

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



**Belfast  
City Council**

9th June, 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, 16<sup>th</sup> June, 2020.

A table of Recommendations 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. **Routine Matters**
  - (a) Declarations of Interest
2. **Planning Decisions Issued** (Pages 1 - 20)
3. **Planning Applications**
  - (a) LA04/2019/1614/F - Redevelopment of existing all-weather playing field to provide new 3G flood-lit sports pitch, redevelopment of former tennis courts to provide new flood-lit multi use games area (MUGA pitch), pitch side fencing and ball-stop nets, car parking, landscaping and associated site works on land including and adjacent to the existing all-weather sports pitch at Stranmillis University College Stranmillis Road (Pages 21 - 44)

- (b) LA04/2019/1615/F - Erection of mixed use development consisting of a 25 bed hotel and apartments with associated car parking, landscaping and road widening works to Stockman's Way on lands adjacent and East of No. 43 Stockman's Way Belfast (Pages 45 - 78)
- (c) LA04/2020/0747/F - Application under section 54 of the Planning Act (NI) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout at the Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north-east of Balmoral Golf Club (Pages 79 - 100)
- (d) LA04/2019/2990/F - Change of Use of land from derelict hardstand to replacement car park, new access/egress via Severn Street and Boundary treatment on lands adjacent to and south east of Ballymacarrett Community Centre between Severn Street and Ballymacarrett Walkway (BCC Interest) (Pages 101 - 110)
- (e) LA04/2020/0587/F - Environmental improvements scheme to pedestrian entry at Crown Entry, Wilsons Court, Joys Entry, Pottinger's Entry comprising painted artwork on building facade and feature lighting installation (BCC Interest) (Pages 111 - 118)
- (f) LA04/2020/0589/F - Environmental improvement scheme to pedestrian entry at Castle Arcade comprising painted artwork on building facade and feature lighting installation (BCC Interest) (Pages 119 - 126)
- (g) LA04/2020/0454/F - Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking to rear yard area at 19 Balfour Avenue (Pages 127 - 136)

## Decisions issued between 9 May and 8 June 2020

Reference Number	Location	Proposal	Application Status
LA04/2016/0775/F	18 Windsor Avenue Malone Lower Belfast BT9 6EF	Demolition of existing building and construction of 17 apartments with associated landscaping, access and car parking	PERMISSION GRANTED
LA04/2018/1227/DCA	18 Windsor Avenue Malone Lower Belfast BT9 6EF	Partial demolition of the existing building, 18 Windsor Avenue, Belfast	PERMISSION GRANTED
LA04/2019/0093/F	72-74 South Parade Belfast BT7 2GQ.	Residential development consisting of 5 three storey townhouses (alterations to previously approved & commenced development Z/2002/0238/F).	PERMISSION GRANTED
LA04/2019/0110/F	47a Derryvolgie Avenue Belfast BT9 6FP	Demolition of single dwelling and erection of 2no semi-detached dwellings (amended scheme).	PERMISSION GRANTED
LA04/2019/0111/DCA	47a Derryvolgie Avenue Belfast BT9 6FP	Demolition of existing 1970s house	PERMISSION GRANTED
LA04/2019/1216/F	Lands at Rosepark House Upper Newtownards Road Belfast BT4 3NR.	Change of house types (32no. units) at plots 16, 17, 18, 20, 21, 22, 26, 28, 29, 31, 32, 33, 34 & 35 to include 2 no. detached garages, 10no. semi-detached garages and 2 no. internal garage and elevational changes to apartment block (plots 36-53) to that previously approved under LA04/2017/0235/F	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2019/1475/F	Old Park Terrace/Lands south west of No. 22 Old Park Terrace Belfast BT14 6NP	Construction of 8no. pairs of semi-detached dwellings (16no. units in total for social housing) (Amended plans)	PERMISSION GRANTED
LA04/2019/1535/F	Argyle Business Centre 39 North Howard Street Belfast BT13 2AP.	Erection of two buildings to provide 9 units under use class B2 (Light Industrial).	PERMISSION GRANTED
LA04/2019/1594/LBC	Existing Telecoms Installation Rooftop of Owen O'Cork Mill 288 Beersbridge Road Belfast BT5 5DX.	Replacement of 6No. existing pole mounted antenna and 4no. dishes with 12No. antenna and 4No. dishes on a new 7.5m stub mast plus all associated ancillary equipment and cabling all within a new four sided GRP screen.	PERMISSION GRANTED
LA04/2019/1635/DCA	41 Wellington Park Belfast BT9 6DN.	Demolition of single storey back return.	PERMISSION GRANTED
LA04/2019/1637/F	41 Wellington Park Belfast BT9 6DN.	Demolition of existing single storey rear return, construction of 2 storey return on same footprint as 2 apartments, renovation of existing 3 storey building as 6No. apartments.	PERMISSION GRANTED
LA04/2019/1722/F	116 Donegall Pass Belfast BT7 1BX.	Construction of 11no. apartments, ancillary accommodation and 1no. retail unit.	PERMISSION REFUSED
LA04/2019/1876/F	22 Belgravia Avenue Belfast BT9 7BJ.	Partial demolition of existing dwelling and replacement with 2 no. self contained apartments (3 person 2 bedroom) (Amended description and drawings)	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2019/2063/F	Lands 30m South of Blackie River Community Group 43 Beechmount Pass Belfast BT12 7NU	Proposed new level car park for Blackie River Community Group	PERMISSION GRANTED
LA04/2019/2075/F	2-4 Rosetta Road Belfast BT6 0LT	Replacement shopfront to include entrance door to shop premises	PERMISSION GRANTED
LA04/2019/2298/F	Land to rear of 13 & 15 Ardglan Place at boundary with development site (Planning LA04/2017/2422/F) Accessed off Jamaica Street Belfast.	New 2.4m high timber fence between the rear of 2No. existing properties and the open space of residential development under construction (Retrospective)	PERMISSION GRANTED
LA04/2019/2310/F	257-261 Woodstock Road Belfast.	Change of use and alterations from existing first and second floor vacant offices to 2No. apartments.	PERMISSION GRANTED
LA04/2019/2358/F	Glenbryn Play Park Glenbryn Park Belfast BT14 7JG.	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.	PERMISSION GRANTED
LA04/2019/2380/F	Plots 53-64 and 91-103 (total 46 no. units) of residential development to lands south of 25 Harberton Park Belfast.	Variation of Condition 8 of previous approval LA04/2017/0157/F to amend landscaping proposals	PERMISSION GRANTED
LA04/2019/2395/F	22 Belmont Avenue Belfast BT4 3DD	Change of use to House in Multiple Occupancy (retrospective)	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2019/2426/DC	Weir at Stranmillis Near Belfast Boat Club Belfast BT9 5FJ	Discharge of condition no. 2 of LA04/2016/0041/F (Construction Method Statement)	CONDITION NOT DISCHARGED
LA04/2019/2501/F	3 Ashley Park Belfast BT17 9EH.	Change of use from dwelling to holiday let (retrospective)	PERMISSION GRANTED
LA04/2019/2523/DCA	23-29 Queen Street and 7-9 College Court Belfast BT1 6EA	Demolition of: existing Queen Street shop frontage and signage zone cladding, lightwell wall and reinstatement of new lift enclosure, blocked up existing windows openings and re-instatement of new windows. Demolition of interior walls and partitions as indicated. Removal of all existing external steps and walkways to existing lightwell.	PERMISSION GRANTED
LA04/2019/2526/F	23-29 Queen Street and 7-9 College Court Belfast BT1 6EA	Works to include alterations to and refurbishment of the ground first and second floors. Construction of a new circulation core with the existing lightwell. Change of use to part of the ground floor from retail to offices. Change of use to the upper floors from storage to offices.	PERMISSION GRANTED
LA04/2019/2534/F	Musgrave Hall 2 Chlorine Gardens Belfast BT9 5DJ	Erection of new timber fencing between Musgrave Hall and 4 Chlorine Gardens Boundary.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2019/2705/F	60 Upper Cavehill Road Belfast BT15 5FB	2 storey rear extension and raised patio, bay window extension to front, window & door alterations to rear elevation and rendering to part of existing walls side and rear elevation.	PERMISSION GRANTED
LA04/2019/2709/F	65 Knockbreda Park Belfast BT6 0HD.	Demolition of existing single storey return & garage. Single storey side & rear extension.	PERMISSION GRANTED
LA04/2019/2787/DC	The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue West of Harberton park and North East of Balmoral Golf Club Belfast BT9 6GW	Discharge of Condition no.31 - LA04/2018/0040/F	CONDITION DISCHARGED
LA04/2019/2803/F	58 Shandon Park Belfast BT5 6NY.	Single storey rear extension.	PERMISSION GRANTED
LA04/2019/2824/F	Aston Martin / Bently Car Showroom 62 Boucher Road Belfast	Alterations and extensions to workshop and storage areas to existing car showroom.	PERMISSION GRANTED
LA04/2019/2868/F	Lands at Castlehill approximately 30 metres south of Nos 5 & 6 Woodcroft Rise and approximately 110 metres south of No. 9 Woodcroft Heights Belfast.	Residential development comprising 2No. detached dwellings, parking, landscaping and all associated site and access works (change of house type at Plot Nos 60 & 98 of previous ref LA04/2017/0510/RM.	PERMISSION GRANTED
LA04/2019/2893/F	67 Gilnahirk Road Belfast BT5 7DE.	Single storey extension's and deck to rear of dwelling.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2019/2897/LDE	Flat 2 9 Eglantine Gardens Belfast BT9 6EZ	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2905/F	3 Kings Brae Belfast BT5 7ER	2 storey side extension and single storey rear extension.	PERMISSION GRANTED
LA04/2019/2917/F	300 Donegall Road Belfast BT12 6FW.	Change of use of property to short term holiday let accommodation. (Retrospective)	PERMISSION GRANTED
LA04/2019/2918/F	160 Upper Knockbreda Road Belfast BT6 9QF	Single storey rear extension	PERMISSION GRANTED
LA04/2019/2919/F	23 Glasvey Close Belfast BT17 0EE	Single storey extension to the rear to accommodate a new WC	PERMISSION GRANTED
LA04/2019/2931/LDE	11 Penrose Street Belfast BT7 1QX.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2961/F	Lands to the rear of sites 6 & 7 of 45-49 Hawthornden Road Belfast.	Vertical timber boarded fence on mild frame which extends 1.2m above existing stone boundary wall (total height 2.75m) - retrospective.	PERMISSION GRANTED
LA04/2019/2993/F	32 Dee Street Belfast BT4 1FT	Change of use from Domestic residence to House of Multiple Occupancy (HMO)	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2019/2997/F	52 Bingnian Road Belfast BT11 8JB	52 Bingnian Drive	PERMISSION GRANTED
LA04/2019/2999/F	39 Elgin Street Belfast BT7 3AG	Single storey extension at ground floor + extension at first floor to rear of dwelling	PERMISSION GRANTED
LA04/2019/3000/F	58 Belmont Church Road Belfast	Proposed loft conversion with dormer to rear elevation.	PERMISSION GRANTED
LA04/2019/3007/F	5 Blackstaff Way Kennedy Way Industrial Estate Belfast BT11 9AP	Construction of single storey office building.	PERMISSION GRANTED
LA04/2020/0004/F	19 Lowwood Park Belfast BT15 4BB	Proposed single storey and two storey extension to rear	PERMISSION GRANTED
LA04/2020/0017/F	Mercy College Belfast 1 Bilston Road Belfast BT14 7QR	2no. modular mobile classrooms and associated works	PERMISSION GRANTED
LA04/2020/0093/F	97 Cedar Grove Holywood BT18 9QB	Proposed two storey rear and side extension	PERMISSION GRANTED
LA04/2020/0121/LBC	9 Rugby Street Belfast BT7 1PX.	Refurbishment of front facade.	PERMISSION GRANTED
LA04/2020/0144/LDE	3 Cadogan Street Belfast BT7 1JH.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	Location	Proposal	Application Status
LA04/2020/0170/LBC	Central Steps Belfast City Cemetery Falls Road Belfast BT12 6DE	Reinstatement of historic railing	PERMISSION GRANTED
LA04/2020/0195/F	3 Shaws Park Belfast BT11 9QQ	Proposed single storey detached garage.	PERMISSION GRANTED
LA04/2020/0199/F	All Saints College (Christian Brothers School) Glen Road Belfast BT11 8BW.	The provision of 2 modular double classroom units to substitute the previously approved classroom units under application LA04/2019/0496/F	PERMISSION GRANTED
LA04/2020/0218/F	Fullerton Park Dunmurry Belfast BT17 9RR.	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.	PERMISSION GRANTED
LA04/2020/0225/F	48 Ardenlee Parade Belfast BT6 0AL.	Two storey and single storey rear extension with single storey side extension.	PERMISSION GRANTED
LA04/2020/0229/F	33 Beechlawn Avenue Dunmurry Belfast BT17 9NL.	Garage conversion to form integral granny annex including front and side extension to dwelling. Two storey rear extension and elevation changes.	PERMISSION GRANTED
LA04/2020/0266/F	Existing telecoms installation Unit 3 Kennedy Way Kennedy Way Industrial Estate Blackstaff Road Belfast BT11 9DT.	Addition of 3No. new antenna at 33m (AGL) on the existing mast plus 1No. new ground based cabinet and all other ancillary equipment to include remote radio units, feeder cables and support steelwork.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0267/F	174 Ormeau Road Belfast Bt7 2ED	Change of use from hot food carryout to restaurant.	PERMISSION GRANTED
LA04/2020/0268/F	Queen's University Belfast Lanyon Building University Road Belfast BT7 1NN	Installation of a Revision VEGA time lapse camera to the central tower of the Lanyon Building, between castellation's. Camera to record the demolition of the existing building opposite that previously housed the QUB Students Union - Address 77-79 University Road, Belfast, BT7 1NF	PERMISSION GRANTED
LA04/2020/0270/LBC	Queen's University Belfast Lanyon Building University Road Belfast BT7 1NN	Installation of a Revision VEGA time lapse camera to the central tower of the Lanyon Building, between castellation's. Camera to record the demolition of the existing building opposite that previously housed the QUB Students Union - Address 77-79 University Road, Belfast, BT7 1NF	PERMISSION GRANTED
LA04/2020/0273/DC	Lands bounded north west of Lawnbrook Avenue Azamour Street and either side of Glenwood Street Belfast BT13 3AJ	Discharge of Condition no.3 of LA04/2018/0619/F (Landscaping scheme)	CONDITION DISCHARGED
LA04/2020/0287/F	39 Kings Drive Belfast BT5 6PS	2 Storey extension to side and rear of dwelling with replacement garage.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0300/F	53 Deramore Park Belfast BT9 5JX	Two storey extension to rear of existing dwelling with screening wall and detached garage. Alterations to internal arrangement of existing house and elevation changes. Proposed addition of front porch.	PERMISSION GRANTED
LA04/2020/0301/NMC	16 Colinton Gardens Newtownabbey BT36 7JH.	Non material change LA04/2016/2497/F.	NON MATERIAL CHANGE GRANTED
LA04/2020/0306/LDE	27 Chadwick Street Belfast BT9 7FD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0307/LDE	35 Chadwick Street Belfast BT9 7FD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0317/F	114 Appleton Park Belfast BT11 9JF	Two storey side extension to semi-detached dwelling.	PERMISSION GRANTED
LA04/2020/0322/LDE	Flat 4 105 Eglantine Avenue Belfast BT9 6EX	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0323/F	6 Dunowen Gardens Belfast Bt14 6NQ	Single storey rear extension to dwelling (amended plans/description).	PERMISSION GRANTED
LA04/2020/0329/LDE	94 Agincourt Avenue Belfast BT7 1QB	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Location	Proposal	Application Status
LA04/2020/0330/DC	Lands directly to the south of Kilwee Business Park Upper Dunmurry Lane Dunmurry	Discharge of Condition no. 25 - LA04/2018/1932/F	CONDITION DISCHARGED
LA04/2020/0332/F	Existing Telecoms installation Rooftop of Owen O Cork Mill 288 Beersbridge Road Belfast BT5 5DX	Proposed replacement of 6no. pole mounted antenna and 4no. dishes with 12no. antenna and 4no. dishes on a new 7.5m high stub mast plus all associated ancillary equipment.	PERMISSION GRANTED
LA04/2020/0335/LDE	Flat 2 6 Sandhurst Road Belfast BT7 1PW	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0336/LDE	Flat 1 6 Sandhurst Road Belfast BT7 1PW	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0347/F	21a Finaghy Park Central Belfast BT10 0HP	First floor side extension over existing ground floor sunroom.	PERMISSION GRANTED
LA04/2020/0367/F	11 Knocknagoney Grove Belfast BT4 2QE	Single storey side and rear extension to allow living room/dining/shower/WC and utility room	PERMISSION GRANTED
LA04/2020/0370/F	Willowbank Youth Club 272 Falls Rd Belfast BT12 6AL	Proposed alteration to front facade and new entrance gates	PERMISSION GRANTED
LA04/2020/0371/F	14 Kennel Bridge Belfast BT4 2JN	Loft conversion with dormer window to rear.	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0376/F	8 Broughton Gardens Belfast BT6 0BB	2 storey rear extension to dwelling to allow increased kitchen and dining space on ground, with new bedroom and en-suite above	PERMISSION GRANTED
LA04/2020/0378/LDE	12 Stranmillis Gardens Belfast BT9 5AS	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0382/F	184 Upper Malone Road Belfast BT17 9JZ	Demolition of existing single storey detached garage and replacement with new garage, gym, office and storage over 1.5 storeys.	PERMISSION GRANTED
LA04/2020/0387/F	65-69 Dublin Road Belfast	Proposed change of use from restaurant to offices	PERMISSION GRANTED
LA04/2020/0390/F	7 Gartree Place Belfast BT11 8LR	Single storey side extension to dwelling. Front mobility ramp.	PERMISSION GRANTED
LA04/2020/0395/A	277 Upper Newtownards Road Belfast BT4 3JF	Shop sign with partial LED backlighting to letters projecting 80mm from existing shop	PERMISSION GRANTED
LA04/2020/0405/DC	2-6 Bradbury Place Belfast BT7 1RX.	Discharge of conditions no's. 2 & 3 of LA04/2019/0047/LBC (Method Statement and doors specification)	CONDITION DISCHARGED
LA04/2020/0406/DC	Lands at Rosepark House Upper Newtownards Road Belfast BT4 3NR.	Discharge of condition 12 LA04/2017/0235/F.	CONDITION DISCHARGED

Reference Number	Location	Proposal	Application Status
LA04/2020/0413/F	131 Shandon Park Belfast BT5 6NZ	Single storey rear and side extension, replacement store extension to side and elevation changes including replacement of two storey bay window to rear. Widen existing entrance and reposition brick pillar.	PERMISSION GRANTED
LA04/2020/0414/DC	26-44 Little Patrick Street Belfast.	Discharge of condition 9 LA04/2017/2306/F	CONDITION NOT DISCHARGED
LA04/2020/0416/F	48 Cabinhill Gardens Belfast BT5 7AQ	First floor extension to rear and additional windows to side gable of existing dwelling.	PERMISSION GRANTED
LA04/2020/0427/F	22 Connsbrook Drive Belfast BT4 1LU	Single storey side and rear extension to dwelling and internal alterations.	PERMISSION GRANTED
LA04/2020/0441/F	21 Castlehill Farm Belfast BT5 7GU	Elevation changes including new window to first floor front elevation and increase of size to 2no. rear doors.	PERMISSION GRANTED
LA04/2020/0451/F	15 Stirling Avenue Belfast BT6 9LQ.	Roofspace conversion to facilitate rear dormer and single storey extension to side and rear.	PERMISSION GRANTED
LA04/2020/0472/DC	Lands at 26 Ormonde Gardens Belfast BT6 9FL.	Discharge of condition no. 13 of LA04/2018/0758/F (Verification Report)	CONDITION DISCHARGED
LA04/2020/0484/F	1 Finchley Park Belfast BT4 2HZ	Single storey rear extension to dwelling	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0505/DC	30 University Road Belfast BT7 1NH.	Discharge of condition 2 LA04/2015/0633/F (Noise Verification Report)	CONDITION DISCHARGED
LA04/2020/0506/F	27-29 Thorndale Avenue Belfast BT14 6BH.	Single storey rear extension.	PERMISSION GRANTED
LA04/2020/0519/DC	Bank Buildings (Bounded by Castle Street Bank Street and Royal Avenue) Royal Avenue Belfast.	Discharge of condition 15 LA04/2019/1903/F.	CONDITION DISCHARGED
LA04/2020/0538/F	Cedar Grove Veterinary Clinic 132 Upper Knockbreda Road Castlereagh Belfast BT6 9QB.	Temporary access road, whilst constructing new outbuilding, as approved under LA04/2019/2187/F.	PERMISSION GRANTED
LA04/2020/0564/F	15 Boucher Road Belfast BT12 6NT.	Two (8x20ft) storage containers at rear of the existing car showroom / service centre	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0567/A	19-35 Grosvenor Road Belfast BT12 4GR.	<p>1.5 x 1.5m flex face sign with white P on light blue background. Internally illuminated.0.9x6.0m flex face sign with white VALUE CAR PARKS lettering and orange directional arrow on light blue background. Signs to be double sided and internally illuminated.2.0x0.8m flex face sign with white Value car parks lettering on light blue background with accent orange triangle and Weavers Cross text. Signs to be internally illuminated.0.3x0.3m Perspex sign at entrance door and set off face of building with stainless steel spacers. Perspex plaque to include acrylic lettering.7.16x1.105m VALUE CABS white lettering on light blue and orange background. Phone number to be in black numbers on white background. Sign to be internally illuminated.Car Park VNS digital display signs. Metal box signage with white VALUE CAR PARKS lettering on light blue background with accent orange triangle and Weavers Cross text complete with digital display at base of sign all on one side only. Reverse of sign to be flex face with white P and PARKING on light blue background, internally illuminated.9.37x1.80m flex face sign with white Value Car Parks lettering on light blue background with accent orange triangle and Weavers Cross text. Sign to be internally illuminated.8.5x0.5m flex face sign with black IN Maximum Headroom 2.2m OUT lettering on white background. Internally illuminated.2.4x2.4m flex face sign with white P on light blue background. Internally illuminated.</p>	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0574/LBC	Queens University Belfast 6 College Park Belfast BT7 1LP.	Refurbishment of 2 lecture theatre rooms	PERMISSION GRANTED
LA04/2020/0575/LBC	Application 1 Queens University Belfast David Kerr Building Belfast BT9 5AG.	Refurbishment of 3 lecture theatre rooms	PERMISSION GRANTED
LA04/2020/0577/LBC	Application 5 Queens University Belfast The Lanyon Building University Road Belfast BT7 1NN.	Refurbishment of 2 lecture theatre rooms	PERMISSION GRANTED

