates at 2.5m in height. It is proposed that the vehicle access extends to a width of 6m whilst the pedestrian access is 1.4m in width. A new pedestrian path is also proposed.</p> <p>The scale and nature of the development is considered acceptable. The proposal will not alter the character of the existing development as these works will facilitate an established use. The alterations to the access will allow for its safe use and provide a greater contribution to the connectivity of the area and the quality of the environment.</p> <p>No third party letters of objection have been received.</p> <p>DFI Road and Tree Officer have no objection.</p> <p><u>Recommendation</u></p> <p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 Full planning permission is sought for upgrade works to the entrance of Fullerton Park in Dunmurry. These include road widening, new entrance walls and gates, tree planting, a new pedestrian path and minor regrading of grass slopes.

2.0 Description of Site

2.1 The site is accessed from the Glenburn Road. The park comprises a children's' play park, sports pitches and a pavilion. Access to the site is restricted to one only vehicular land which is shared for pedestrian access. The front boundary of the site is defined by a 2 metre high hedge which helps provide visual amenity and screen of the site from the public road.

2.2 The site is zoned as open space within dBMAP. The surrounding area is mainly residential. There is a further sports pitch adjacent to the park while the M1 motorway runs to the east.

Planning Assessment of Policy and other Material Considerations

3.0	Site History
3.1	S/2012/0749/F, Proposed removal of existing timber fence and erection of new steel mesh fence, Fullerton Park/ Napier Park Glenburn Road, Dunmurry. Permission Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	PPS3: Access, Movement and Parking
4.5	PPS 8: Open Space, Sport and Outdoor Recreation
5.0	Statutory Consultees Responses
5.1	DFI Roads - No objections with conditions
6.0	Non-Statutory Consultees Responses
6.1	BCC Tree Officer- No objections with conditions
7.0	Representations
7.1	The application has been advertised on the 21 th February 2020 and neighbour notified on the 12 th February. No representations have been received to date.
8.0	Other Material Considerations
8.1	DCAN 15 Vehicular Access Standards
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues to be considered are: - Impact on the character and appearance of the area; and, - Road Safety
9.3	The proposed decorative gates measure a height of 2.35m with new entrances wall on either side of the gates 2.5m in height. It is proposed that the vehicle access extends to a width of 6m whilst the pedestrian access is 1.4m in width. A new pedestrian path is also proposed. In terms of the trees and landscaping, a section of hedging will require be removed to construct the wider entrance, however, it is considered the removal of a

9.4	<p>section of the hedge would not detract from the overall feature and importance of the hedge. To compensate for the hedge removal, a new proposed infilling hedge will be planted, in keeping with the character of the area. The Tree Officer offered no objection to the proposal.</p> <p>The proposal is considered compliant with the relevant core planning principals within the SPPS, in that it encourages the improvement of health and well-being by providing better connections with a safe pedestrian environment as stated within paragraph 4.5 of the SPPS. The proposed access is also considered to support the good design paragraphs within the SPPS in that its makes positive use of the assets of the site by including landscaping to enhance the character of the area and will help to ensure a safer access into and out of the site for users of the site with a separate access for pedestrian and vehicular user with a more formal entrance into the site proposed.</p>
9.6 9.7 9.8	<p>Policy AMP 2 within PPS 3 states that planning permission will only be granted for a development involving the intensification of an existing access onto a public road where; there will be no prejudice to road safety, or will not significantly inconvenience the flow of traffic. There are a number of factors within Policy AMP 2 to be considered to ensure the proposal is considered acceptable. The scale and nature of the development is considered acceptable. The proposal will not alter the character of the existing development as it has already been established with the existing although restricted access. The alterations to the access will allow for its safe use and provide a greater contribution to the connectivity of the area and the quality of the environment.</p> <p>DFI Roads have been consulted and offered no objection to the proposal.</p> <p>Taking into account the location of the site and the character of the surrounding area the proposal will not have a significant adverse impact on any existing properties in terms of amenity by way of noise or disturbance.</p>
10.0 10.1	<p>Summary of Recommendation: Approval</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. 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>REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>

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

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

4. Pedestrian crossing points including tactile paving shall be provided at all road junctions in accordance with the DETR / Scottish Office publication "Guidance on the use of Tactile Paving Surfaces".

REASON: In the interests of pedestrian safety.

5. The vehicular access, including visibility splays of 4.5m X 40m shall be provided in accordance with the approved drawing prior to the commencement of any other works or other development hereby permitted.

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

6. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted (is commenced/occupied/ becomes operational) and such splays shall be retained and kept clear thereafter.

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

7. 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 indicated to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

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

8. If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over. Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.

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

Reason: To avoid compaction within the RPA

ANNEX	
Valid	31.01.2020
Date First Advertised	21.02.2020
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
33 Dunmurry Lane, Dunmurry, Dunmurry, Antrim, BT17 9RP	
Date of Last Neighbour Notification	12.02.2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01 – Site Location Plan 02A – Layout Plan	
Notification to Department (if relevant) – N/A	
Date of Notification to Department: n/a Response of Department: n/a	
Elected Representatives: None	