Reference Number	Location	Proposal	Application Status
LA04/2020/0579/LBC	Application 3 Queens University Belfast David Kerr Building Belfast BT9 5AG.	Refurbishment of 3 lecture theatre rooms	PERMISSION GRANTED
LA04/2020/0586/F	Winecellar Entry Belfast BT1 1QN.	Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation.	PERMISSION GRANTED
LA04/2020/0606/NMC	430 Antrim Road Belfast BT15 5GB.	Non material change to LA04/2018/2775/F	NON MATERIAL CHANGE GRANTED
LA04/2020/0612/DC	2 Derryvolgie Avenue Belfast BT9 6FL.	Discharge of condition 3 & 4 LA04/2018/0836/F (Noise verification report)	CONDITION DISCHARGED
LA04/2020/0614/DC	Lands at no. 43-63 Chichester Street 29-31 Gloucester Street and Seymour Lane Belfast.	Discharge of condition 9 - LA04/2019/0909/F	CONDITION DISCHARGED
LA04/2020/0622/DC	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite No. 27-29 Colinglen Road and accessed off Colinglen.	Discharge of condition no. 3 of LA04/2019/1066/F (Ecological Clerk of Works)	CONDITION DISCHARGED

Reference Number	Location	Proposal	Application Status
LA04/2020/0623/DC	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite No. 27-29 Colinglen Road and accessed off Colinglen.	Discharge of condition no. 7 of LA04/2019/1066/F (Protected Species Management Plan)	CONDITION DISCHARGED
LA04/2020/0624/DC	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite No. 27-29 Colinglen Road and accessed off Colinglen.	Discharge of condition no. 9 of LA04/2019/1066/F (Habitat Management Plan)	CONDITION DISCHARGED
LA04/2020/0712/DC	26-44 Little Patrick Street Belfast.	Discharge of condition 9 LA04/2017/2306/F	CONDITION DISCHARGED
LA04/2020/0718/DC	179 - 203 Beersbridge Road (including lands to the rear of 183-189 Beersbridge Road) Belfast	Discharge of condition no. 4 of LA04/2018/1392/F (Waste Management Plan)	CONDITION DISCHARGED
LA04/2020/0727/DC	Robert Bradford Memorial Park Apsley Street Belfast BT7 1DD.	Discharge of condition no 4 of LA04/2019/0353/F (Artificial Light Verification Report)	CONDITION DISCHARGED
LA04/2020/0728/DC	Chancery House 88 Victoria Street Belfast BT1 3GN.	Discharge of condition no. 2 of Z/2011/0380/F (materials)	CONDITION DISCHARGED
LA04/2020/0729/CONTPO	17 Cranmore Avenue Belfast BT9 6JH.	Pruning of overhanging branches to copper beech.	WORKS TO TREES IN CA - AGREED

Reference Number	Location	Proposal	Application Status
LA04/2020/0731/DC	Bank Buildings (bound by Castle Street Bank Street and Royal Avenue Royal Avenue Belfast.	Discharge of Condition no. 2 - LA04/2019/1905/LBC and Condition no. 7 of LA04/2019/1903/F	CONDITION DISCHARGED
LA04/2020/0752/DC	Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue Belfast.	Discharge of condition no. 15 of LA04/2018/0832/F (programme of archaeological work)	CONDITION DISCHARGED
LA04/2020/0819/DC	1-5 Gaffikin Street Belfast BT12 5FH.	Discharge of conditions 8, 9, 10 of LA04/2018/0021/RM (Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0833/CONTPO	Glen Cottage Quarry Road Belfast BT4.	Felling of 1 dangerous oak tree.	WORKS TO TREES IN CA - AGREED
LA04/2020/0858/CONTPO	8 Knockdene Park Belfast. BT5 7AD.	Tree felling and surgery to 2 trees.	WORKS TO TREES IN CA - AGREED

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## Development Management Report Committee Application

Summary	
<b>Committee Decision Date:</b>	<b>16 June 2020</b>
<b>Application ID:</b> LA04/2019/1614/F	
<b>Proposal:</b> Redevelopment of existing all-weather playing field to provide new 3G flood-lit sports pitch, redevelopment of former tennis courts to provide new flood-lit multi use games area (MUGA pitch), pitch side fencing and ball-stop nets, car parking, landscaping and associated site works.	<b>Location:</b> Land including and adjacent to the existing all-weather sports pitch at Stranmillis University College Stranmillis Road Belfast BT9 5DY.
<b>Referral Route:</b> Planning Committee – Major Application	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> Stranmillis University College Stranmillis Road Belfast BT9 5DY	<b>Agent Name and Address:</b> Resolve Planning & Development Innovation Factory Forthriver Business Park 385 Springfield Road Belfast BT12 7DG
<b>Executive Summary:</b>  <p>The site is located within the Stranmillis University College campus and comprises a gravelled pitch and tarmacked tennis courts areas, within the north-western corner of the campus. The topography of the pitch areas is relatively level, however it sits below adjacent university building including a refractory building immediately adjacent to the gravel pitch, with halls of residence buildings beyond. Cleaver Park is located to the north, a residential area comprising largely detached dwellings, which is elevated above the pitches area by approximately 4 – 5m.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> <li>• The principle of the development of at this location;</li> <li>• Visual impacts of the proposal;</li> <li>• Impact on amenity / character of the area;</li> <li>• Impact on built heritage;</li> <li>• Impact on the natural environment;</li> <li>• Impact on transport and other infrastructure;</li> <li>• Flood risk from the proposal.</li> </ul> <p>The proposal comprises improvements to existing sports pitches comprising a gravel sports pitch albeit in poor condition and subject to little use for sporting activities in recent years. The main pitch, at closest points would be located 29m from the nearest dwelling at 28 Beechlands, and approximately 51.6m from the nearest dwelling in Cleaver Park (number 28). Whilst the proposal will result in the reduction of the playing surface area to allow for car parking facilities, these facilities</p>	

are necessary and a policy requirement to support the proposal. The provision of improved/refurbished pitch facilities is considered acceptable in principle. Access to the campus will be unaffected by the proposals.

The proposal would not adversely impact on amenity, traffic, heritage assets or flooding. The proposed scale, form, massing, design and materials of structures proposed are considered acceptable and will not adversely impact on local character. Existing trees within the site and around the site periphery, in addition to new planting would filter views of these structures. All structures are of a scale and character that would be reasonably expected at a sports facility. Changing rooms facilities originally proposed through conversion of existing ancillary buildings have been removed from the proposal in order to safeguard their heritage contribution, with provision relocated to existing facilities within the campus. On balance the proposal would not result in detrimental visual impacts.

DFI Roads, Historic Environment Division, NI Water, Rivers Agency, Conservation Officer, Natural Environment Division, Environmental Health and DEARA NED have no objections to the proposal.

Conditions are necessary to mitigate impacts of the development, including hours of operation of the facility and restriction of floodlighting use to between the months of October and February.

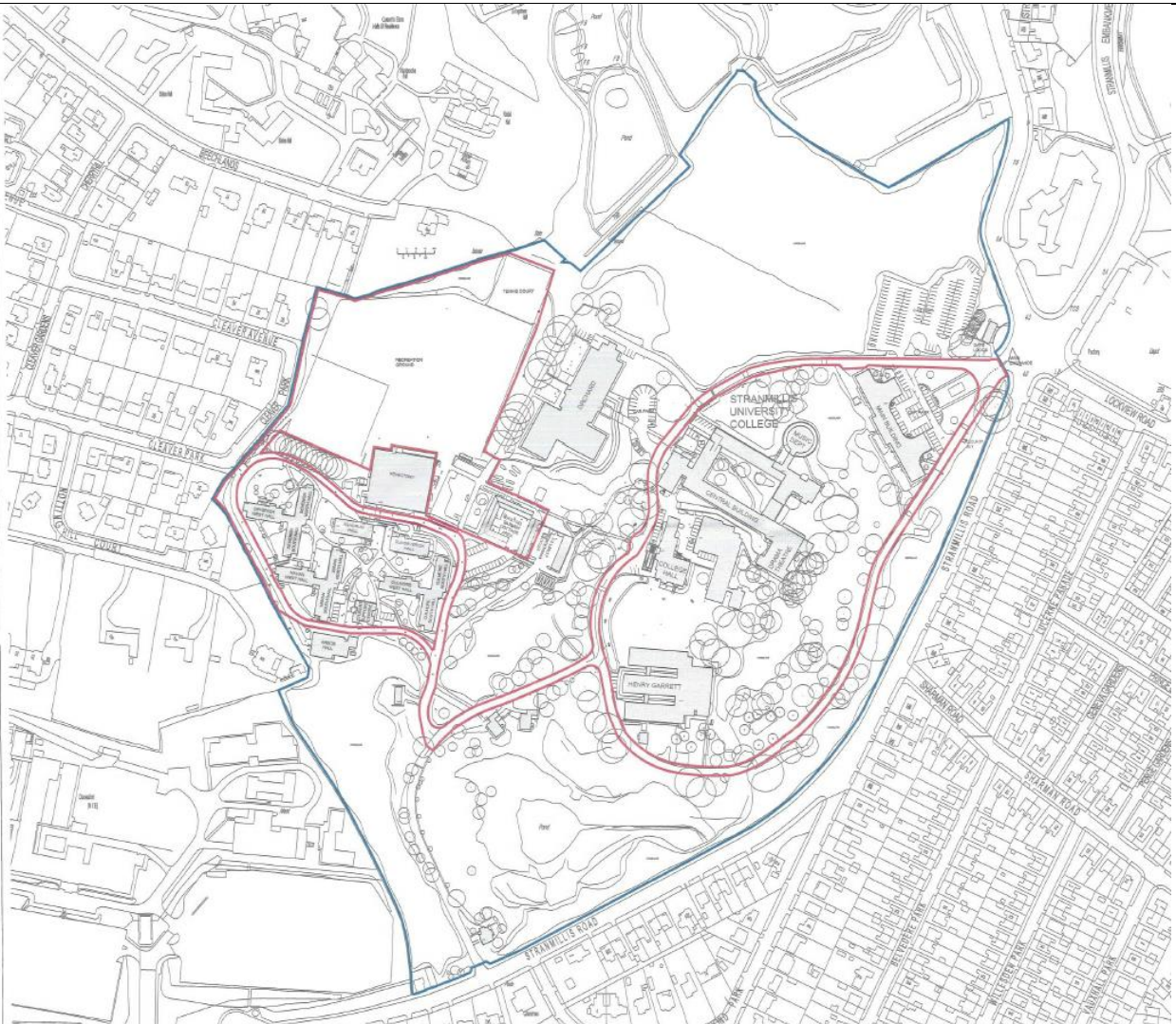
84 objections have been received and have been considered in the report.

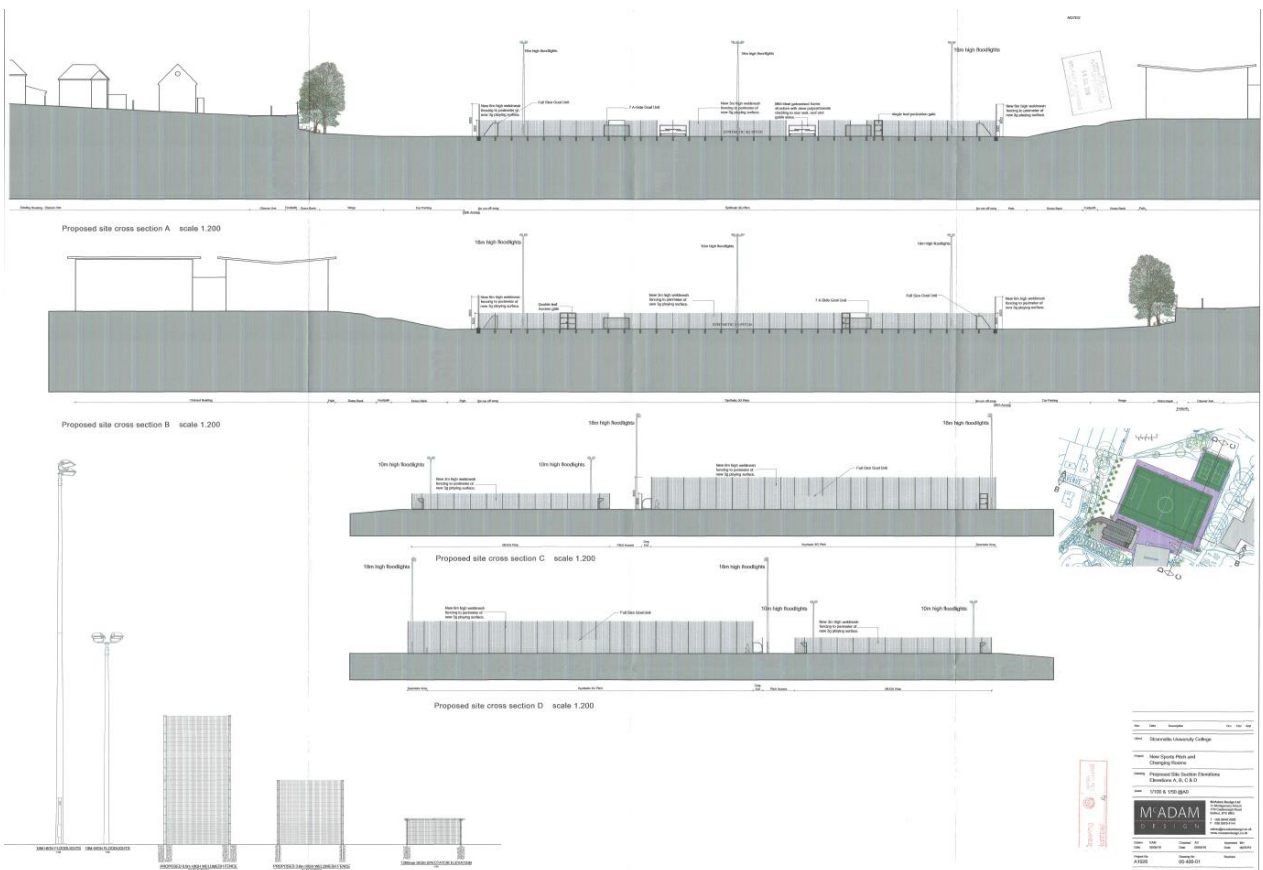
Having regard to the development plan, policy context and other material considerations, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses.

It is recommended that delegated authority is 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 third parties.

## Case Officer Report

### Site Location Plan





Separation Distance to Neighbouring Properties and Location of 'Orchard Building' (highlighted) where existing changing room facilities will be used:



**Representations:**

Letters of Support	None Received
Letters of Objection	84
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	Paula Bradshaw MLA – objection Alderman Jim Rodgers - objection
Neighbour Notification Checked	Yes

<b>1.0</b>	<b>Description of Proposed Development</b>  The application seeks planning permission for the redevelopment of existing all-weather playing field to provide new 3G flood-lit sports pitch, redevelopment of former tennis courts to provide new flood-lit multi use games area (MUGA pitch), pitch side fencing and ball-stop nets, car parking, landscaping and associated site works.
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is located within the Stranmillis University College campus and comprises a gravelled pitch and tarmacked tennis courts areas, within the north-western corner of the campus. The topography of the pitch areas is relatively level, however it sits below adjacent university building including a refractory building immediately adjacent to the gravel pitch, with halls of residence buildings beyond. Cleaver Park is located to the north, a residential area comprising largely detached dwellings, which is elevated above the pitches area by approximately 4 – 5m. There is a belt of mature trees and vegetation along the western and northern boundaries of the site with Cleaver Park. The southern and eastern boundaries are undefined, with the remainder of the campus including

	landscaped areas and educational buildings beyond. There are a number of listed buildings within the wider campus.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>  No relevant history
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Developer Contribution Framework 2020
4.2	Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS); PPS2: Natural Heritage; PPS3: Roads Considerations; PPS6: Built Heritage and Archaeology; PPS6 Addendum: Areas of Townscape Character (ATC); PPS8: Open Space, Sport and Recreation; PPS15: Planning and Flood Risk; Development Control Advice Note 15 Vehicular Access Standards
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	DFI Roads – no objections NI Water – no objections Rivers Agency – no objections Natural Environment Division – final response outstanding
<b>6.0</b>	<b>Non-Statutory Consultee Responses</b>
	Environmental Health – no objections Lagan Valley Park – objection – impact on Lagan Valley Park; BCC Tree Officer – no objections; BCC Landscape Section – no objection;
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. Additional information/amendments have been received during the processing of the application in response to requests for clarification from consultees. Re-advertisement and re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt.
7.2	84 objections received raising the following issues (summarised):  <ol style="list-style-type: none"> <li>1) Noise and disturbance impact to existing residents, including associated emotional distress;</li> <li>2) Traffic and associated noise from pick up and dropping off to the facility at the access gate at Cleaver Park and access issues due to layout of Clear Park;</li> <li>3) Amenity and design impacts from proposed floodlighting;</li> <li>4) Impact on residential area/environment;</li> </ol>

	<p>5) Impact on conservation area, Listed building and historic parklands and contrary to PPS6;</p> <p>6) Impact on flora and fauna including protected species;</p> <p>7) Site used as car park for number of years and no longer sports pitch;</p> <p>8) 3G pitch is not required;</p> <p>9) Pre-Application Community Consultation not undertaken in accordance with the Planning Act.</p> <p>10) Pre-Application consultation does not represent local opposition to the proposals;</p> <p>11) Increased parking demands where currently a shortfall of parking on site;</p> <p>12) Perception of fear with strangers coming into the area to use the facility;</p> <p>13) Application submission is inadequate with necessary supporting information;</p> <p>14) Failed to provide up to date ecological information;</p> <p>15) Landscape and Visual assessment is inadequate and ignores adjacent Conservation Areas and should include additional viewpoints and summer and winter assessments;</p> <p>16) LB Consent required – not correctly referred to on the application form;</p> <p>17) Design and Access Statement fails to comply with legislative requirements;</p> <p>18) Inadequate Neighbour Notification undertaken by the Council – contrary to spirit of neighbour notification notwithstanding statutory requirement;</p> <p>19) Inconsistency with notification requirements for Pre-community consultation and application;</p> <p>20) Design is out of character with historic layout;</p> <p>21) Contrary to PPS8;</p> <p>22) Potential criminal activity / vandalism / anti-social behaviour;</p> <p>23) Detrimental impact on wildlife including from noise;</p> <p>24) Intensification of use of pitches / overdevelopment of the site;</p>
8.0	<b>Other Material Considerations</b>
	Belfast Agenda (Community Plan)
9.0	<b>Assessment</b>
9.1	<p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> <li>• The principle of the development of at this location;</li> <li>• Visual impacts of the proposal;</li> <li>• Impact on amenity / character of the area;</li> <li>• Impact on built heritage;</li> <li>• Impact on the natural environment;</li> <li>• Impact on transport and other infrastructure;</li> <li>• Flood risk from the proposal;</li> </ul> <p><b>Policy context</b></p>
9.2	Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said Act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise.
9.3	The SPPS sets out 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. The SPPS states at

	paragraph 1.13 (page 7) that a number of policy statements, including PPS2, PPS3, and PPS 8 remain applicable under 'transitional arrangements'.
9.4	Paragraphs 4.11 and 4.12 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. Paragraphs 4.37-40 highlights the preservation and improvement of the built and natural environment.
9.5	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 version of BMAP purported to be adopted 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.
9.6	Within the BUAP the site is located within the development limits and is identified as whiteland. The site abuts the Malone and Stranmillis Conservation areas but falls within the Stranmillis ATC. PPS6 and the PPS6 Addendum relating to ATC's are therefore applicable.
9.7	Section 104 of the 2011 Act and the related policy direction of the SPPS take precedence over criterion (a) of PPS6 Policy BH12 New Development in a Conservation Area, which requires the development to preserve or enhance the character of the area. The remaining criteria of this policy however remain. (b) and (c) broadly seek development that is in sympathy with the characteristic built form, scale material and detailing of the area; (d) that proposal will not result in environmental problems such as noise, nuisance and disturbance; (e) that important views within, into and out of the area are protected, and (f) that trees and other landscape features are protected. Criterion (g) seeks redevelopment that conforms to the guidance set out in conservation area documents.
9.8	Within draft Belfast Metropolitan Area Plan 2004 and draft Belfast Metropolitan Area Plan 2015, the site is located within the development limit. Within dBMAP 2004 the site is located within a Local Landscape Policy Area (LLPA).
9.9	PPS8 sets out regional policy for open space and recreation. Policy OS1 refers to the protection of open space, Policy OS4 relates to intensive sports facilities, stipulating 5 criteria with which proposals must accord. Policy OS7 relates to floodlighting and stipulates 3 criteria that proposals must satisfy. Paragraphs 6.199 - 6.213 relate to open space. Paragraph 6.213 sets out relevant planning considerations including: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage. No conflict arises between PPS8 and SPPS policies.
9.10	PPS2 Natural Heritage is relevant to the proposal given the large number of trees within the site and the LLPA designation. Policy NH2 relates to protected species, whilst Policy NH5 relates to habitats, species or features of natural heritage importance. Natural Heritage in the SPPS is set out at pages 80 – 85. Policy requirements essentially repeat the provisions of PPS2 and accordingly no conflict arises with the SPPS.
9.11	PPS3 contains policy considerations relating to roads, access and parking and is a material consideration in that any proposals must make necessary provisions for such matters. Car parking and servicing requirements are set out at Policy AMP7, with design considerations set out at AMP9. Transportation considerations in the SPPS are set out at pages 106-110.

	<p>Policy requirements essentially repeat the provisions of PPS3 and accordingly no conflict arises with the SPPS.</p> <p><b>Principle of Development</b></p>
9.12	<p>The proposal includes a 3G pitch, a MUGA pitch, car parking, fencing and floodlighting. The main pitch, at closest points would be located 29m from the nearest dwelling at 28 Beechlands, and approximately 51.6m from the nearest dwelling in Cleaver Park (number 28). The MUGA pitch is approximately 53m from the nearest dwelling at 29 Beechlands at the closest point. The site has been previously used for sporting activities, however representations have indicated that the area was used for car parking for various periods in the past. Notwithstanding this, the site clearly been used in past for sport recreation use and the proposal is therefore considered in accordance with the requirements of Policy OS1. Whilst in poor condition, the facilities could continue to be used at any time with repair works. Such works would fall outside the meaning of development as set out in the Planning (NI) Act 2011, or benefit from Permitted Development as set out in the Planning (General Permitted Development) Order 2015 and accordingly would not require planning consent. The use of the site for sporting facilities is acceptable. Car parking is considered later in the report.</p> <p><b>Visual impacts of the proposal/character of the area</b></p>
9.13	<p>PPS6 Policy BH6 requires proposal to respect historic gardens. Policy BH11 requires proposals to respect the setting of Listed Buildings. Policy BH12 requires views into and out Conservation Areas to be protected under criteria (e). The SPPS, at paragraph 6.18, states that "In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained".</p>
9.14	<p>Policy OS4 of PPS8 requires that:</p> <ul style="list-style-type: none"> <li>• buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;</li> </ul>
9.15	<p>The 3G pitch surfaces would have a negligible visual impact on the locality. The site / playing surface areas sit at a lower level than the adjacent nearest public road, Cleaver Park. Public views of the surface would read as green space/playing surface and would therefore have no greater impact than the existing gravel surface. Views into and out of the site are filtered by existing and proposed new boundary vegetation. It is accepted that views would become more readily available during winter months due to the deciduous nature of the majority of this planting, however this coupled with the restricted area from which views would be possible adjacent to the site, would not result in an unacceptable impact on the setting of either the Stranmillis or the Malone Conservation Areas as a whole, or the Stranmillis Area of Townscape Character. The associated fencing (6m and 3m high) and floodlights (18m) would have a greater visual impact. However, public views of such structures would also largely be limited to views discussed above. The floodlighting, by virtue of the level difference of the site with Cleaver Park and neighbouring streets would be similar/lower in height than the ridges of the nearest dwellings in Cleaver Park. Accordingly, distance views into the site and of these structures would be filtered by the existing dwellings and boundary vegetation. For these reasons the proposals are considered acceptable and comply with Section 104 (11) of the Planning Act (NI) 2011, the SPPS and PPS6 and the Addendum to PPS6.</p>

9.16	The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. Existing trees within the site and around the site periphery, in addition to new planting would filter views of these structures. All structures are of a scale and character that would be reasonably expected at a sports facility. On balance, the proposal would not result in detrimental visual impacts.
9.17	<p>Alterations and conversion works to facilitate new changing room facilities were originally proposed to existing outbuildings located close/adjacent to the site to the southeast of the pitches. These were removed from the proposal due to concerns from HED regarding impacts on the historic assets/features of this building. Changing facilities will now be provided within existing facilities at the "Orchard building" to the east of the application site. Accordingly the proposal does not contravene relevant Listing Building policies as set out in PPS6, and this revision is admissible within the application in that it is not a policy requirement that changing facilities must be included with all playing pitch proposals.</p> <p><b>Impact on amenity;</b></p>
9.18	<p>The application has attracted objections on grounds that the proposal would detrimentally impact on amenity due to noise and light disturbance. Policies OS4 and OS7 of PPS8 require consideration of these issues. Policy OS4 requires proposals to ensure:</p> <ul style="list-style-type: none"> <li>• there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated;</li> </ul>
9.19	In assessing these impacts, consultation has been undertaken with Environmental Health who have reviewed noise and lighting assessments submitted by the applicant. Environmental Health have concluded that the proposal would not detrimentally impact on amenity through predicted noise levels or light disturbance subject to a number of recommended conditions. However, the duration and level of activities need to be considered and are discussed below. Light spill information indicates that the highest Lux (light) level at the nearest residential property at 28 Cleaver Park would be 4 Lux. This equates to twilight/dusk on a clear night.
9.20	In relation to noise, the conclusion of the January 2020 FR Mark Noise Assessment advises that the cumulative predicted noise level from the upgraded pitches when used simultaneously will be no greater than 45dBLAeq, 1hour at the nearest sensitive premises, with installation of noise mitigation measures including acoustic fencing. The report advises that the predicted level, when compared against relevant World Health Organisation (WHO) standards for noise levels in external amenity areas and with reference to relevant British Standard BS8233:2014 for internal noise standards, does not exceed the target criteria. The noise assessment advises there were no previous restrictions on the existing site, however, given that the existing playing fields never had an artificial surface or purpose built floodlighting these factors naturally restricted site usage such that it is assumed that the facility would not have been used after hours of darkness or in poor weather. The indicative timetable schedule has been revised by the applicant such that it is no longer proposed to have the pitches in use on a Sunday and reduced hours on a Saturday compared to weekdays (except for 8 weekends of the year). The schedule does indicate that the site, however, will potentially be available for use 6 days per week all year round every evening up to 10pm except a Saturday when it is proposed to shut at 8pm except for 8 weekends of the year when it would be propose to use the pitches on a Saturday up until 10pm. A significant proportion of additional usage presented on the proposed indicative schedule appears to involve the use of the pitches by external groups. Additional mitigation measure details were also requested.

9.21	Revised information was received to address the queries outlined by Environmental Health in their response. This includes a revision to the operating hours of the pitches to between 09:00 and 22:00 Monday to Friday and 09:00 and 19:00 on a Saturday with a restriction to external bookings to between 18:30 and 22:00 hours on weekdays, except for Fridays where public booking will be available between 17:30 and 22:00. Floodlighting operation will be restricted to between the months of October and February (inclusive). Noise mitigation measures have also been provided.
9.22	Environmental Health have confirmed that the additional information addresses the concerns relating to predicted noise levels and lighting disturbance, subject to mitigation measure being implemented. They have recommended planning conditions regarding implementation of the noise and lighting mitigation measures. They have not provided comments on operating hours due to limited information regarding the former/current use being presented to enable the assessment to take account of historic pitch use and associated activities, and accordingly deferred judgement on this issue to planning officers. The applicant has requested operating hours of 09:00 to 22:00 Monday to Friday and 09:00 to 19:00 on a Saturday, with no use on a Sunday. The pitches will be used by students during term-time between 09:00 and 19:00 Monday – Friday and 09:00 and 17:00 on a Saturday, with use for the community available for the remaining hours of operation.
9.23	It is considered that the proposal would result in an intensification of use given that it will be more suitable during inclement weather and as a result of floodlighting allowing evening use at certain times of the year with the potential to cause disturbance. Taking into account the residential characteristics of the adjacent areas and the proximity of existing residents, it is considered that operating hours in the evenings, Monday to Friday, should be reduced to 21:00 hours to mitigate disturbance. Furthermore, it is proposed to limit use on Saturdays to 19:00 hours with no exceptions throughout the year (the applicant originally proposed later hours on Saturdays for 8 weekends per annum). Taking into account the technical noise assessment provided and associated review and advice from Environmental Health, together with the proposed reduced hours of operation of the pitches and floodlighting, it is considered that this would ensure that there would be no unacceptable impact on the amenity of local residents. Conditions are necessary in accordance with Environmental Health recommendations and operating hours are recommended. It is considered that subject to conditions, the proposal is compliant in relation to policies OS4 and OS7 of PPS8.
9.24	Policy OS4 also requires that: <ul style="list-style-type: none"> <li>• there is no adverse impact on features of importance to nature conservation, archaeology or built heritage;</li> </ul>
9.25	Consideration in relation to the SPPS and PPS6 regarding impacts on the Conservation Area, ATC and Listing Building and its setting have been considered above. HED and The Conservation Officer have no objections to the proposal and is therefore deemed acceptable in relation to SPPS, PPS 6 and Policy OS4 of PPS8. Visual amenity considerations have been considered above and no unacceptable impacts are considered to occur.
9.26	Additional landscaping is proposed throughout the site and includes additional tree planting (30 extra heavy standard 4.5m min) along the boundary with Cleaver Park. These details are considered acceptable and will assist in mitigating visual impacts of the proposal. Appropriate conditions are necessary to secure retention of existing trees along this boundary, in addition to securing the delivery and management of new planting.

9.27	NED have assessed the application and consider it acceptable in relation to impacts on flora and fauna subject to conditions to ensure protected species are not adversely impacted.
9.28	<p>Objections queried the adequacy of information submitted regard ecological impacts. Additional ecological information was submitted and assessed by NED. Having considered the submitted information, NED have no objections subject to conditions. Accordingly, the proposal is considered compliant with PPS2 and PPS8.</p> <p><b>Impact on transport and other infrastructure;</b></p>
9.29	<p>PPS3 and two of the criteria of Policy OS4 relates to transport considerations:</p> <ul style="list-style-type: none"> <li>• the proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport; and</li> <li>• the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access, car parking,</li> </ul>
9.30	<p>DFI Roads have considered the proposal and have no objections. They have considered all representations received in relation to these issues. The proposal includes 34 parking spaces and a 10 bicycle shelter. Rigid application of the parking standards for sports pitches indicates that the parking requirements based on 40 players using the facility at one time (32 football, 8 tennis) would require 14 spaces. An additional 20 spaces are proposed to facilitate match changeover periods. The additional provision is considered justified in this instance to assist in mitigating the concerns expressed by residents regarding on street parking, drop off, and associated issues. The visual impacts of the parking area will be limited given that it sits at a lower level than the surrounding area and views will be filtered by existing trees and buildings. The parking area will result in the loss of a small area of open space, however this is considered acceptable in order to provide adequate parking facilities and taking account of residents' concerns regarding parking and is not therefore considered contrary to OS1 PPS8. The proposal also meets parking standard requirements. Level access is provided throughout the site to facilitate easy access for any impaired user, and the site is located in close proximity to public transport links on the Malone and Stranmillis Roads. The University also has a duty under separate legislation to ensure adequate access is provided for people with disabilities.</p>
9.31	<p>Residents have concerns regarding parking and drop off issues within Cleaver Park associated with the university as there is a pedestrian access gate into the campus adjacent to the sports pitches. Cleaver Park has been used for spill-over parking thereby creating noise and nuisance within this street. Whilst there is understandable frustration associated with this activity, any parking issues arising from the wider university activities does not form part of the application and is a matter for review and resolution by the University outside of this application. The remit of parking provision before the Council is restricted to the proposal and its associated parking requirements. It is important to note that Cleaver Park forms part of the public highway, and as such is accessible to the public. Any additional parking provided within the campus would not preclude visitors to the facilities from parking within Cleaver Park or nearby public roads.</p>
9.32	<p>Notwithstanding this, the university is seeking to control the degree of access available by <i>“electronically controlling the use of the Cleaver Gate...and... include a commitment to keep the gate open to all during normal College hours, but to introduce electronic control during those hours when the pitches will be in public use. It is anticipated that students and staff of the college will be able to access the campus from the Cleaver gate during these hours, but the overall effect of this will be to reduce the accessibility of the site to the wider</i></p>

	<p><i>public.</i>" Case law tests would preclude the Council from securing this measure by planning condition, as it does not relate to the proposal. This measure, on a goodwill basis, may assist in mitigating parking and access issues faced by residents and will be a matter for the university to deliver. DFI Roads have included a requirement in the recommended conditions that vehicular traffic accessing the proposal, do so via the main access to the University on Stranmillis Road.</p>
9.33	<p>Accordingly, the proposal is considered acceptable in terms of traffic, parking and access considerations and therefore in accordance with this criteria and relevant policy within PPS3 and PPS8.</p> <p><b>Flood risk from the proposal;</b></p>
9.34	<p>Policy OS4 requires satisfactory arrangements for drainage to be provided, and specific drainage/flood risk policy is set out in PPS15.</p>
9.35	<p>A drainage assessment and associated information was submitted for consideration and consultation undertaken with Rivers Agency and NIW in relation to these matters. Both consultees are satisfied with the mitigation measures proposed and it is therefore considered that the proposal complies with policy and acceptable drainage and flood risk protections measures are proposed.</p> <p><b>Waste Disposal;</b></p>
9.36	<p>The proposal will not significantly alter current arrangements for waste disposal. Arrangements for the disposal of Wastewater/drainage from the proposed 3G pitch have been deemed satisfactory by Rivers Agency and NI Water. Concerns raised regarding rubbish generation relate to adequate management arrangements for the site and would not warrant refusal on planning grounds.</p> <p><b>Issues raised by Representations:</b></p>
9.37	<p>Many of the issues raised have been considered above. However additional matters are addressed as follows:</p> <p>1) Listed Building (LB) Consent required – not correctly referred to on the application form;</p> <p>The application was revised to exclude works to the changing rooms which were deemed listed during the application process. LB Consent is therefore no longer required. HED have no objections to the proposal.</p> <p>2) Design and Access Statement fails to comply with legislative requirements;</p> <p>A revised statement was received during the processing of the application. It is considered adequate to address legislative requirements.</p> <p>3) Inadequate Neighbour Notification undertaken by the Council – contrary to spirit of neighbour notification notwithstanding statutory requirement;</p> <p>Notification has been completed in accordance with legislative requirements, namely those properties that abut the red line boundary of the application site.</p> <p>4) Inconsistency with notification requirements for Pre-community consultation and application;</p>

	<p>Legislative requirements are different for pre-application and application notification.</p> <p>5) Design is out of character with historic layout;</p> <p>Design has been deemed acceptable in the assessment above and HED and the Conservation Officer have no objections.</p> <p>6) Public order / Potential criminal activity / vandalism / anti-social behaviour;</p> <p>This is matter for the relevant authorities and outside the scope of this planning application. It is for the landowner to effectively manage the pitches/grounds and for the Police to ensure compliance with relevant public order legislation / regulations.</p> <p><b>Consultations</b></p>
9.38	<p>No consultees have any objections to the proposal.</p> <p><b>Pre-Community Consultation</b></p>
9.39	<p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.</p>
9.40	<p>Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
10.0	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses.</p>
10.1	<p>It is recommended that delegated authority is 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 third parties.</p>
<p><b>Conditions</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The pitches and floodlighting hereby approved shall not be operational outside the following hours:  Monday to Friday – 09.00hrs to 21.00hrs  Saturday – 09:00hrs to 19:00hrs</p> <p>The pitches and floodlighting shall not be used on Sundays or public holidays.</p>	

The floodlighting shall be implemented in accordance with the approved details and shall only be operational during the months of October, November, December, January, and February and during no other months of the year.

Reason: In the interests of residential amenity and protection of natural heritage assets.

3. The artificial floodlighting scheme of the hereby permitted development shall not commence operating until an artificial lighting verification report is submitted to the Council for review and approval in writing. The report shall verify that the lighting scheme as specified in the Musco drawings stamped by Belfast City Council no's 13-23 has been installed and shall verify that all artificial floodlighting connected with the development has been measured and/or calculated and confirmed to be within the vertical illuminance (Lux) levels for Environmental Zone 2 at the windows of habitable rooms of the nearest residential properties as stipulated in table 2 of the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN0L:2011. All floodlighting shall be optically controlled and directed in such a manner to minimise light pollution from glare and light spill. The floodlight shall be operated in accordance with verification report and to the satisfaction of the Local Planning Authority.

Reason: In the interest of amenity.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 18613-C500 Rev P1 bearing the Belfast Planning Service date stamp 16/8/19, 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.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No:18613-C500 Rev P1 bearing the Department for Infrastructure determination date stamp 16/8/19.

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

6. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated in accordance with details to have first been submitted to and approved in writing by the Council.

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.

7. No part of the development hereby permitted until hard surfaced areas have been constructed in accordance with approved drawing to provide adequate facilities for parking and circulating 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 development.

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

8. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

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

9. All floodlighting on site shall be asymmetric and hooded to avoid upward spill. Lighting shall be directed away from all trees on the boundaries of the application site identified by the red line on drawing number 01 date stamped received 5 July 2019.

Reason: To protect Bats in their foraging and commuting areas.

10. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted before the expiration of the next available planting season to the satisfaction in writing by the Local Planning Authority.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

12. All soft landscaping comprised in the approved details shall be carried out within the first planting and seeding season following any part of the development hereby permitted becoming operational. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

13. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 'Trees in relation to Construction' 2005.

Protective fencing shall be at least 2.3 metres high, comprising of a scaffolding framework, verticals positioned no more than 3.0 metres apart driven into the ground approximately 0.6 metres, braced to resist impacts, supporting weldmesh panels, fixed in a manner to avoid easy removal as shown in BS 5837 2005, Figure 2.

Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

Neighbour Notification Checked	Yes
Signature(s)  Date:	

<b>ANNEX</b>	
<b>Date Valid</b>	31st July 2019
<b>Date First Advertised</b>	16th August 2019
<b>Date Last Advertised</b>	21st February 2020
<b>Details of Neighbour Notification</b> (all addresses) 14 Notting Hill Court,Belfast,Antrim,BT9 5NH The Owner/Occupier, 16, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA The Owner/Occupier, 18, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA The Owner/Occupier, 2 Sharman Road,Belfast,Antrim,BT9 5FW The Owner/Occupier, 20 Notting Hill,Belfast,Antrim,BT9 5NS The Owner/Occupier, 20, Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HY 21 Cleaver Avenue Belfast Antrim 21, Beechlands, Belfast, Antrim, Northern Ireland, BT9 5HU 22 Notting Hill,Belfast,Antrim,BT9 5NS 22 Richmond Park,Stranmillis,Belfast,Antrim,BT9 5EF 22, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 23, Beechlands, Belfast, Antrim, Northern Ireland, BT9 5HU 23, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 24, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 25 Beechlands,Belfast,Antrim,BT9 5HU 25, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 256 Stranmillis Road,Belfast,Antrim,BT9 5DZ 258 Stranmillis Road,Belfast,Antrim,BT9 5DZ 26 Cleaver Park Belfast Antrim 26, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 260 - 268 Stranmillis Road,Belfast,Antrim,BT9 5DZ 27 Beechlands,Belfast,Antrim,BT9 5HU 27 Cleaver Avenue Belfast Antrim 270 – 320 Stranmillis Road,Belfast,Antrim,BT9 5DZ 28 Beechlands,Belfast,Antrim,BT9 5HU 28 Cleaver Avenue,Belfast,Antrim,BT9 5JA 29 Beechlands,Belfast,Antrim,BT9 5HU 29, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 29, Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HY 3,Cottage,Stranmillis Road,Belfast,Antrim,BT9 5DX 32 -38, Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HY 37 Notting Hill,Belfast,Antrim,BT9 5NS 39 Notting Hill,Belfast,Antrim,BT9 5NS 44 Stranmillis Embankment,Malone Lower,Belfast,Antrim,BT9 5FL 48 Stranmillis Embankment,Malone Lower,Belfast,Antrim,BT9 5FL 55 - 61 Richmond Park,Stranmillis,Belfast,Antrim,BT9 5EF Apartment 3 - 8,41 Notting Hill,Belfast,Antrim,BT9 5NS Back Lodge,Stranmillis College,Stranmillis Road,Belfast,Antrim,BT9 5ED Central Building,187 Stranmillis Road,Belfast,Antrim,BT9 5DT Cleaver Residents' Group,c/o 18 Cleaver Park,Belfast,BT9 5HY	

College Hall, 187 Stranmillis Road, Belfast, Antrim, BT9 5DT  
 Culmore Halls Of Residence, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Deputy Principal'S House, Stranmillis Road, Belfast, Antrim, BT9 5DX  
 Devenish Halls Of Residence, Stranmillis Road, Belfast, Antrim, BT9 5DX  
 Dunseverick Halls Of Residence, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Estate Management Complex, 187 Stranmillis Road, Belfast, Antrim, BT9 5EE  
 Groundfloor, 46 Stranmillis Embankment, Malone Lower, Belfast, Antrim, BT9 5FL  
 Groundfloor, Aisling House, 50 Stranmillis Embankment, Malone Lower  
 Gymnasia, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Lower Orchard, 187 Stranmillis Road, Belfast, Antrim, BT9 5DT  
 Navan Halls Of Residence, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Nendrum Halls Of Residence, Stranmillis Road, Belfast, Antrim, BT9 5DX  
 Oak Lodge, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Office 1, Main Building, 187 Stranmillis Road, Belfast, Antrim, BT9 5DT  
 Orchard Building, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Paula Bradshaw MLA, Parliament Building Stormont Estate  
 Principal House, Stranmillis College, Stranmillis Road, Belfast, Antrim, BT9 5DX  
 Principal'S House, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Refectory, 187 Stranmillis Road, Belfast, Antrim, BT9 5DT  
 Riddle Hall Cottage, 187 Stranmillis Road, Belfast, Antrim, BT9 5EE  
 Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Stranmillis University College Campus, Stranmillis Road, Belfast, Antrim, BT9 5DY  
 Upper Orchard, 187 Stranmillis Road, Belfast, Antrim, BT9 5DT  
 Wardens House, Stranmillis Road, Belfast, Antrim, BT9 5DX

<b>Date of Last Neighbour Notification</b>	14 <sup>th</sup> February 2020
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<b>Date of EIA Determination</b>	7 <sup>th</sup> August 2019
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<b>ES Requested</b>	No
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### Planning History

Ref ID: LA04/2017/2703/PAN

Proposal: Redevelopment of existing all weather playing field to provide new 3G flood-lit pitch, new flood-lit multi use games area (MUGA pitch), renovation of existing out-buildings to provide new changing accommodation, car parking and associated access arrangements.

Address: Land including and adjacent to, the existing all weather sports pitch at, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY.,

Decision: PANACC

Decision Date: 11.12.2017

Ref ID: Z/1994/1064

Proposal: Change of use to student accommodation and provision of 10 no. car parking spaces

Address: PRINCIPAL'S HOUSE STRANMILLIS COLLEGE BELFAST BT9

Decision:

Decision Date:

Ref ID: Z/1996/0490

Proposal: Change of use from residential to office accommodation

Address: LAGAN LODGE (PRINCIPLES HOUSE) STRANMILLIS COLLEGE  
STRANMILLIS ROAD BELFAST BT9

Decision:

Decision Date:

Ref ID: Z/1998/0934

Proposal: Alterations to Listed Building including construction of disabled ramp to front facade, and provision of ancillary car parking

Address: LAGAN LODGE.STRANMILLIS COLLEGE STRANMILLIS ROAD.BELFAST  
BT9

Decision:

Decision Date:

Ref ID: Z/1998/0945

Proposal: Change of use from domestic to office use including alterations and construction of disabled ramp to front facade, and provision of ancillary car parking

Address: LAGAN LODGE STRANMILLIS COLLEGE STRANMILLIS ROAD BELFAST  
BT9

Decision:

Decision Date:

Ref ID: Z/2003/2767/F

Proposal: Erection of two fire escapes and stairwells to the rear of the main building and replacement of adjoining windows.

Address: Main Building, Stranmillis University College, Belfast, BT9

Decision:

Decision Date: 08.03.2004

Ref ID: Z/2003/2768/LB

Proposal: Erection of two fire escapes and stairwells to the rear of the main building and replacement of adjoining windows.

Address: Main Building, Stranmillis University College, Belfast, BT9

Decision:

Decision Date: 09.03.2004

Ref ID: Z/2004/3006/F

Proposal: Demolition of existing Orchard Building and replacement with new education building and associated car parking.

Address: Orchard Buildings, Stranmillis College, Belfast. BT9 5DY

Decision:

Decision Date: 12.10.2005

Ref ID: Z/2004/3016/DCA

Proposal: Demolition of existing Orchard Buildings (upper & lower) to allow for the erection of a new educational facility.

Address: The Orchard Buildings, Stranmillis University College, Stranmillis, Belfast

Decision:

Decision Date: 12.10.2005

Ref ID: Z/2007/0273/LB

Proposal: Demolition of building and erection of new primary school.

Address: Henry Garrett Building, Stranmillis University College, Stranmillis Road, Belfast, BT09 5DY

Decision:

Decision Date: 12.12.2008

Ref ID: Z/2007/0274/O

Proposal: Construction of a 14no. class Primary School with school meals, multi-purpose hall and ancillary accommodation with a detached 2no. class nursery unit adjacent.

Address: Stranmillis University College, Stranmillis Road, Belfast, BT09 5DY

Decision:

Decision Date: 12.12.2008

Ref ID: Z/2007/0275/DCA

Proposal: Demolition of two storey previous dwelling and education building.

Address: Former Headmaster's cottage & Henry Garrett Building, Stranmillis University College, Stranmillis Road, Belfast, BT09

Decision:

Decision Date: 12.12.2008

Ref ID: Z/2012/0284/LBC

Proposal: Removal of asbestos contaminated second floor ceiling and wall linings and consequent reinstatement for the Grade A listed building. The project also includes services refurbishment of all floors.

Address: The Main Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: CG

Decision Date: 02.08.2012

Ref ID: Z/2012/0405/LBC

Proposal: Proposed DDA related works to Stran House including new external ramps, new lifts and WC refurbishment

Address: Stran House, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision:

Decision Date: 31.07.2012

Ref ID: Z/2012/0406/F

Proposal: Provision of ramped disabled access.

Address: Stran House, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision:

Decision Date: 31.07.2012

Ref ID: Z/2012/0407/F

Proposal: Alterations to the internal layout of the building to provide en-suite bathrooms. This will consequently require alterations to several external bedroom window openings and opaque glass to ensuites.

Address: Dunseverick Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: PG

Decision Date: 22.08.2012

Ref ID: Z/2012/0528/LBC

Proposal: Demolition of most recent extension (circa 1958) to south side of the Henry Garret building and reinstatement of the land

Address: Henry Garret Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5AD,

Decision: CG

Decision Date: 03.05.2013

Ref ID: Z/2012/0530/LBC

Proposal: Demolition of derelict Principals House and reinstatement of the land to complement the existing landscaping within the Stranmillis University Campus

Address: Principals House (located approx 30m east of the Henry Garrett Building) Stranmillis University College Stranmillis Road Belfast BT9 5AD,

Decision: CG

Decision Date: 08.02.2013

Ref ID: Z/2012/0816/F

Proposal: Change of use of part of the lower ground level from ancillary use (storage/WC's etc) to Student Union Bar/Cafe. Upgrading of the building facade to include re-cladding and provision of lift shaft.

Address: Refectory Building, Stranmillis University College, Stranmillis Road, Belfast,

Decision: PG

Decision Date: 21.01.2013

Ref ID: Z/2013/0660/LBC

Proposal: Internal alterations including new coffee dock, break out space, corridor and lobby work to the left of the main entrance, removal of non historic lightweight walls doors, a bar and bar store. Provision of new automated doors, kitchenette, ceiling floor

and wall finishes. Raising of door head DG06. Removal of lining in front of windows. Replacement of extract fan.

Address: Stranmillis House, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: CG

Decision Date: 01.08.2013

Ref ID: Z/2014/0148/LBC

Proposal: Minor adjustment to entrance steps raising the top landing and providing a new step. Staff tutorial room on second floor converted into WC area.

Address: The Main Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: CG

Decision Date: 16.05.2014

Ref ID: Z/2014/0383/F

Proposal: Creation of level access main entrance incl. lobby (19sqm) plus extension to north facade (+55sqm). Internal alterations at ground floor level to provide cafe. External alterations to create disabled parking spaces and an improved shared surface link with the adjacent orchard building.

Address: Central Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: PG

Decision Date: 16.05.2014

Ref ID: Z/2014/1515/LBC

Proposal: Minor amendment to entrance doors and further adjustments to first and second floor offices including removal of some interior walls and the provision of a platform lift.

Address: The Main Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: CG

Decision Date: 06.03.2015

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

Date of Notification to Department:

Response of Department:

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## Development Management Officer Report Committee Application

Summary	
<b>Committee Decision Date: 16 June 2020</b>	
<b>Application ID:</b> LA04/2019/1615/F	
<b>Proposal:</b> Erection of mixed use development consisting of a 25no. bed hotel and 88no. apartments with associated car parking and landscaping.	<b>Location:</b> Lands adjacent and East of No. 43 Stockman's Way, Belfast.
<b>Referral Route: Major Application</b>	
<b>Recommendation:</b>	<b>Approve subject to conditions and Section 76 Agreement</b>
<b>Applicant Name and Address:</b> Kilmona Property Ltd 8th Floor Bedford House 16-22 Bedford Street Belfast BT2 7FD	<b>Agent Name and Address:</b> Coogan & Co. Architects Ltd 122 Upper Lisburn Road Finaghy Belfast BT10 0BD
<p><b>Executive Summary:</b> The application proposes a mixed use development consisting of a 25no. bed hotel and 88no. apartments with associated car parking and landscaping on lands adjacent and east of No. 43 Stockman's Way, Belfast.</p> <p>The main issues to be considered in the assessment of this application are set out below:</p> <ul style="list-style-type: none"> <li>• The principle of development (including consideration of the planning history of the site)</li> <li>• Impact on the character of the area</li> <li>• Impact on amenity</li> <li>• Access, Car Parking and Sustainable Transport</li> <li>• Environmental Considerations - Contamination, Air Quality, Noise, Flooding/Drainage</li> </ul> <p>In draft BMAP 2015 part of the site is zoned for housing, part whiteland and part zoned as existing employment. That part zoned as existing employment comprises the access road along Stockman's Way and is part of a larger existing employment zoning (Ref: BT005/12). Planning Permission was previously granted on 01 November 2018 for '<i>Demolition of existing buildings and erection of residential development comprising of 96 units and associated car parking and landscaping</i>' (Ref: LA04/2015/0668/F) on the application site. This permission is live and implementable.</p> <p>4 representations have been received regarding this proposal. The issues raised include:</p> <ul style="list-style-type: none"> <li>• Increased traffic impact on existing businesses</li> <li>• Absence of parking spaces for current demands</li> <li>• Loss of employment land</li> <li>• Sequential test</li> <li>• Increased height will appear incongruous and out of character</li> </ul>	

- Scale and massing inappropriate and will be visually dominant
- Inaccuracies in Air Quality data

The issues raised are considered in the report.

Consultees are content with the proposal subject to conditions.

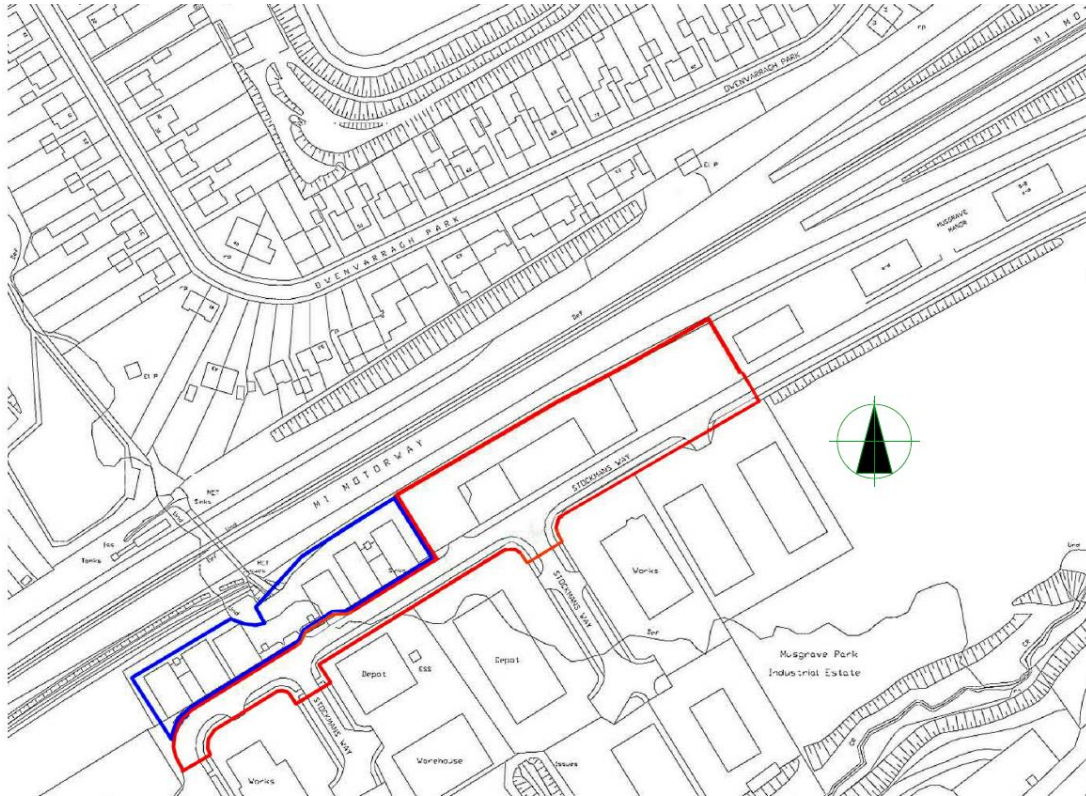
**Recommendation**

It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the Section 76 planning agreement and wording of conditions subject to no new substantive planning issues being raised by third parties.

## Case Officer Report

**1.0****Plans**

### Site Location Plan



*See Appendix 1 for further associated drawings*

Proposed CGI views along M1 Motorway






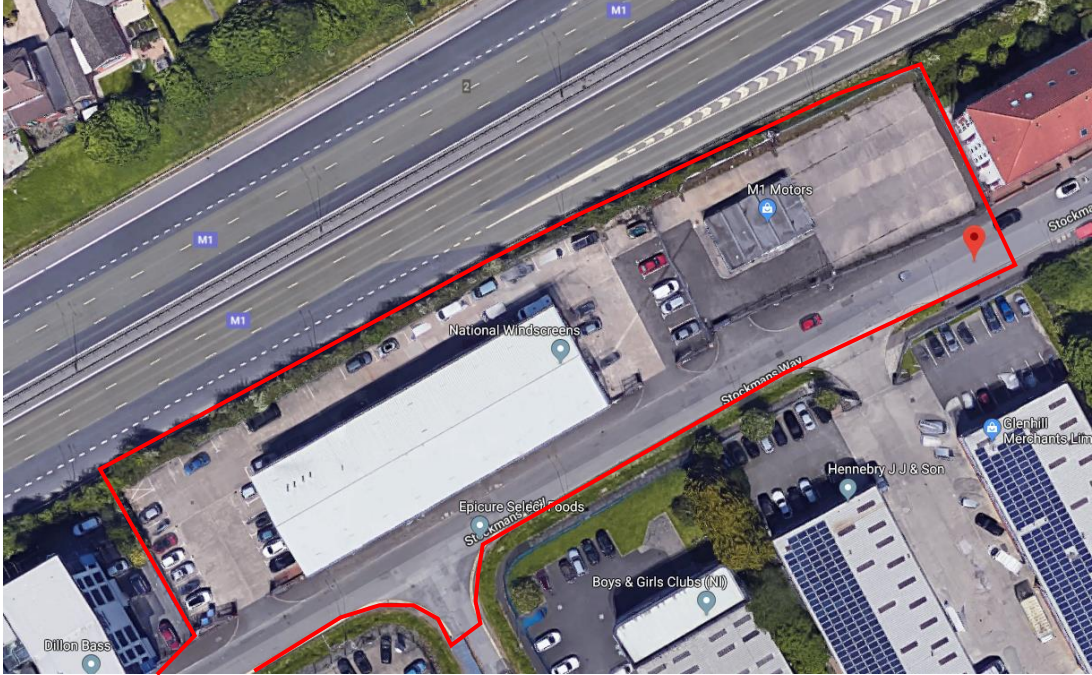
SMALL INCREASE IN HEIGHT COMPARED TO PREVIOUS APPROVAL. NO ADDITIONAL ACCOMMODATION PROVIDED, THIS SIMPLY PROVIDES SOME VARIETY AND DRAMA WITHIN THE BUILDING.



Proposed CGI views along Stockman's Way




<div><div><div>BUILT FORM STEPS DOWN</div><div>SIGNAGE SUBJECT TO SEPARATE APPLICATION</div><div>HOTEL PORTION OF THE DEVELOPMENT IS GIVING ITS OWN DISTINCT IDENTITY.</div><div>ENTRANCE PROVIDES LIFE AND VARIETY TO THE GROUND FLOOR ALONG STOCKMANS WAY</div></div></div>	
2.0	<b>Characteristics of the Site and Area</b>
2.1	The site is located between Stockman's Way and the M1 Motorway at the entrance to Stockman's Way employment area and comprises a rectilinear plot which is currently separated into two plots by a palisade fence. A two storey warehouse building with ancillary offices surrounded by parking/hardstanding is located on the south western portion of the site. This portion of the site is not zoned in Draft BMAP. The western part of the warehouse building is currently vacant. The eastern portion of the building is occupied. The north western plot is a vacant plot containing a single storey portacabin surrounded by hardstanding, previously occupied by a car sales business. This portion of the site is zoned for housing in draft BMAP. There are currently 3 vehicular access points into the site - 2 serving the existing warehouse and 1 serving the former car sales area.
2.2	The site is bounded by the M1 Motorway along the northern boundary and Stockman's Way along the southern boundary. The eastern and western boundaries are defined by palisade fences. The site is relatively flat.
2.3	Stockman's Way is a mixed use area comprising businesses and residential uses. Musgrave Park and Musgrave Park Hospital are located to the south/southeast. Casement Park and surrounding residential developments and are located to the North beyond the M1 motorway.

	
3.0	<b>Description of Proposal</b>
3.1	<p>The proposal seeks the erection of a mixed use development consisting of a 25 no. bed hotel and 88 No. apartments in one building with associated car parking and landscaping. The height of the proposed development varies from 4 to 6 storeys.</p>
4.0	<b>Planning Assessment of Policy and Other Material Considerations</b>
4.1	<p><b>Policy Context</b></p> <p><b>Regional Planning Policy</b></p> <ul style="list-style-type: none"> <li>Regional Development Strategy 2015 (RDS)</li> <li>Strategic Planning Policy statement for Northern Ireland (SPPS)</li> <li>Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement</li> <li>Planning Policy Statement 4 (PPS 4) - Planning and Economic Development</li> <li>Planning Policy Statement 7 (PPS 7) - Quality Residential Environments</li> <li>Planning Policy Statement 8 (PPS 8) - Open Space, Sport and Outdoor Recreation</li> <li>Planning Policy Statement 12 (PPS 12) - Housing in Settlements</li> <li>Planning Policy Statement 13 (PPS 13) - Transportation and Land Use</li> <li>Planning Policy Statement 15 (PPS 15) - Flood Risk</li> <li>Planning Policy Statement 16 (PPS 16) - Tourism</li> </ul> <p><b>Local Planning Policy Context</b></p> <ul style="list-style-type: none"> <li>Belfast Urban Area Plan (2001) BUAP</li> <li>Draft Belfast Metropolitan Area Plan (2015)</li> <li>Draft Belfast Metropolitan Area Plan (2004)</li> </ul>

4.2	<b>Other Material Considerations</b> <ul style="list-style-type: none"> <li>Creating Places, Belfast Agenda Community Plan and Developer Contributions Framework (2020)</li> </ul>
4.3	<b>Planning History</b> LA04/2015/0668/F - Demolition of existing buildings and erection of residential development comprising of 96 units and associated car parking and landscaping, Lands adjacent and East of No.43 Stockman's Way, Belfast. Planning permission granted 01.11.2018.  Z/2007/2167/F - Demolition of existing buildings and erection of residential development comprising 96 units and associated car parking and landscaping, Lands adjacent and east of 43 Stockman's Way, Ballygammon, Belfast, BT09 7ET.  The planning history is an important material consideration and establishes the principle of residential use and the scale and massing of development on the site.
4.4	<b>Statutory Consultation Responses</b>  Responses from statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.  <b>DFI Roads – No objection subject to conditions</b> <b>NI Water – No objection</b> <b>DFI Rivers Agency – No objection subject to condition</b> <b>NIEA – No objection subject to conditions</b> <b>NIHE – No objection</b> <b>Shared Environmental Services – No objection subject to conditions</b>
4.5	<b>Non-Statutory Consultation Responses</b> Responses from non-statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.  <b>Environmental Health – No objections subject to conditions</b> <b>BCC Urban Designer – No objection subject to condition</b> <b>UK Crown Bodies – No objection</b> <b>NI Tourist Board – No objection</b>
4.6	<b>Representations</b> A total of 4 representations have been received to this application. Three objections were received to the original scheme (46 apartments and an 82 bed hotel) and 1 representation has been received to the revised scheme (88 apartments and a 25 bed hotel). The issues raised in the objections include: <ul style="list-style-type: none"> <li>➤ Increased traffic impact on existing businesses</li> <li>➤ Absence of parking spaces for current demands</li> <li>➤ Loss of employment land</li> <li>➤ Sequential test</li> <li>➤ Increased height will appear incongruous and out of character</li> <li>➤ Scale and massing inappropriate and will be visually dominant</li> <li>➤ Inaccuracies in Air Quality data</li> </ul> The issues raised by objectors are dealt within the assessment of the proposal below.

4.7	<b>Planning Assessment</b>
4.7.1	<p><b>Development Plan Context</b></p> <p>Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
4.7.2	<p>The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) provides the statutory plan context for the area.</p>
4.7.3	<p>Draft BMAP 2015 (dBMAP 2015), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).</p>
4.7.4	<p>In dBMAP 2004 the north eastern portion of the site is zoned for housing site (Ref: SB 02/27 – Musgrave Manor, Stockman’s Way) and the south western portion is zoned as existing employment land. (Ref: BT011/23 – Stockman’s Way). In dBMAP 2015 the north eastern portion of the site is zoned for housing (Ref SB 03/04 – Adjacent to 49 Stockman’s Way), the south western portion of the site is not zoned (whiteland) and part of the access along Stockman’s Way is zoned as existing employment land (Ref: BT 005/12 – Stockman’s Way). Within the BUAP the site is unzoned land within the development limit of Belfast.</p>
4.8	<b>Principle of Development</b>
4.8.1	<p>The area is characterised by a mix of uses at this location including residential and employment uses. Part of the site is zoned for housing and part is whiteland (unzoned) in draft BMAP 2015. A small portion comprising the access from Stockman’s Way of the site is also zoned as Employment Industry. The previous planning history on the site which remains live and implementable, established the principle of residential development on the site. Therefore the principle of residential use is considered acceptable and is a significant material consideration in the assessment of this proposal.</p>
4.8.2	<p>The applicant has indicated that the proposed hotel use is to serve a number of facilities in the surrounding area including Casement Park, Musgrave Park Hospital and Boucher retail and employment area as well as being accessible from the Outer Ring, M1 and the wider motorway network.</p>
4.8.3	<p>A hotel use at this location does not conflict with the development plan or planning policy. The proposed hotel use is therefore considered acceptable in principle at this location. Further assessment of the hotel element of the proposal is set out below.</p>
4.9	<b>Scale, Height and Massing</b>
4.9.1	<p>The proposed development comprises 88 apartments which will be situated on the northern eastern portion of the site and a hotel for 25 bedrooms situated on the south western portion of the site. Both elements are proposed to be situated adjacent to each other in one building. The hotel element will be distinguishable along the M1 and Stockman’s Way elevations from the residential element with the use of distinct design elements and different materials from the residential element. Signage will also assist in</p>

<p>4.9.2</p>	<p>distinguishing the hotel element from the residential element. A separate consent for display application will be required.</p> <p>The overall height of the proposed development is 6 storeys with a maximum height of 20.5 m. The building is stepped at both ends to provide terraces accommodating communal amenity space for hotel and residential occupiers. The Urban Design Officer acknowledges that the footprint of the building largely follows that previously approved for the apartment scheme in 2018 with the form of the building and its elevations expressed to reflect the two uses (residential and hotel) in a cohesive and legible manner and notes that the drawings shown below aligns the approved building profile against the proposed for comparison purposes, with the only discernible difference in respect to height relating to the two angled roof profiles at either end of the residential component.</p> 
<p>4.9.3</p>	<p>An objection raised concerns that the height of the original proposal which was 6-8 storeys was incongruous and out of character to the context. The revised scheme proposes a maximum height of 6 storeys. It is acknowledged that the height of the proposed development is higher than the existing surrounding development. However, the previous planning permission on the site permitted a 7 storey building including a basement, the maximum height of which is 18.2m. The proposed taller elements of the approved development had a flat roof profile. The maximum height of the proposed development is higher than the approved development due to the sloping roof profile elements which add visual interest to the design of the development but do not substantially increase the overall height of the development above the height approved in the previous approval. Significant weight is attached to the approved scheme which remains live and implementable. The Urban Design Officer response states that 'given the surrounding context and the 2018 approval, it is considered that the proposed scale, height and massing is appropriate to its context with its upper height and stepped form at either end responding positively to its neighbours'. The height of the proposed scheme is not significantly different from the approved scheme and is on balance considered acceptable and in compliance with Policy QD1 of PPS 7.</p>
<p>4.10</p>	<p><b>Design, Layout and Materials</b></p> <p>4.10.1 The building spans the majority of the Stockman's Way frontage and is approximately 140 metres in length. The building comprises a series of projecting bays along its length with accompanying recesses (which accommodate stair/lift cores) which help to break up the linear nature of the building mass. A range of materials are proposed to help articulate the building along the tripartite ordering of base, middle and top. A more solid base takes the form of white render applied to the lower floors of the residential wing with lighter glazed curtain walling applied to the mid-section of the building in its upper floors. Slim sections of glazing within the lower rendered base, spanning two floors,</p>

	helps to give the building more of a vertical emphasis to counteract the linear nature of the site. Slim profiled capped roof forms, which kick up at an angle at either end, provide visual interest to the upper section and an appropriate 'top' to the building. It is also noted that this general arrangement picks up contextually on the adjacent commercial/office buildings. Other than those apartments proposed at second floor level, all remaining apartments benefit from a private terrace/balcony.
4.10.2	Balconies are provided along the Stockman's Way and M1 elevations for residential units providing private amenity space for prospective residents and in doing so will add visual interest to the proposed elevations.
4.10.3	An objection raised concerns regarding the scale and massing of the proposed scheme considering it out of character and visually dominant against the existing buildings to the east and west. The articulation of the Stockman's Way and M1 elevations incorporates design elements which successfully break up the massing of the extensive frontage. These include stepping of the built form at either ends of the proposed building, recessed bays along the elevations, variation of the roof profile including sloping elements, differing solid to void ratios across the elevations, the use of balconies and a variety of complimentary materials.
4.10.4	Along the motorway the ground floor is articulated with a series of punched windows, columns, planters and downlights as a means to soften and conceal the parking immediately behind. The bunded landscape strip between the building and the motorway will effectively conceal most of the ground floor when viewed from the motorway with the render component, which begins at first floor level, helping to integrate the upper level of parking with the remainder of the building. It is noted that the design seeks to minimise the impact of the parking arrangement at ground floor by placing the main hotel entrance lobby, reception and admin office along this elevation, which due to its linear layout does occupy a substantial stretch of the facade. In relation to materials, this section is also defined by a mix of red brick and planar glazing which helps the legibility of the building and relate it to the hotel component. The remaining length of the building at ground floor, behind which parking will be located, has been divided up into a series of rendered sections which alternate between flat and articulated sections in an effort to break up the façade. The Urban Design officer advises that given the context presented by neighbouring buildings and the general approach which formed part of the extant approval there is no objection regarding the ground floor articulation given the context.
4.10.5	While the materials palette applied to the residential component comprises a mix of render, stone cladding and glazed curtain walling, red brick is introduced as the dominant material to the hotel component. This assists in terms of legibility and helps to define the hotel component, nevertheless an element of render is proposed in the form of a horizontal projecting frame to the lower floors which provides a degree of unity between it and the residential wing.
4.10.6	Proposed materials include light red brick, grey/black stone cladding, dark grey curtain walling glazing, light grey glass spandrel panels white, off white and grey coloured renders which are in keeping with developments in the surrounding area. Context CGIs along the M1 Motorway and Stockman's Way have been provided and demonstrate how the overall building composition relates appropriately to surrounding context.
4.11	<b>Impact on the surrounding area and amenity of neighbouring properties</b>
4.11.1	There are 5 residential buildings to the north of the site (Woodlands Manor and Musgrave Manor) which are also accessed off Stockman's Way. Four of the blocks

	<p>(Musgrave Manor) are 4 storey and Woodlands Manor is 4 – 6 storeys high. One of the Musgrave Manor blocks sits immediately adjacent to the northern boundary of the proposed site and a minimum separation distance of 14.2m is proposed between the existing and proposed development. The south western elevation of the proposed block incorporates windows to serve bathrooms and living areas. Windows to serve these living areas are also available on the elevation facing the M1 motorway thereby providing an additional light source. The north eastern elevation of the proposed block incorporates secondary windows to serve living areas at upper levels. The built form of the top floor is setback to provide amenity space for prospective residents. The separation distance is considered acceptable and it is the officer's view that there will be no adverse impact on the amenity of existing residents in the adjacent Musgrave Manor in terms of overlooking, loss of light and privacy. The relationship with the adjoining residential development is considered acceptable and complies with Policy QD 1 of PPS 7.</p>
4.11.2	<p>The taller elements of Woodland Manor located at the entrance to Stockman's Way comprise 6 storeys. The adjacent Musgrave Manor is a 4 storey development. Adjacent development to the south comprises an office development of 4 storeys in height which will sit adjacent to the hotel element of the proposal.</p>
4.11.3	<p>The northern elevation of the existing adjacent office building facing the proposed hotel element of the scheme comprises a number of windows on the first, second and third floors. Windows also exist on the eastern and western elevations of the existing office block fronting onto Stockman's Way and the M1 motorway. The proposed separation distance between the south western elevation of the proposed development and the site boundary is a minimum of 1.2m. Narrow windows (c. 0.5m wide) are proposed on the second floor of the south western elevation serving hotel rooms at this level. These narrow windows are secondary windows with the main outlook from these rooms fronting onto Stockman's Way and the M1 motorway. The development is setback at the third, fourth and fifth floors to provide for amenity space for the hotel and residential uses. The setback will assist in ensuring that the proposed built development is not dominant adjacent to the existing office development. Similar width narrow openings are proposed on the first floor level serving the car park. The relationship with the adjoining office development is considered acceptable and it is officers' view that there would be no adverse impact on the amenity of the existing office development as a result of the adjacent proposed hotel and residential uses.</p>
4.11.4	<p>The proposed development is situated at the entrance to Musgrave Park employment area which extends to the south and west of the site. Given its location on the periphery of this existing employment area it is considered that the proposal will not have an adverse impact on the existing employment uses. Environmental Health has not raised any issues in respect of the compatibility of existing and proposed uses with regard to noise and amenity concerns. The proposal is separated from the majority of employment uses by Stockman's Way access road and is adjacent to an existing office development. An objection raised stated that <i>'the proposal is not characteristic of the area and therefore is not considered to be compatible with land uses in the vicinity'</i>. On balance it is considered that the proposal would not compromise the ability of the existing employment uses to continue their operations and it the officer's view that the proposal is compatible with adjoining existing employment uses for the reasons set out above. It is considered that the proposed development will not conflict with the employment uses in the surrounding area and complies with Policy PED 8 of PPS 4.</p>
4.11.5	<p>Access to the hotel is proposed directly to/from Stockman's Way. Vehicular access to the site is proposed at the northern end with two access points proposed to the ground floor and first floor parking areas to serve the development.</p>

4.11.6	The proposal will result in the loss of the existing warehouse, an economic development use on the site. The previous car sales business on the north eastern portion of the site was a sui generis use and is zoned for housing in draft BMAP 2004 & 2015 and the loss of this part of the site does not conflict with Policy PED 7 of PPS 4.
4.11.7	Policy PED 7 states that planning permission will not normally be granted for the redevelopment for other uses of an unzoned site used or last used for industrial and storage or distribution purposes, except in circumstances outlined in the policy. Whilst the proposal does not strictly meet the criteria set out in PED 7 the proposed mixed use scheme which includes residential use will bring about substantial community benefits in terms of providing residential accommodation to serve the local area and will result in job creation during construction and operation of the hotel. The development will also see a considerable investment in the area which will regenerate this site and enhance the character and appearance of the area.
4.11.8	Notwithstanding, significant weight is attached to the existing planning permission on the site for 96 apartments which is live and implementable and is on balance considered to outweigh the loss of land for economic development use.
<b>4.12</b> 4.12.1	<p><b>Amenity/Open Space Provision</b></p> <p>The proposed development has been assessed against the SPPS, Policy QD 1 of PPS7, Policy OS 2 of PPS 8 (Open Space, Sport and Recreation) and Creating Places. Balconies are provided on the upper floors (3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> floors) on the Stockman's Way and M1 elevations for 61 of the proposed apartments. Communal areas of open space are proposed on the rooftop terrace (approx. 268sqm). Overall an average of 10.6 sqm of amenity provision per unit has been proposed which is in accordance with the recommended standards of providing between 10 and 30 sqm as set out in Creating Places and is considered satisfactory.</p> <p><i>3<sup>rd</sup> Floor – 21 balconies</i>  <i>4<sup>th</sup> Floor - 21 balconies</i>  <i>5<sup>th</sup> Floor – 19 balconies</i></p> <p><i>Total private amenity provision from balconies – 546sqm</i>  <i>Total communal residential amenity provision from terraces – 392sqm</i></p> <p>4.12.2 Policy OS 2 of PPS 8 states that proposals for new residential development of 25 or more units will only be permitted where public open space is provided as an integral part of the development. No public open space has been proposed as part of the proposal. Policy OS 2 of PPS 8 goes on to state that an exception to the requirement of providing public open space will be permitted in the case of apartment developments where a reasonable level of private communal open space is provided. As indicated above the level of private open space is commensurate with other developments in the area.</p> <p>4.12.3 The site is also in close proximity to an existing areas of open space at Musgrave Park (approx. 130m to the north – 2 minute walk). The developer has agreed to provide a financial contribution to improve accessibility to Musgrave Park in lieu of the requirement to provide public open space. This will enable prospective occupiers of the proposed development to access the park from Stockman's Way. Taking account of the level of private amenity space proposed and proposed pedestrian link to Musgrave Park which would enable the existing area of open space to be within a reasonable walking distance the proposal is on balance acceptable and is considered to satisfy Policy OS 2 and is in accordance with Developers Contributions Framework.</p>

4.12.4	Communal amenity provision is also provided for the proposed hotel element in the form of terraces located on the third and fourth floors comprising 229sqm.
4.12.5	<p><b>Space Standards</b></p> <p>Whilst the space standards set out in PPS 7 Addendum 'Safeguarding the Characteristics of Established Urban Areas' do not apply to this proposal as the site is not located in an established residential area they are nevertheless a useful guide to determining whether proposed unit sizes are of a sufficient size to ensure a quality living environment for prospective occupiers.</p>
4.12.6	<p>The proposed breakdown of units is set out as follows:</p> <ul style="list-style-type: none"> <li>• 41 No. 1 bed apartments</li> <li>• 47 No. 2 bed apartments</li> </ul>
4.12.7	The Space standards referred to above set out that the design standards for a 1 bedroom apartment ranges from 35/40 sqm for a 1 bedroom 1 person apartment to 50/55 sqm for a 1 bedroom 2 person apartment.
4.12.8	The 1 bedroom apartments proposed range from 47sqm to 59sqm and fall within the recommended design standards.
4.12.9	The Space standards referred to above set out that the design standards for a 2 bedroom apartment ranges from 60/65 sqm for a 2 bedroom 3 person apartment to 70/75 sqm for a 2 bedroom 4 person apartment.
4.12.10	The 2 bedroom apartments proposed range from 60sqm to 80sqm and fall within the 2 bedroom recommended range.
<b>4.13</b>	<b>Tourism</b>
4.13.1	<p>The proposal has been assessed against the SPPS and Policies TSM1 and TSM 7 of PPS 16. Policy TSM 1 states that Planning permission will be granted for Tourism Development provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design, and has regard to the development plan. Policy TSM 7 sets out specific criteria against which tourism proposals such as a hotel require to be assessed and included the following criteria:</p> <p><i>(a) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;</i></p> <p>As set out in 'Access, servicing and parking' below the proposed development connects to the public road for both pedestrian and vehicular traffic providing immediate access to Stockman's Wat. The developer has also agreed to provide a link to the nearby Musgrave park increasing connectivity within the area.</p> <p><i>(b) the site layout, building design, associated infrastructure and landscaping arrangements (including flood lighting) are of high quality in accordance with the Department's published guidance and assist the promotion of sustainability and biodiversity;</i></p> <p>The design and layout has been considered in detail above and is considered acceptable.</p>

*(c) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are screened from public view;*

The existing boundary fence and hedge along the M1 Motorway will be retained with hedging to be supplemented where required. The existing boundaries (fences) with adjacent land uses are proposed to be retained and boundary hedging proposed to soften the visual impact. A narrow grassed area is proposed along the Stockman's Way frontage with intermittent low hedging along its length. The proposed planting will soften views into and within the site. The proposed planting is considered to be in keeping with the character of the area and the level of landscaping is acceptable.

*(d) utilisation of sustainable drainage systems where feasible and practicable to ensure that surface water run-off is managed in a sustainable way;*

Given the industrialised, developed nature of the area this is not a feasible solution.

*(e) is designed to deter crime and promote personal safety;*

Access to the hotel will be via a secured access. A secured access will also provide separate entry into the residential apartments.

*(f) development involving public art, where it is linked to a tourism development, needs to be of high quality, to complement the design of associated buildings and to respect the surrounding site context.*

N/A

*(g) it is compatible with surrounding land uses and neither the use or built form will detract from the landscape quality and character of the surrounding area;*

The proposed use and built form is in keeping with the industrial/ residential style of buildings in the Stockman's Way area. The use is such that it will not be incompatible with surrounding uses.

*(h) it does not harm the amenities of nearby residents;*

It is considered that the proposed hotel which is small scale comprising 25 bedrooms and does not have associated facilities such as a bar/conference rooms will not have an adverse impact on existing or proposed residents in the vicinity.

*(i) it does not adversely affect features of the natural or built heritage;*

There are no built or natural heritage features affected by the proposal. The site is located in an established industrial/residential area.

*(j) it is capable of dealing with any emission or effluent in accordance with legislative requirements. The safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains sewerage and water supply services must be utilised where available and practicable;*

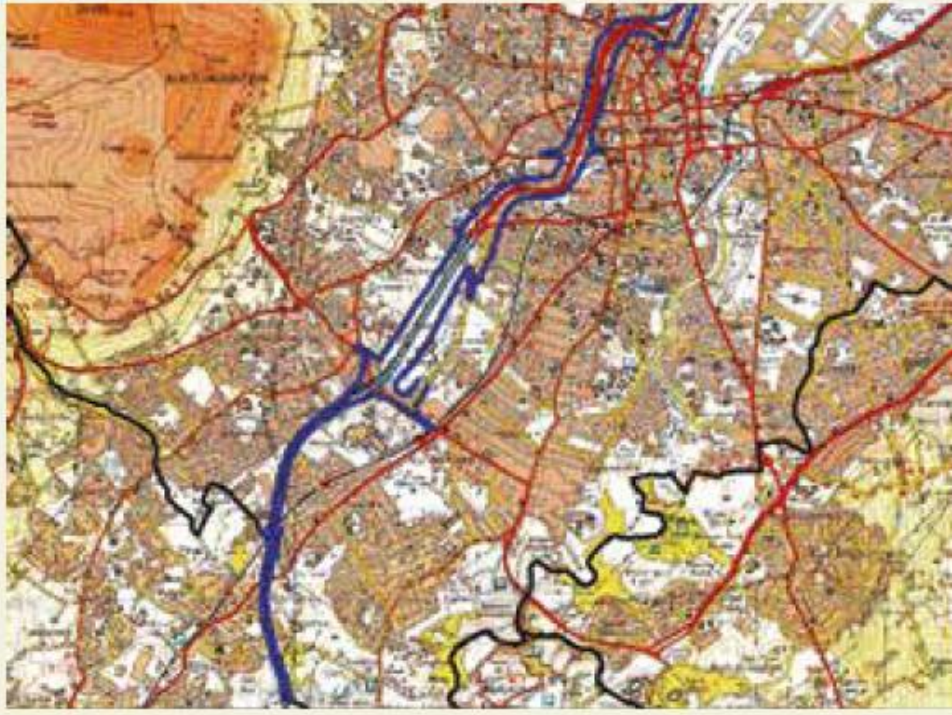
Environmental Health Service has asked that should planning permission be forthcoming a condition is attached to ensure that an updated air quality impact assessment should be provided demonstrating that there will be no significant adverse air quality impacts associated with the operation of the proposed combustion plant. NI Water has confirmed that the extant approval relates to a very similar development to that proposed in current application LA04/2019/1615/F and consequently, NI Water will approve new sewerage connections in respect of this current proposal.

*(k) access arrangements must be in accordance with the Department's published guidance;*

DFI Roads have not raised any issues with regards to the proposed access arrangements onto Stockman's Way.

	<p>(l) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic; See (m) below.</p> <p>(m) the existing road network can safely handle any extra vehicular traffic the proposal will generate; DFI Roads has not raised any concerns in terms of the principle of the proposed use and the ability of existing infrastructure to serve the development.</p>
4.13.2	<p>Tourism NI has provided some wider comments on tourism and how the proposal could help meet an apparent need for this type of accommodation:</p> <ul style="list-style-type: none"> <li>- As of the end of August 2019, in the Belfast City Council area, there were 126 serviced accommodation providers (Hotels, Guest Houses, Guest Accommodation and B&amp;Bs) providing 5,371 rooms and 11,564 bed-spaces. Of these providers, 85 are members of the Tourism NI Quality Grading Scheme.</li> <li>- Of the estimated 2.2 million hotel room nights sold in Northern Ireland in 2018, 1.1 million (51%) were sold in the Belfast City Council area, the highest of any area.</li> <li>- In 2018, the Belfast City Council area had the largest number of hotel rooms (4,706 rooms, equating to 51% of the Northern Ireland total). This is a substantial increase from 2017 (3,630 rooms).</li> <li>- The Belfast City Council area attracted the largest number of estimated overnight trips in 2018 (1.7 million), equating to a third (33%) of all overnight trips to Northern Ireland.</li> <li>- The Belfast City Council area attracted the joint highest relative proportion of business trips (with Antrim &amp; Newtownabbey), with business accounting for approximately 15% of all overnight trips to this council area. Of all those people taking an overnight business trip in Northern Ireland, over half (54%) stayed in the Belfast City Council area.</li> <li>- The proposed location of this Apart-Hotel in the South West area of the city may help to address a lack of hotel accommodation in that immediate area which is attractive to visitors who wish to take part in popular political walking tours, black taxi tours, cemetery tours or who wish to visit Colin Glen Forest Park &amp; Activity Centre.</li> </ul>
4.13.3	Based on the above assessment the proposed hotel use is considered compliant with the SPPS and PPS 16.
4.14	<b>Access, Servicing and Parking</b>
4.14.1	<p>Vehicular access to the site is proposed from Stockman's Way at the northern eastern end of the site from. Two access points are proposed to the car parking at ground floor and first floor levels. Parking is also proposed adjacent to the northern side of the building. The applicant proposes to widen Stockman's Way along the frontage of the site and to the south as set out in Drawing No.10 (Private Streets Determination Drawing). The site connects to the public road for both pedestrian and vehicular traffic providing immediate access to Stockman's Way</p>

4.14.2	A Transport Assessment Form (TAF), Travel Plan and a Service Management Plan accompanied the planning application. Objections raised concerns regarding the impact of the proposed development on existing businesses in the area and the requirement to provide additional parking for the restaurant and apartments. The restaurant is no longer part of the revised proposal. DFI Roads requested a parking schedule which has been provided by the applicant. A total of 149 parking spaces are proposed with 27 spaces proposed for the hotel use and the remainder (122 spaces) proposed for the 88 residential units. The applicant has confirmed that 1 space per hotel room plus 2 staff parking spaces are provided to serve the hotel. DFI Roads are satisfied with the level of parking proposed.
4.14.3	An objection raised concerns that the Stockman's Way is used for commuter parking. There are currently no parking restrictions in place along Stockman's Way. Notwithstanding any issue arising from commuter parking in terms of obstructing the highway would be a matter to be enforced by the PSNI. It is worthy to note that road widening proposals along part of Stockman's Lane providing access to the existing employment area are included as part of the development proposals. Widening of the road would improve access to the existing employment area allowing greater ease of movement of vehicles within the area. DFI Roads has considered the objections received and has raised no concerns regarding the issues raised.
4.14.4	DFI Roads raised concerns regarding signage fronting onto the motorway. Amended drawings (05d & 06d) have been received removing the signage along the motorway elevation which addresses DFI Roads concerns regarding this matter. Notwithstanding, a separate application for advertisement consent will be required to consider any proposed signage.
4.14.4	DFI Roads state that the road widening proposals along Stockman's Way appear reasonable, necessary and safe. The proposed road widening works replicate those approved under the previous approval for 96 apartments on the site (LA04/2015/0668/F).
4.14.5	The proposal development is considered compliant with PPS 3.
<b>4.15</b>	<b>Environmental Considerations - Contamination, Noise, Air Quality</b>
4.15.1	<p><b>Air Quality</b></p> <p>The site falls within the M1- Westlink Air Quality Management Area which is identified in the map below.</p>



- 4.15.2 An objection raised concerns that the Air Quality report findings are based on modelling results using the Lombard Street (Belfast City Centre) air quality monitoring site data which is a significant distance away, in the city centre and outside the AQMA and seek confirmation why data from Stockman's Lane was not used.
- 4.15.3 Environmental Health has provided the following response regarding the issues raised in the objection which justifies the use of data from the Lombard Street site.
- 'It should be noted that the Belfast Centre Lombard Street site has been classified by the Department for Environment, Food and Rural Affairs (Defra). Defra as an urban background site; that is to say, located such that its pollution levels are not influenced significantly by any single source or street, but rather by the integrated contribution from all sources upwind of the station.*
- Moreover, the government's LAQM.TG(16) publication indicates that typically, only the process contributions from local sources are represented within the dispersion modelling output and it is therefore necessary to add an appropriate background concentration to the modelled source contributions to derive overall pollutant concentrations.*
- This Service would therefore advise that air quality data from the Belfast Centre Lombard Street site was used to derive background annual mean concentrations for nitrogen dioxide (NO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>) and particulate matter (PM<sub>10</sub>) for use in the modelling studies. Background data could alternatively have been obtained from background mapping data, published by Defra for local authority use.*
- This Service would further advise that air quality monitoring data from Stockman's Lane roadside monitoring site was employed by the environment consultancy to validate and verify its modelling data against ambient monitoring data for the locality under consideration. This approach is in accordance with the requirements of the Defra LAQM.TG(16) technical guidance.*

4.15.4	Environmental Health has advised that the Air Quality consultant has assessed the predicted impact of the proposed development on human health in terms of nitrogen dioxide and particulate matter and the assessment has demonstrated that exceedances of the Air Quality objectives are not expected at the modelled receptor locations. Environmental Health recommend a condition to ensure that details of any proposed combustion processes for heating and hot water provision are submitted and adequately assessed.
4.15.5	<b>Noise</b> Environmental Health has assessed the Noise Impact Assessment and advise of the following:
4.15.6	The conclusions of the RPS noise assessment note that with appropriate noise mitigation measures incorporated into the proposed development the required internal noise environment is achievable in all internal habitable rooms in line with relevant standards. In view of the very high daytime and night time noise levels measured at the site and due to the nearby M1 Motorway, the RPS report advises that a high specification of double glazing providing an appropriate sound reduction specification will be required to installed to habitable rooms throughout the proposed development
4.15.7	Alternative means of ventilation for passive/active ventilation has also been proposed as necessary to ensure windows can be kept shut to maintain noise insulation while at the same time allowing sufficient ventilation. Environmental Health has recommended a condition requiring a noise verification report be submitted to demonstrate successful installation of recommended mitigation measures and to demonstrate suitable internal noise levels in habitable rooms have been achieved. The applicant will be required to ensure close liaison with the acoustic consultant in relation to the selection and installation of appropriate glazing and alternative means of ventilation to ensure the verification condition can be met.
4.15.8	Environmental Health consider that the proposed balconies will not be suitable as private external amenity areas (and should be viewed more as functional areas as referred to in the RPS report) in that the target noise level for such areas as recommended in relevant guidance will not be achieved. However, Environmental Health acknowledge that the proposal includes additional alternative communal external amenity spaces proposed at third, fourth and fifth floor levels. The fifth floor communal external areas are proposed for the sole use of residents of the apartments. The RPS report proposes that noise levels of 55dBL <sub>Aeq</sub> or less are achievable in the majority of communal external amenity spaces due to a combination of increasing distance and height from the road traffic sources, barrier effects of glazing perimeter construction, and shielding effects of the proposed development building. BS8233:2014 "Sound insulation and noise reduction for buildings – Code of Practice) states that it is desirable that the external noise level of external amenity areas does not exceed 50dBL <sub>Aeq</sub> with an upper guideline value of 55dBL <sub>Aeq</sub> ; it also recognises that the guideline values are not achievable in all circumstances.
4.15.9	Environmental Health refer Planning Service to the above guidance documents in determining the suitability of proposed design and state that Planning Service may conclude that, on balance, if the development is desirable and given its urban location, should not be prohibited on the basis of high external noise levels on proposed private balconies, particularly given that the development includes an alternative communal external amenity area which the RPS noise assessment advises should achieve the upper guideline limit for external amenity areas.

4.15.10	Officers consider that given the urban location of the development alongside the M1 motorway and the resultant high external noise levels the proposed balconies will be primarily functional spaces for example for displaying plants, drying clothes etc. Notwithstanding, the Noise impact Assessment indicates that the communal amenity areas proposed on the 5 <sup>th</sup> floor should achieve the upper guidance limit for external amenity areas and on balance the value of amenity provision for prospective residents and hotel occupants is considered acceptable.
4.15.11	<p><b>Construction</b></p> <p>The Noise Impact Assessment highlights that during the construction phase there is potential for short term noise impacts at the nearest noise sensitive property if worst case construction noise occurs. Environmental Health has recommended a condition seeking the submission of a Construction Environmental Management Plan (CEMP) to incorporate appropriate mitigation measures for noise and dust during the construction phase as set out in the a condition to mitigate the effects of construction noise.</p>
4.15.12	<b>Contamination</b>
4.15.13	An updated contaminated risk assessment has been provided which concludes that “ <i>no pollutant linkages have been identified at the site and therefore no remedial works are recommended beyond the provision of a minimum 500mm cover system within the limited ground level perimeter planting, comprising suitable uncontaminated soils (in the context of a residential without plant uptake exposure scenario) to prevent potential exposure to contaminated soils.</i> ” Environmental Health has advised that evidence that the material used in this cover system is suitable for a residential without plant uptake end use is required and that sampling should be completed at a suitable density to demonstrate this. As such Environmental Health has recommended an appropriate condition to secure the receipt and review of this information.
4.16	<b>Drainage</b>
4.16.1	A Drainage Assessment and Flood Risk Assessment was submitted with the application. Rivers Agency has advised that there are no designated watercourses within the site. However, the site lies within the 1 in 100 year fluvial floodplain of the Blackstaff River which is culverted and runs to the south of the site. Policy FLD 1 of PPS 15 [Development in Fluvial (River) and Coastal Flood Plains] states that development will not be permitted within the 1 in 100 year fluvial flood plain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. The applicant has indicated that the proposal meets criterion c) of Policy FLD 1 in that it comprises a replacement of an existing building.
4.16.2	The Drainage and Flood Risk Assessments state that potential flood risk will be minimised by designing the finished floor levels (FFL) with a minimum of 0.6m freeboard above the flood levels of the Blackstaff River. In addition a flood compensation scheme in the form of an underground flood storage tank is proposed to mitigate flood risk.
4.16.3	NI Water in an initial reply indicated that on 11 January 2019 they responded to a Pre Development Enquiry (PDE) for proposed development on the site which advised that the site could be served by existing infrastructure. In a subsequent response NI Water indicated that further consultation was required by means of a Predevelopment Enquiry to determine the availability of existing water and sewerage infrastructure to serve the development as the original PDE response provided was only valid for a maximum period of 12 months and had expired. The applicant submitted a PDE for the proposed development and NI Water in their response indicated that there is no foul sewer

4.16.4	<p>available to serve the development due to the Glenmachan Street Waste water pumping station currently operating above its design capacity and stated that NIW were currently not approving connections to the network upstream. This issue is a site-specific issue and a localised concern relating to the Glenmachan pumping station and has no bearing on the wider considerations regarding the ability of sewerage infrastructure to cope with future residential development in the city. Notwithstanding, the response further advised that NIW would consider connections where a developer could demonstrate one of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Like for like development</li> <li>2. Extant previously approved development (where NIW have given a positive response)</li> <li>3. Where the development will offer a reduced loading on the sewer network, which may include storm separation and/or attenuation</li> </ol>
4.16.5	<p>Subsequently the applicant has confirmed the extant planning approval on the site with NI Water who have in their final consultation response confirmed that the extant approval on the site relates to a very similar development to that proposed in current application LA04/2019/1615/F and consequently, they will approve new sewerage connections in respect of this current proposal.</p>
4.16.6	<p>DAERA Water Management Unit raised concerns that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to Belfast waste water treatment works (WWTW). However, WMU stated that if NI Water indicate that the WWTW is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its consent to discharge, then Water Management Unit would have no objection to this proposal.</p>
4.16.7	<p>NI Water stated in their consultation response that there is a public water supply, foul sewer and a surface water sewer within 20m of the proposal and confirmed that the Waste Water Treatment Works (WWTW) has available capacity. NI Water has confirmed that there is available capacity at the receiving Waste Water Treatment Works (WWTW) and has raised no issues regarding potential environmental impact.</p>
4.16.8	<p>Following the receipt of further technical information (Micro-drainage calculations and supporting comments) Rivers Agency has considered the Drainage Assessment and further supporting information submitted during the processing of this application and has not raised any objections to the proposed development subject to a condition seeking a final drainage assessment which is set out below. The proposal is considered compliant with PPS 15.</p>
4.16	<p><b>Waste Management</b></p> <p>The proposal provides for two separate waste storage arrangements for the hotel and apartments at ground floor level at either end of the proposed building with waste chutes at upper floors proposed to serve the apartments. The waste areas are accessible to residential occupiers and hotel staff with two access points. BCC Waste Management Unit have advised that they are satisfied with the waste storage arrangements which will be subject to further review as part of the Building Control application required for this development. Environmental Health has recommended conditions regarding the waste chutes which are set out below.</p>

4.17	<p><b>Other Issues</b></p> <p>A sequential test was submitted in respect of the hotel aspect of the proposal. Following consultation with the Local development Plan Team upon receipt of the sequential test Planning Service are satisfied that the hotel use is not defined as a main town/city centre use and therefore a sequential test is not required.</p>
4.18	<p><b>Developer Contributions and Obligations</b></p> <p>4.18.1 The applicant has agreed to provide an access plan for the creation and maintenance of a new opening into Musgrave Park from Stockman's Lane. The new link is to be constructed and completed prior to occupation of any unit. The developer has also agreed to provide a financial contribution towards the delivery of improvements to the existing area of open space/play equipment or improvements to facilities at Musgrave Park in lieu of the provision of public open space. The new link will improve connectivity to the wider area and support a sustainable movement pattern.</p> <p>4.18.2 The proposed link to Musgrave Park will provide a direct access to/from Stockman's Way and significantly enhance connectivity to this existing area of open space.</p> <p>4.18.3 The above planning obligation will be included as part of the planning permission by means of a Section 76 planning agreement. This is directly related to the development and will mitigate the requirement to provide public open space for the development and is considered necessary to make it acceptable.</p>
4.19	<p><b>Pre-Application Community Consultation</b></p> <p>4.19.1 In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 23<sup>rd</sup> August 2019 (LA04/2018/2118/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable. The Council recommended that a site notice showing of details of the PAN and associated consultation event should be erected. The Pre-Application Community Consultation (PACC) public engagement event for this proposal took place on 11<sup>th</sup> October 2018.</p> <p>4.19.2 A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements and has taken account of the Council's comments during the PAN process. The report has confirmed advertising for the public event and that the public event took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that 250 flyers had been distributed to homes and businesses surrounding the site including Stockmans Way, Owenvarragh Park, Mooreland Park, Mooreland Crescent and Riverdale Park South. In addition the PACC confirms that the applicant's team met with a number of elected representatives from the South Belfast Assembly and Westminster Constituencies.</p> <p>4.19.3 The report also summarises the issues raised at the public events and during the consultation periods along with applicants response to the issues raised. The report states that in analysing the responses it was clear that the development of the site is welcomed and people were impressed by the architectural design and the provision of adequate parking spaces. The report also acknowledges that some respondents were</p>

4.19.4	<p>concerned about the additional traffic on Stockman's Way. The report advises that no amendments were carried out directly as a result of the community consultation.</p> <p>The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.</p>
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**Neighbour Notification Checked: Yes**

**Summary of Recommendation:**

Having regard to the policy context and other material considerations the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement to secure a direct link to Musgrave Park from Stockman's Way and a financial contribution towards improving the existing area of open space/facilities within. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Agreement subject to no new substantive planning issues being raised by third parties.

**Draft 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. Prior to commencement of development a detailed specification shall be submitted and samples and sample panels of all external finishes shall be made available on site for inspection by the Council and shall be approved in writing. The samples shall be retained on site until completion of the development. The development shall be carried out in accordance with the agreed details.

Reason: To ensure a high quality development.

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

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

4. No development shall commence until full details of the drainage design have been submitted to and agreed in writing by the Council. The development shall be carried out in accordance with the approved details.

Reason: To safeguard against flood risk.

5. Prior to commencement, an updated air quality impact assessment (AQIA) for any substantial combustion plant/plants shall be submitted and agreed in writing by the Council. The updated

AQIA shall set out full specification details, including emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The updated AQIA shall demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development. The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse human health effects.

6. During construction works the dust mitigation measures shall be carried out in accordance with Section 6 of *Air Quality Impact Assessment (AQIA), Stockman's Way, Belfast, RPS (April 2019)* mitigation measures.

Reason: Protection of residential amenity.

7. Prior to occupation of the proposed development, a Noise Verification Report shall be submitted and agreed in writing by the Council. The Verification Report shall demonstrate the following:
  - (a) that the noise mitigation measures as presented in section 5.2 of the RPS Noise Impact Assessment for Proposed development at lands between 6-168 Stockman's Way, Belfast, Document no. NI2038/F01 Dated: February 2020 have been installed and in particular;
  - (b) that entire window system (including frames, seals etc) and ventilation units to the habitable rooms shall be installed so as to ensure that internal noise levels within any proposed habitable rooms shall:
    - Not exceed  $35 \text{ dBL}_{\text{Aeq},16\text{hrs}}$  at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;
    - Not exceed  $30\text{dBL}_{\text{Aeq},8\text{hr}}$  at any time between the hours of 23:00hrs and 07:00hrs within any proposed bedrooms, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;
    - Not exceed  $45\text{dBL}_{\text{Amax}}$  for any single event on more than 10 occasions between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
  - (c) that the rating level ( $\text{dBL}_{\text{Ar,T}}$ ) from the operation of all installed plant and equipment does not exceed the lowest background  $\text{LA}_{90}$  (Day & Night) as presented in the RPS noise impact assessment at the nearest noise sensitive residential premises when measured and/or determined in accordance with BS4142:2014 .The rating level shall be maintained thereafter.

Reason: Protection of residential amenity

8. Prior to commencement of development on site, site clearance or site preparation, a final Construction Environmental Management Plan (CEMP) shall be submitted and approved in writing by the Council. The CEMP shall include measures to control noise, dust and vibration during the demolition / construction phase, demonstrating the use of 'best practicable means'. The CEMP shall demonstrate that noise and vibration levels will not have an adverse impact on nearby premises (including commercial premises). The CEMP should incorporate the recommended good practice mitigation measures as presented in section 5 of RPS, Noise Impact Assessment, Proposed Development at lands between 6-168 Stockman's Way, Belfast, Document no. NI2038/F01 Dated: February 2020. The CEMP shall demonstrate the dust

mitigation measures as outlined Section 6 of Air Quality Impact Assessment (AQIA), Stockman's Way, Belfast, RPS (April 2019) mitigation measures shall be implemented.

The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request. The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse construction impacts.

9. Prior to the occupation of the proposed development, a Verification report shall be submitted and agreed in writing by the Council. This report must demonstrate that the remediation measures outlined in the WYG Environment and Planning (NI) Ltd report entitled 'Generic Quantitative Risk Assessment (GQRA), Stockman's Way, Belfast, Coogan & Co Architects Ltd' (dated March 2020 and referenced A116254) have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential without plant uptake). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:

- a) A 500mm cover system has been emplaced in all ground level landscaped areas.
- b) The material used to construct the cover system is demonstrably suitable for use (residential without plant uptake).

Reason: Protection of human health.

10. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice/the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council 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 and environmental receptors to ensure the site is suitable for use.

11. After completing any remediation works required under Condition 10, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with 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.

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

12. No dwelling shall be occupied and no part of the development shall become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

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

13. No dwelling shall be occupied and no part of the development shall become operational until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

11. No parking spaces shall be assigned, except that necessary to provide facilities for disabled users.

Reason: To ensure acceptable parking facilities on the site.

12. No signage shall be visible from the Motorway.

Reason: In the interests of road safety.

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

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

14. 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.

15. 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.

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

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

17. 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.

18. No part of the development hereby permitted shall be commenced until the legislative process to make a Private Streets Determination has been successfully completed. The Determination shall be made generally in accordance with Drawing PSD01 Rev A.

Reason: To ensure the legislative process has been satisfactorily completed to allow the necessary road works to commence.

19. No part of the development hereby permitted shall be occupied or become operational until the road widening works indicated on Drawing PSD01 Rev A have been fully completed to the satisfaction of DfI Roads.

Reason: In the interests of road safety.

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

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

21. The development shall operate generally in accordance with the Travel Plan.

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

22. The storm drainage of the site, during site clearance, construction and operational phases of the development, must be designed to the principles of Sustainable Drainage Systems (SuDS) in order to minimise the polluting effects of storm water on the connected Woodlands River. Construction of SuDS should comply with the design and construction standards as set out in the Construction Industry Research and Information Association (CIRIA) manual C753 (2015).

Reason: To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase.

23. No building hereby approved shall be constructed beyond sub floor until such times as a foul mains connection has been provided by NI Water in accordance with Article 154 of the Water and Sewerage Services (Northern Ireland) Order 2006 (as amended, Water and Sewerage Services Act (Northern Ireland) 2016, or in the interim period an alternative means of disposal is agreed with NI Water, DAERA Water Management Unit and details submitted to and approved in writing by the Council.

Reason: To ensure that an environmentally compliant operational sewerage discharge system is in place to protect the adjacent European Sites

24. Prior to occupation of the apartments a management plan for the operation and maintenance of the refuse chute system shall be submitted and approved in writing by the Council to protect residential amenity from adverse effects of noise, odour and pests arising from the use of the waste refuse chute and ancillary storage areas. The management plan shall specify arrangements for the regular monitoring of the chute system and storage areas. The plan shall also specify arrangements for cleaning and maintenance including schedules and identify clear lines of responsibility. The development shall be carried out in accordance with the approved management plan.

Reason: Protection of Residential Amenity.

25. Prior to commencement of development the detailed design of the waste chute system shall be submitted to and approved in writing by the Council. The design of the waste chute system shall incorporate the details recommended under the heading: 'Odour and Noise Management' as outlined in the RPS Memo to Planning Service, dated 28.05.2020 and shall be carried out in accordance with the approved details.

Reason: Protection of Residential Amenity.

**Notification to Department (if relevant)**

Date of Notification to Department: Not required

ANNEX	
<b>Date Valid</b>	4th July 2019
<b>Date First Advertised</b>	26th July 2019
<b>Date Last Advertised</b>	8 <sup>th</sup> May 2020
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 25 Stockmans Way, Musgrave Park Industrial Estate, Belfast, Antrim, BT9 7JX 43 Stockmans Way, Belfast, Antrim, BT9 7ET 45 Stockmans Way, Belfast, Antrim, BT9 7ET Apartment 14a -17d, 49 Stockmans Way, Belfast, Antrim, BT9 7GG Automation Controls Ltd, 22 Stockmans Way, Belfast, BT9 7JU Clyde Shanks, Second Floor, 7 Exchange Place, Belfast, BT1 2NA DSM, 30 Stockmans Way, Belfast, BT9 7ET Glenhill Merchants Ltd, Unit 1, Stockmans Way, Belfast, BT9 7ET JJ Hennebry _ Sons LTD, 1 Musgrave Park Industrial Estate, 26 Stockmans Way, Belfast, BT9 7ET Musgrave Business Centre, 45 Stockmans Way, Belfast, Antrim, BT9 7ET Musgrave Park Business Centre, Stockmans Way, Belfast, Antrim, BT9 7ET Musgrave Park Industrial Estate, Stockmans Way, Belfast, Antrim, BT9 7ET Unit 1, 43 Stockmans Way, Belfast, Antrim, BT9 7ET Unit 1, 45 Stockmans Way, Belfast, Antrim, BT9 7ET Unit 4a, 43 Stockmans Way, Belfast, Antrim, BT9 7ET	
<b>Date of Last Neighbour Notification</b>	13th May 2020

## Page 74

NEW 11-10-2020  
 credit added, site  
 layout amended  
**PLANNING  
 APPLICATION**  
**COOGAN & CO**  
 ARCHITECTS LTD  
 122 Upper Richmond Road  
 Putney, London SW15 2NU  
 Tel: 020 8708 1234  
 Fax: 020 8708 1235  
 www.cooganandco.co.uk

**PROJECT TITLE**  
 Mixed Use Development at  
 Stockmans Way  
 Salford

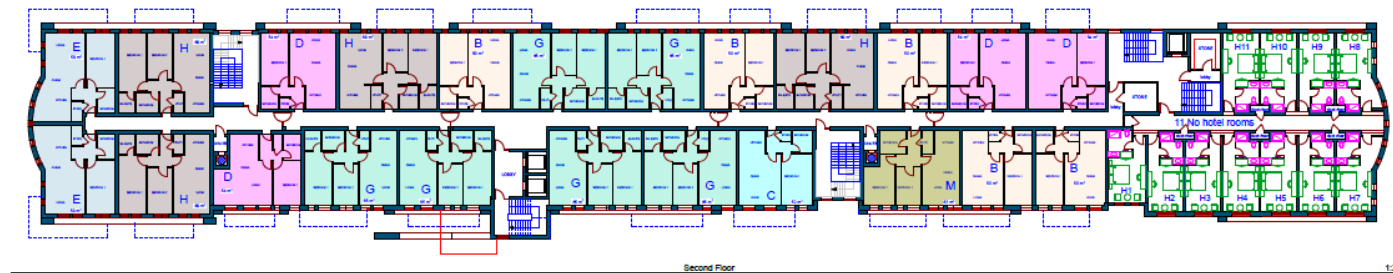
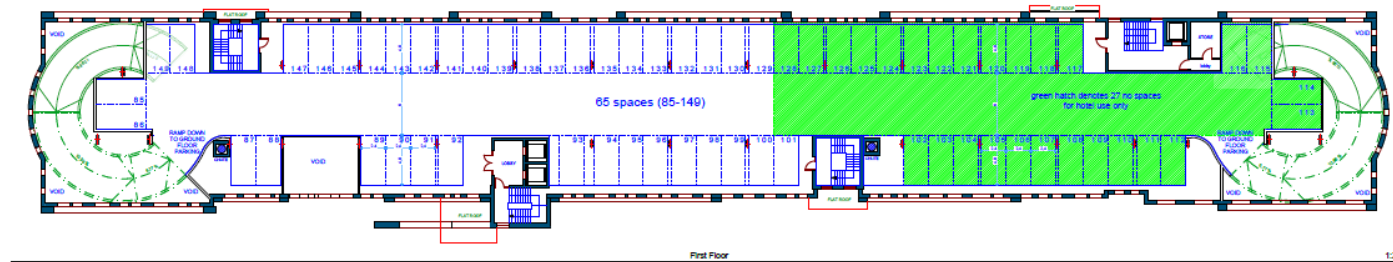
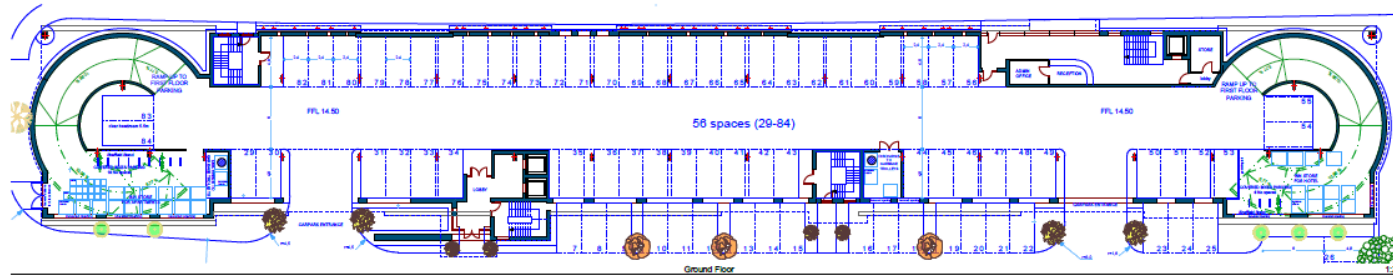
**DRAWING TITLE**  
 Proposed Site  
 Layout - Landscape  
 Finalised rev G

DATE  
 15-10-2020

DRAWN BY  
 15-232-03

REVISION G

# Ground, First and Second Floor Plans



rev A 1-9-2019  
 COUGAN APARTMENT  
 SYSTEM added  
 rev B 1-9-2019  
 1st floor layout  
 amended  
 rev C 1-9-2020  
 amendments following  
 Planning Service  
 consultation  
 rev D 12-03-2020  
 amendments following  
 Planning Service  
 consultation  
 rev E 2-3-2020  
 amendments following  
 Road Service  
 consultation  
 rev F 14-6-2020  
 drive added, floor  
 plan amended  
**PLANNING  
 APPLICATION**  
**COUGAN & CO**  
 22 Upper Mount Street,  
 Dublin 1, Ireland, D01 YW01  
 Tel: 01 856 1010  
 www.cougan.co.uk

**PROJECTIONS**  
 Section Development of  
 Seamus Way  
 section

**STANDARD TITLE**  
 Ground + 1st + 2nd  
 Floor Plan ref\_F

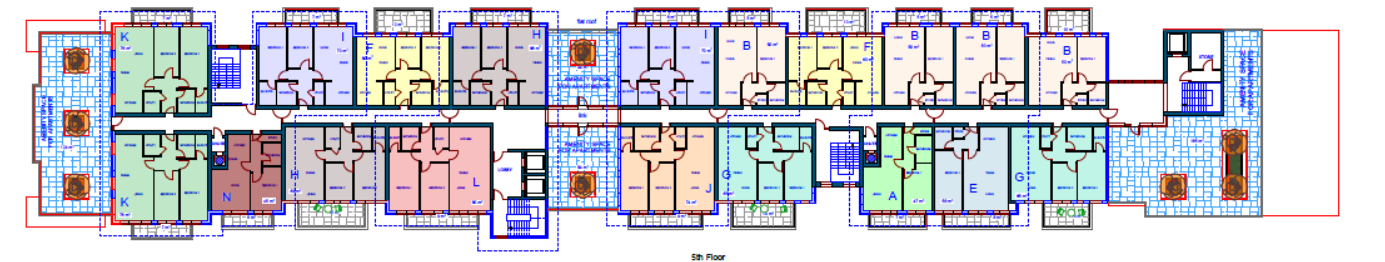
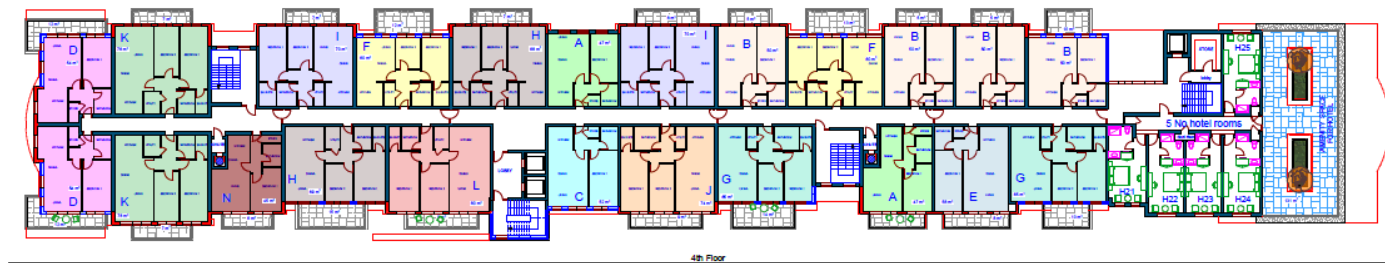
**SCALE**  
 1:200 1:100 1:50

**DATE**  
 15-23-04

**REVISED**  
 15-23-04

**DESIGNED BY**  
 F

**CHECKED BY**  
 S



**new A** 1-5-2019  
SYSTEM DEVELOPMENT added

**B** 15-01-2020  
amendments following Planning Service consultation

**C** 12-03-2020  
amendments following Planning Service consultation

**D** 11-5-2020  
chuke added, floor plans amended

**PLANNING APPLICATION**

**COOGAN & CO**  
**LTD**  
170-180 Victoria Road  
Woolley, Angus AB91 2AT  
Tel: 01356 872222  
Fax: 01356 872223  
www.cooganandco.co.uk

**P R O J E C T P I N E**  
What is the development at?  
Secondary Way  
Duffell

**S U B M I T T E D**  
Thurs 4th + 5th  
Floor Plan Rev. 0

**S C A L E**     **D A T E**  
1:200    01/01    04/10

**D W E N D**  
**15-232-05**

**R E V I S I O N**     **D**  
1     15-232-05

Mixed Use Development at STOCKMANS WAY Belfast

**Elevations:**

- A-1 Midway Elevation (Scale: 1:200)
- A-3 Entrance Elevation (Scale: 1:200)
- A-4 Side Elevation 2 (Scale: 1:200)
- A-2 Side Elevation 1 (Scale: 1:200)
- A-5 Internal Elevation 1 (Scale: 1:200)
- A-6 Internal Elevation 1 (Scale: 1:200)

**ELEVATION MATERIALS KEY**

①	Stone Cladding, Irregular Pattern, Textured	colour grey/black
②	Brick	colour light red
③	Render	colour off white
④	Render	colour white
⑤	Render	colour grey/black
⑥	Curtain walling	colour dark grey
⑦	Coloured glass spandrel panel	colour light grey
⑧	Windows & Doors - PPC aluminium, double glazed	colour dark grey
⑨	Glass balustrade	
⑩	Door for terrace Aluminium brise soleil PPC	colour grey/black
⑪	Canopy - PPC aluminium grid	colour dark grey
⑫	Aluminium brise soleil PPC	colour grey/black
⑬	Timber Planter	colour dark brown
⑭	Metal Railing	colour black

**Mini Map** (Scale: 1:500)

The Mini Map shows the site location relative to surrounding streets: A-1, A-2, A-3, A-4, A-5, A-6.

**PLANNING APPLICATION**

**COOGAN & CO**

100-102 Great Northern Road, Belfast, BT7 1JH  
Tel: 01238 511111  
www.coogan.co.uk

**PROJECT NO.** 15-232-06  
**SITE NO.** 15-232-06  
**DATE** 15-03-2020

**REVISIONS**

NO.	DESCRIPTION	DATE
1	Initial design	15-03-2020
2	Revised design following Planning Service consultation	15-03-2020
3	Revised design following Planning Service consultation	15-03-2020
4	Revised design following Planning Service consultation	15-03-2020
5	Revised design following Planning Service consultation	15-03-2020

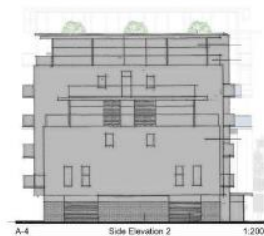
**COGIL ABATEMENT SYSTEM** added  
Internal section 1 updated  
amendments following Planning Service consultation  
amendments following Planning Service consultation  
signages revised along roadway  
grounded openings added

**15-232-06**

**F**

# Elevations Comparison with Extant Approval

Mixed Use Development at STOCKMANS WAY Belfast



THE OUTLINE OF PLANNING APPROVAL LA04/2015/0668/F SUPERIMPOSED ONTO THE PROPOSED ELEVATIONS

rev A 15-01-2020 amendments following Planning Service consultation  
 rev B 12-02-2020 amendments following Planning Service consultation  
 rev C 2-3-2020 signage removed along motorway  
 rev D 11-5-2020 all signage removed

PLANNING APPLICATION  
**COOGAN & CO**  
 100-102, 104-106, 108-110, 112-114, 116-118, 120-122, 124-126, 128-130, 132-134, 136-138, 140-142, 144-146, 148-150, 152-154, 156-158, 160-162, 164-166, 168-170, 172-174, 176-178, 180-182, 184-186, 188-190, 192-194, 196-198, 200-202, 204-206, 208-210, 212-214, 216-218, 220-222, 224-226, 228-230, 232-234, 236-238, 240-242, 244-246, 248-250, 252-254, 256-258, 260-262, 264-266, 268-270, 272-274, 276-278, 280-282, 284-286, 288-290, 292-294, 296-298, 300-302, 304-306, 308-310, 312-314, 316-318, 320-322, 324-326, 328-330, 332-334, 336-338, 340-342, 344-346, 348-350, 352-354, 356-358, 360-362, 364-366, 368-370, 372-374, 376-378, 380-382, 384-386, 388-390, 392-394, 396-398, 400-402, 404-406, 408-410, 412-414, 416-418, 420-422, 424-426, 428-430, 432-434, 436-438, 440-442, 444-446, 448-450, 452-454, 456-458, 460-462, 464-466, 468-470, 472-474, 476-478, 480-482, 484-486, 488-490, 492-494, 496-498, 500-502, 504-506, 508-510, 512-514, 516-518, 520-522, 524-526, 528-530, 532-534, 536-538, 540-542, 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## Development Management Officer Report Committee Application

Summary	
<b>Committee Decision Date: 16 June 2020</b>	
<b>Application ID:</b> LA04/2020/0747/F	
<b>Proposal:</b> Application under Section 54 of the Planning Act (NI) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout.	<b>Location:</b> The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north-east of Balmoral Golf Club Belfast BT9 6GW.
<b>Referral Route: Major Application</b>	
<b>Recommendation:</b>	<b>Approve subject to conditions</b>
<b>Applicant Name and Address:</b> Benmore Octopus Healthcare Developments (HK) Ltd Rushmere House 46 Cadogan Park Belfast BT9 6HH	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p><b>Executive Summary</b></p> <p>Planning approval was previously granted for Phase 1 of the King's Hall redevelopment, Ref: LA04/2018/0040/F - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments.</p> <p>Condition 39 of planning approval LA04/2018/0040/F states that:</p> <p><i>The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 38, 'Road Layout Geometry and Levels Phase 1' published by Belfast City Council Planning Office on 01 February 2018 to provide 15 No. disabled parking spaces, 41 No. spaces reserved for essential staff, 305 No. public parking spaces and adequate facilities for 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.</i></p> <p><i>Reason: To ensure that adequate provision has been made for parking and servicing.</i></p> <p>The applicant seeks the variation of the above condition to read:</p> <p><i>'The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. <b>8687-760P3</b>, 'Road Layout Geometry and Levels Phase 1(<b>Revised</b>)' published by Belfast City Council Planning Office on <b>30<sup>th</sup> April 2020</b> to provide <b>20</b> No, disabled parking spaces, 41 No. spaces reserved for essential staff, <b>302</b> No. public parking spaces and adequate facilities for 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.</i></p>	

The key issues in the assessment of the proposal are as follows:

- The principle of reconfiguration of car parks adjacent to the listed King's Hall
- Impact on traffic and other road users
- Impact on the character of the area

The proposed variation seeks a reconfiguration of approved car parks for Phase 1 of the King's Hall redevelopment one of which is for a temporary car park. The applicant has advised that the proposed variation is sought to facilitate further development on the site. Such further development includes the relocation of the existing Nursery/Childcare facility which is the subject of a separate planning application (Ref LA04/2019/2848/F) and the development of the wider King's Hall site which is also the subject of a separate application (LA04/2020/0845/O) currently under consideration. Members are advised that this application seeks to vary a condition of the Phase 1 approval which was a standalone application. This application is also a standalone application in its own right and is not dependent on the Nursey application or the application for the development of the wider site.

DFI Roads offer no objections to the proposed variation.

No objections have been received.

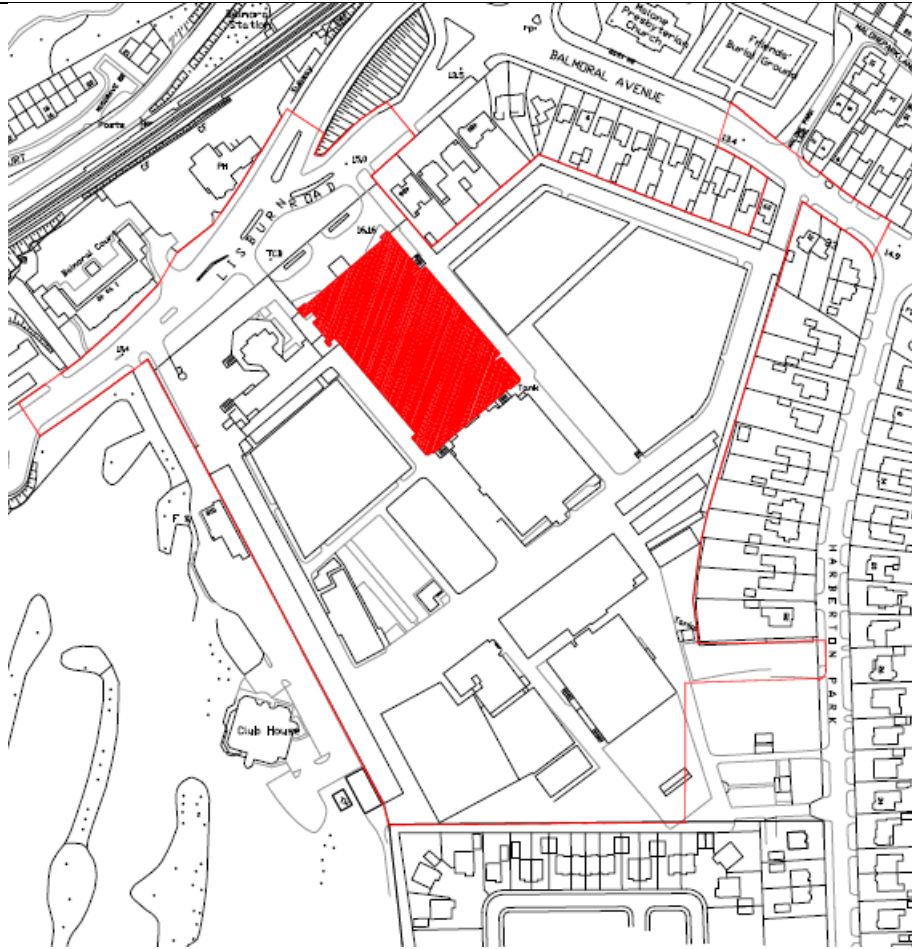
**Recommendation**

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended 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 third parties.

**Signature(s):**

## Case Officer Report

### Site Location Plan



*See Appendix 1 for approved and proposed layouts.*

#### Representations:

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

<b>1.0</b>	<b>Description of Proposal</b>
<b>1.1</b>	The proposal seeks to vary condition 39 of Planning approval LA04/2018/0040/F (Phase 1 King's Hall) to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect reconfigured parking layouts.
<b>2.0</b>	<b>Description of Site</b>
<b>2.1</b>	The site includes the King's Hall complex located off the Lisburn Road. Work is ongoing including the demolition of buildings around the listed King's Hall and extension as part of the approved LA04/2018/0040/F.

## Planning Assessment of Policy and Other Material Considerations

### 3.0

#### Planning History

LA04/2018/0040/F - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments, The Kings Hall And RUAS Site South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North-east Of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 16.04.2019.

LA04/2018/0047/DCA - Demolition of 29 Balmoral Avenue, 29 Balmoral Avenue, Belfast. Consent granted 16.04.2019.

LA04/2018/0048/LBC - Conversion of, alterations to and side extension to King's Hall to accommodate Primary Health Care Centre, demolition of existing extensions to King's Hall and relocation and restoration of existing railings and pillars to the front of King's Hall,

The King's Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North East Of Balmoral Golf Club, Belfast, BT9 6GW. Consent granted 16.04.2019.

LA04/2019/1254/F - Erection of independent living complex 16No. units with associated landscaping, parking and access off Balmoral Avenue, Land at former Kings Hall and RUAS Complex, located to the east of the King's Hall and to the rear of Nos. 7-23 Harberton Park, Belfast, BT9 6GW. Under consideration.

LA04/2019/2848/F – Construction of day nursery/playschool facility to replace existing temporary day care nursery and reconfiguration of car park approved under LA04/2018/0040/F with associated landscaping and access works, Lands at Kings Hall Complex, Lisburn Road, Balmoral, Belfast, BT9 6GW. Under consideration.

LA04/2019/2989/F – Erection of a care home with associated car parking, servicing, landscape and access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue, west of Harberton Park and north east of Balmoral Golf Club, Belfast, BT9 6GW. Under consideration.

LA04/2020/0845/O - Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F), Land at Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park and North East of Balmoral Golf Club Belfast, BT9 6GW. Under consideration.

### 4.0

#### Policy Framework

### 4.1

**Regional Policy Context:-** Page 82  
Regional Development Strategy (RDS);  
Strategic Planning Policy Statement (SPPS);

	PPS3: Access, Parking and Movement; Development Control Advice Note 15 Vehicular Access Standards.
<b>4.2</b>	<b>Development Plan Context:-</b> Belfast Urban Area Plan 2001; Draft Belfast Metropolitan Area Plan 2004; Draft Belfast Metropolitan Area Plan 2014.
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	DFI Roads – No objections subject to conditions.
<b>6.0</b>	<b>Non- Statutory Consultee Responses</b>
	None required.
<b>7.0</b>	<b>Representations</b>
	The application has been neighbour notified and advertised in the local press.  No representations have been received.
<b>8.0</b>	<b>Other Material Considerations</b>
	BCC Belfast Agenda BCC Developer Contributions Framework
<b>9.0</b>	<b>Assessment</b>
<b>9.1</b>	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> <li>- The principle of reconfiguration of car parks adjacent to the listed King's Hall</li> <li>- Impact on traffic and other road users</li> <li>- Impact on the character of the area</li> </ul>
<b>9.2</b>	<b>Policy Considerations</b>
<b>9.2.1</b>	The SPPS states that 'the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
<b>9.2.2</b>	Policy AMP 7 'Car Parking and Servicing Arrangements' of Planning Policy Statement 3 – Access, Movement and Parking states that <i>'Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the Department's published standards or any reduction provided for in an area of parking restraint designated in a development plan. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic'</i> .
<b>9.2.3</b>	Policy AMP7 sets out a requirement for disabled parking and states that <i>'In assessing car parking provision the Department will require that a proportion of the spaces to be provided are reserved for people with disabilities in accordance with best practice. Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided'</i> .
<b>9.2.4</b>	Policy AMP 9 of PPS 3 'Design of Car Parking' states that <i>'The Department will expect a high standard of design, layout and landscaping to accompany all proposals for car parking. Planning permission will only be granted for a proposal where all the following criteria are met:</i> <i>(a) it respects the character of the local townscape / landscape;</i> <i>(b) it will not adversely affect visual amenity; and</i> <i>(c) provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site'.</i>

### 9.3 Development Plan Considerations

**9.3.1** Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan (BUAP). Within the BUAP the site is unzoned land within the development limit.

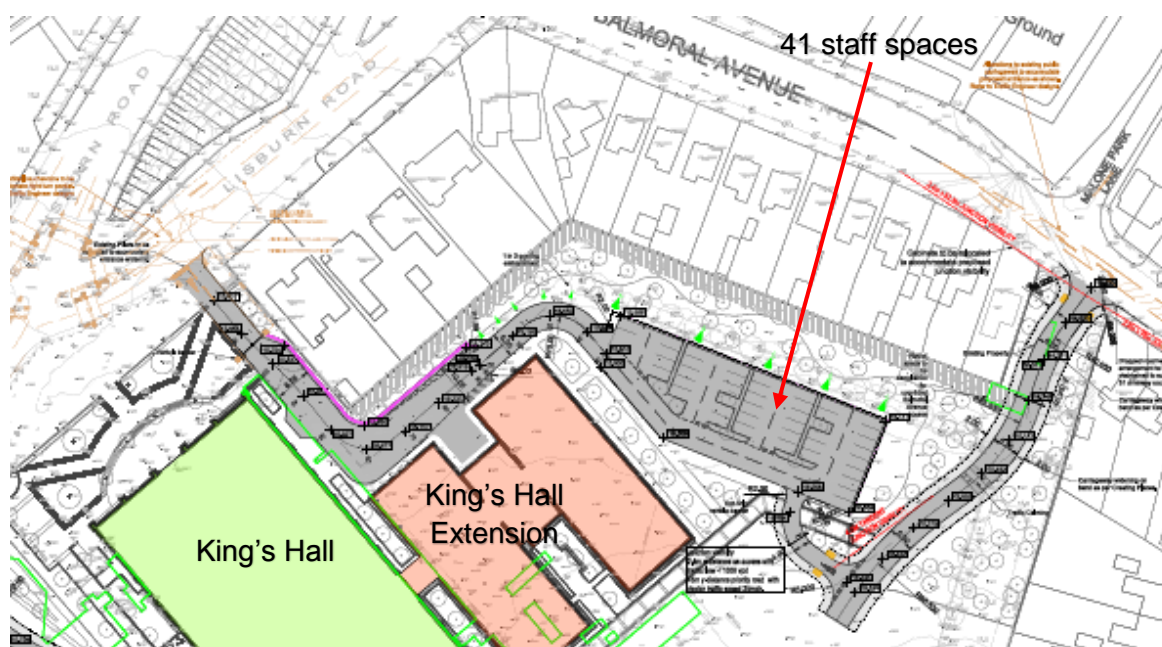
**9.3.2** Given the stage at which the Draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 2015 still carry weight which is considered to be significant and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.

**9.3.3** In the Draft BMAP 2004 the site is unzoned with a small portion along Balmoral Avenue identified as falling within the conservation area (Malone Conservation Area). In draft BMAP 2015 the site is also unzoned with a small portion along Balmoral Avenue identified as falling within the conservation area (Malone Conservation Area).

### 9.4 Assessment

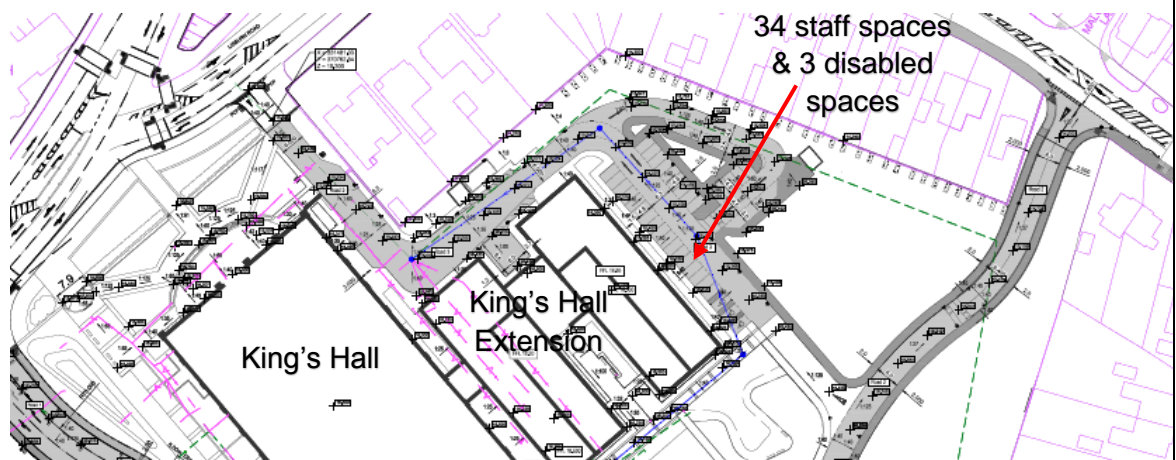
**9.4.1** The site is outside the designated 'Areas of Parking Restraint' as set out in draft BMAP. Parking requirements for Phase 1 of the King's Hall was previously considered as part of planning approval LA04/2018/0040/F and DFI Roads considered the proposed level of parking adequate to serve the development. Overall the previous approved development for Phase 1 of the King's Hall redevelopment provided for 363 parking spaces. The revised layout also proposes 363 parking spaces. In principle the level of parking is considered acceptable.

**9.4.2** The approved layout under application LA04/2018/0040/F provided for 41 spaces for staff adjacent to the extension to the Kings Hall as set out below.



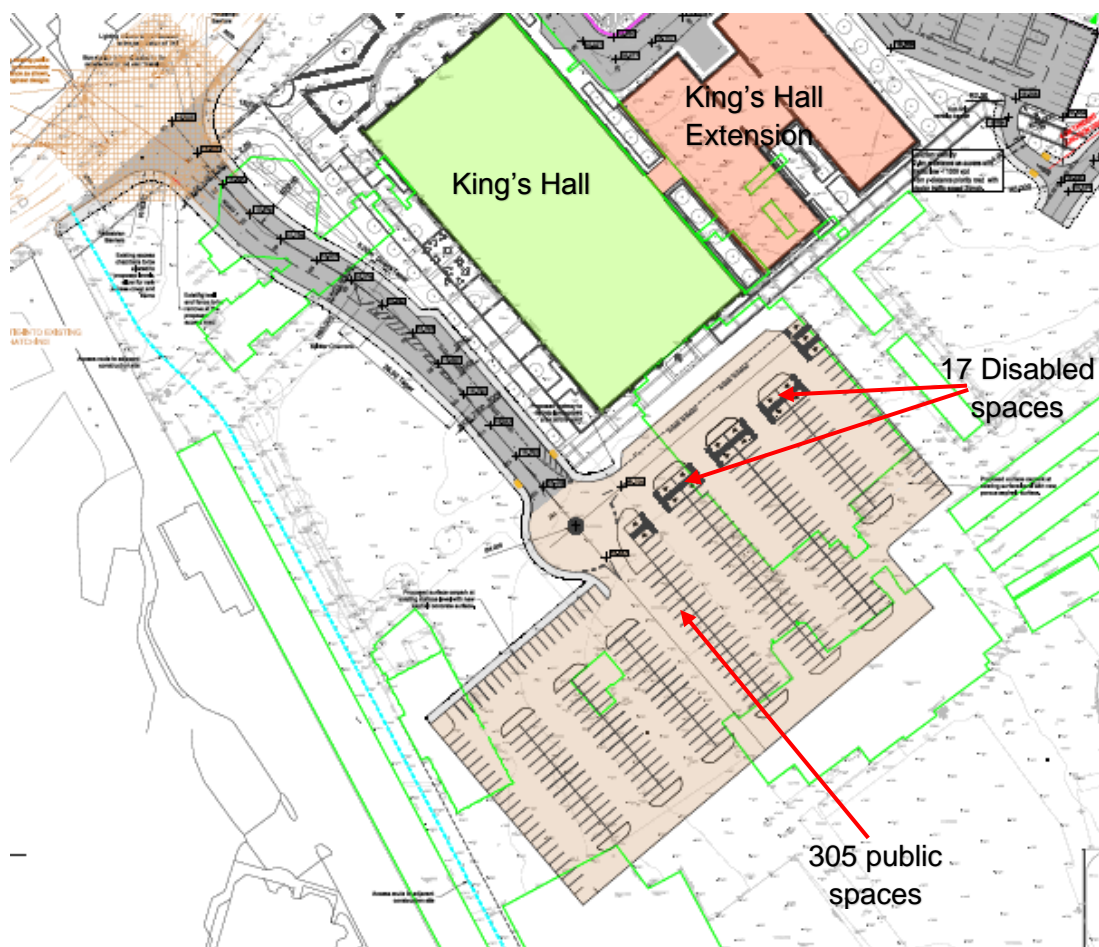
**9.4.3**

The amended layout proposes a smaller parking area incorporating 34 staff spaces and 3 disabled spaces to the side of the King's Hall. The following plan shows the proposed car parking/road layout to the side of the King's Hall.



**9.4.4**

The approved layout under application LA04/2018/0040/F provided for 305 public parking spaces and 17 disabled spaces to the rear of the King's Hall as set out below.



**9.4.5**

The amended layout as shown overleaf proposes 309 parking spaces (302 for public parking and 7 for staff parking) and 17 disabled parking spaces to the rear of the King's Hall. Minor amendments are proposed to the configuration of the parking areas. A revised internal access point to the car park to the rear of the listed King's Hall building is also proposed which is considered acceptable.



- 9.5.5** The re-configured parking layout to the side of the King's Hall is also planned to serve the proposed relocated Nursery/Childcare facility which is currently under consideration (LA04/2019/2848/F). However, it is noted that DFI Roads has raised no objections to application LA04/2019/2848/F subject to conditions.
- 9.5.6** DFI Roads consider that the proposed amendments to the approved car parks will not affect the acceptability of the original approval under LA04/2018/0040/F and offer no objection to the variation of condition 39 of planning approval LA04/2018/0040/F.
- 9.5.7** The larger of the two car parks proposed is located to the rear of the King's Hall on lands where previously buildings associated with the King's Hall were situated. It should be noted that the approved car park proposed to provide 320 spaces to the rear of the King's Hall is a temporary surface level car park. In the longer term the applicant proposes to replace this temporary car park with a multi-storey car park which is part of the proposed development associated with planning application LA04/2020/0845/O currently under consideration.
- 9.5.7** The car parking areas sit within the setting of the listed King's Hall. The proposed side extension is situated between the listed building and the car park and the larger temporary car park is sited to the rear of the listed building. It is considered that the proposed amendments to the car parking arrangements are not substantially different from that approved under application LA04/2018/0040/F and will not impact on the setting of the listed King's Hall.
- 9.5.9** The smaller car park to the side of the King's Hall will be a permanent parking area. A landscape buffer is proposed along the boundary with adjacent residential properties and the separation distances between the rear boundaries of adjacent dwellings and the outer edge of the access road serving the parking areas ranges from 5m – 8m and from

	<p>the rear of dwellings to the outer edge of the access road serving the car park ranges from 18-30m. Whilst the separation distances are reduced from the previous approved layout which incorporated separation distances ranging from 8m – 20m from the rear boundaries of adjacent dwellings to the outer edge of the access road serving the parking area and between 18m – 38m from the rear of dwellings to the outer edge of the access road serving the car park. The proposed separation distances together with the landscaped buffer and the retention of the existing stable block wall along the rear of properties on Balmoral Avenue are considered adequate to ensure no adverse impact on the amenity of neighbouring residential properties.</p>
9.5.10	<p>Views of the larger car park to the rear of the King's Hall will be achievable from the Lisburn Road. However, this car park is set back approximately 130m from the Lisburn Road entrance and given its nature i.e. a surface level parking area it is considered that there will be no adverse impact on visual amenity. Landscaping of the approved access to the King's Hall will also provide a degree of screening of the parking area. Views of the smaller parking area to the side of the King's Hall will be limited from surrounding vantage points given the siting of the parking area behind dwellings on the Lisburn Road/Balmoral Avenue.</p>
9.5.11	<p>Access arrangements to the parking areas from the surrounding road network have already been approved as part of planning approval LA04/2018/0040/F i.e. from the upgraded Lisburn Road junctions and Balmoral Avenue. Footpaths are incorporated into the main public access from the Lisburn Road serving the site and enables the provision of direct and safe access and movement of pedestrians and cyclists within the site.</p>
9.5.12	<p>It is considered that the proposed amendments to the car parking arrangements respects the character of the local townscape and landscape, will not adversely impact on the visual amenity of the area and provide for secure, direct and safe access and movement of pedestrians and cyclists for the reasons set out above and as such the proposed variation sought complies with Policy AMP 9. The overall level of provision which includes disabled parking in each of the parking areas is considered acceptable. The proposed parking arrangements are considered to comply with the SPPS and PPS 3.</p>
<p><b>Neighbour Notification Checked</b> <span style="float: right;"><b>Yes</b></span></p>	
<p><b>Summary of Recommendation:</b>          Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended. This will create a standalone permission and as such all conditions from planning approval LA04/2018/0040/F must be replicated on any decision notice, albeit with condition 39 amended.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	
<p><b>Conditions:</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to the date of first occupation, the developer shall confirm in writing the date of first occupation of any part of the development to the Council.</p> <p>Reason: To enable the Council to monitor the sequencing and timing of the proposed development.</p>	

3. Prior to the occupation of any part of the development, the demolition works to the building attached and adjacent to the listed King's Hall as shown on Drawing No. 04b, shall be completed in accordance with the details hereby approved and required by conditions 21 and 22.

Reason: In the interests of the orderly development of the site.

4. Prior to commencement of the development, the applicant shall submit details of public realm improvements along the Lisburn Road frontage as highlighted in yellow on Drawing No. 36b which shall be agreed in writing with the Council and shall be carried out as agreed, prior to the occupation of the King's Hall or within 1 year of the occupation of any part of the development.

Reason: In the interests of the orderly development of the site and to secure enhancement of the setting of the listed building.

5. Within 1 year of the occupation of any part of the development, the external works to the north western (Lisburn Road) elevation of the King's Hall identified on drawing Nos. 22b and 45 shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

6. Within 3 years of the occupation of any part of the development, the external works to the elevations of the King's Hall – 1) south western elevation facing Balmoral Golf Club, 2) south eastern elevation facing Harberton Park and 3) north eastern elevation facing Balmoral Avenue identified on drawing Nos. 21b and 22b, shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

7. Within 5 years of the occupation of any part of the development, the external works to the roof of the King's Hall identified on drawing Nos. 20a, 21b, 22b, 23b, 24b and the associated internal structure shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

8. Prior to commencement of development the applicant shall submit a landscape management plan which shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The landscape management plan shall be agreed in writing by the Council and shall be carried out as approved in accordance with the approved details.

Reason: To ensure the proper management of the landscaped areas in the interests of visual amenity.

9. Prior to commencement of development on any part of the site, a planting scheme shall be submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the approved details. The works shall be carried out within 12 months of the occupation of any part of the development hereby approved unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area and to ensure that new planting is appropriate and of an acceptable quality.

10. The demolition of the stables and the retention, repair and rendering of the rear wall of the stables shall be carried out in accordance with the methodology statement received on 15 August 2018 and Drawing No. 41 received on 23 March 2018.

Reason: To protect the amenity of neighbouring residential properties.

11. Prior to commencement of demolition the applicant shall submit a Demolition Management Plan (DMP) to be agreed in writing with the Council. The DMP shall identify proposed controls and mitigation measures to control dust, noise, vibration and other nuisance during the demolition/construction phase and shall demonstrate how the implementation of the appropriate measures will mitigate adverse impacts of the development. The DMP shall be carried out as approved.

Reason: In the interests of amenity.

12. Prior to commencement of development the applicant shall submit a Construction Management Plan (CMP) to be agreed in writing with the Council. The CMP shall identify proposed controls and mitigation measures to control dust, noise, vibration and other nuisance during the demolition/construction phase and shall demonstrate how the implementation of the appropriate measures will mitigate adverse impacts of the development. The CMP shall be carried out as approved.

Reason: In the interests of amenity.

13. Prior to the operation of the 2-storey extension development, the applicant shall submit a Verification Report to be agreed in writing with the Council. This report must demonstrate that the remediation measures outlined in Section 6.2 - Remediation Principles of the Ashfield Solutions Group report: Contaminated Land Risk Assessment; King's Hall Primary Care Complex, Upper Lisburn Road, Belfast. Report Number 59716-S13, dated 17/11/2017, have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for its end-use. The report shall further demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate:

- that the site layout is in accordance with Belfast City Council Drawing No 36b: Landscape Layout, date stamped 22/10/2018;
- the incorporation of gas protection measures to meet a Characteristic Situation 2 in accordance with CIRIA C665 and BS 8485:2015 beneath the extension and verified in accordance with the provision of CIRIA publication C735; and
- the encapsulation of the degraded soils at Borehole 01, 02 and 06 through the placement of either hardstanding or a soil capping layer within any landscaped areas to a depth of at least 0.5 m consisting of soils demonstrably suitable for the end-use.

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

14. Prior to the operation of the King's Hall Primary Health Care Centre building, the applicant shall provide to the Council documented evidence that any installed lift shaft pit(s) have been lined with a damp proof membrane and any new service entry points or piled penetrations have been sealed.

Reason: Protection of human health.

15. If, during the development works, new contamination or perceived risk to the water environment is encountered which have 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 submitted and

agreed in writing by the Council, and subsequently implemented and verified in accordance with condition 13 to its satisfaction.

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

16. No piling work should commence on this site until a piling risk assessment has been submitted and agreed in writing with the Council. This condition only applies if a piling foundation is being used at the site. 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.environmentagency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

17. Prior to commencement of works a "Plan of Work" for the management of site asbestos containing materials (ACM) shall be prepared by a suitably competent person, submitted to and agreed in writing by the Council. This Plan of Work shall include details of the work and the actions to control risk and prevent harm. The Plan of Work must include the following:

- nature and expected duration of the work
- number of persons involved
- address and location of where work is to be carried out
- method for picking asbestos
- methods used to prevent, control and reduce exposure to asbestos
- air monitoring
- arrangement for disposal of asbestos waste
- type of equipment including personal protective equipment and
- work on site with asbestos containing materials must not take place unless a copy of this Plan of Work is readily available on site.

Reason: Protection of human health and ensure the development site is suitable for use.

18. Prior to commencement of the use of the café, details of the odour abatement system shall be submitted and agreed in writing with the Council should the café use hereby approved propose to cook/serve hot food. The odour abatement system shall be installed prior to commencement of the use and shall be maintained thereafter in accordance with the manufacturer's instructions.

Reason: Protection of amenity.

19. The Rating Level (dB L<sub>Ar</sub>) of sound from all combined building services plant/equipment associated with the development shall not exceed the background sound level at the nearest sound sensitive premises (during the daytime and night time periods) when measured in accordance with assessment methodology outlined in BS4142:2014 - Methods for rating and assessing industrial and commercial sound. Noise measurements shall be monitored at an appropriate location at the site boundary and corrected to establish the noise levels at the nearest sound sensitive premises. A Rating Level (dB L<sub>Ar</sub>) indicative of 'low adverse impact' shall be maintained thereafter.

Reason: Protection of residential amenity.

20. Prior to commencement of the development, an Artificial Light Verification report shall be submitted to and approved in writing by the Council. The report shall verify that all artificial lighting connected with the development is measured and confirmed to be within the vertical illuminance (lux) levels for Environmental Zone E3 as stipulated in the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

Reason: Protection of residential amenity.

21. No later than 6 weeks prior to commencement of works to the listed King's Hall, access to the site and buildings shall be afforded to HED to record areas that are the subject of demolitions. Access shall be agreed in writing with the Council prior to commencement.

Reason: To ensure that there is a complete record of the historic fabric.

22. No works to the listed King's Hall shall commence until a Level 2 survey as defined by Historic England's 'Understanding Historic Buildings A Guide to Good Recording Practice' of the King's Hall - including the extensions proposed for demolition has been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division.

Reason: To ensure that there is a complete record of the historic fabric.

23. No demolition shall take place on site until a demolition method statement, detailing how the demolitions will be carried out to, and around, the listed building without adversely affecting the structural stability of the remaining historic fabric and without damaging the historic fabric proposed for retention, has been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed method statement.

Reason: To ensure that protection and survival of the remaining historic fabric.

24. No works to the external elevations of the listed King's Hall other than repairs or demolitions, shall commence until samples of all new elements and finish materials for the walls, windows and external doors including colours/materials of all proposed finishes for the Listed King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

The samples must include the following:

- 1) windows and doors (external)
- 2) secondary glazing system
- 3) louvres on side elevations

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

25. No works to the roof of the listed King's Hall shall commence until samples of all new elements and finish materials for the roof, including colours and materials have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

26. No works to the interior of the listed King's Hall other than soft strip or approved demolitions shall commence until samples of all new elements and finish materials for the wall, windows, doors and ceilings including colours and materials of all proposed finishes for the interior of the King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples. The samples must include:

- 1) windows and doors (internal)
- 2) internal joinery
- 3) floor finishes
- 4) ceiling finishes

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

27. No works to the interior of the listed King's Hall, other than soft strip or approved demolitions, shall commence until details of the new stairs proposed for the listed King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

28. No works to the exterior elevations of the King's Hall, other than approved demolition works or repairs, shall commence until details, at an appropriate scale, of the new covering/finish to the arches have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

29. No works to the exterior of the King's Hall, other than approved demolition works or repairs, shall commence until the colour of the new covering/finish to the arches have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the agreed colour.

Reason: To ensure that new work is appropriate and of an acceptable quality.

30. No works to the front elevation of the King's Hall, other than approved demolition works or repairs shall commence until details, at an appropriate scale, of the new canopy have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the agreed drawings. Drawings to include copies of the original drawings as stated in the application documents.

Reason: To ensure that new work is appropriate and of an acceptable quality.

31. Construction of the 2 storey extension development shall not commence until details of the external materials and finishes have been submitted and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

32. No work shall commence on the 2 storey extension development until details, at an appropriate scale, of the new link have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

33. No work shall commence on the Lisburn Road access to the King's Hall until details to describe fully the new steps, ramps and walling to the front of the King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

34. No hard landscaping shall commence on any part of the site until samples of all hard landscaping finish materials have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

Reason: To ensure that new work is appropriate and of an acceptable quality.

35. No part of the development hereby permitted shall become operational until the signalisation, lane re-alignment and remarking of the junction of the King's Hall Redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue, including visibility splays and any forward sight distance, have been constructed to the satisfaction of DfI - Roads. This will be generally in accordance with the approved layout. Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018. 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.

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

36. No works on the adopted road network to provide the above access to the development shall commence until full details of the engineering for the signalisation, lane re-alignment and remarking of the junction of the King's Hall redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue have been submitted to and approved by the Council in conjunction with the Department For Infrastructure. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including approval of the necessary Departures/ Relaxations from standard and Road Safety Audit, these being generally in accordance with Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018. All works shall be completed to the satisfaction of the Department for Infrastructure.

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

37. The signalised junction shall be maintained by the operator of the site for a period of 10 years from the commencement of operations of the signals.

Reason: To ensure the cost of operations are borne by the applicant during initial operations.

38. The Private Streets (Northern Ireland) Order 1980. The Department for Infrastructure hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing '15-031-P-105 Rev B, King's Hall - Balmoral Avenue Access Land Proposed for Adoption' published by Belfast City Council Planning Office on 21 December 2018 and bearing the Department for Infrastructure - Roads date stamp 29 January 2019 and '15-031-P-104 Rev B, King's Hall - Exit Lisburn Road Land Proposed for Adoption' published by Belfast City Council Planning Office on 21 December 2018 and bearing the Department for Infrastructure - Roads date stamp 29 January 2019. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

Amended Condition (No. 39):

39. *The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. **8687-760P3**, 'Road Layout Geometry and Levels Phase 1(**Revised**)' published by Belfast City Council Planning Office on **30<sup>th</sup> April 2020** to provide **20** No. disabled parking spaces, **41** No. spaces reserved for essential staff, **302** No. public parking spaces and adequate facilities for 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.*

40. There shall be no vehicular through route between the Lisburn Road access and the Balmoral Avenue access except to permit servicing. The access is to be controlled by a permanent barrier under 24 hour control.

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

41. A minimum of 12 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.

42. Any existing street furniture or landscaping obscuring visibility or located within the proposed vehicular accesses shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

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

43. The development hereby permitted shall operate in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 05 February 2018. 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.

44. The development hereby permitted shall operate in accordance with the approved Service Management Report published by the Belfast City Council Planning Office on 05 February 2018.

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

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

## ANNEX

<b>Date Valid</b>	16th April 2020
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<b>Date First Advertised</b>	08 <sup>th</sup> May 2020
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<b>Date Last Advertised</b>	
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**Details of Neighbour Notification** (all addresses)

The Owner/Occupier, 1 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 1 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 1 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW  
The Owner/Occupier, 10 - 13 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 10 – 13 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 11 - Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW  
The Owner/Occupier, 13 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW  
The Owner/Occupier, 14 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 14 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 15 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 15 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 15 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW  
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The Owner/Occupier, 16 Balmoral Court,Belfast,Antrim,BT9 7GR  
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The Owner/Occupier, 17 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW  
The Owner/Occupier, 18 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 18 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 19 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 19 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 19 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW  
The Owner/Occupier, 2 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 2 Malone Park Lane,Belfast,Antrim,BT9 6NQ  
The Owner/Occupier, 20 Balmoral Court,Belfast,Antrim,BT9 7GR  
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The Owner/Occupier, 22 Balmoral Court,Belfast,Antrim,BT9 7GR  
The Owner/Occupier, 23 Balmoral Avenue,Belfast,Antrim,BT9 6NW  
The Owner/Occupier, 23 Balmoral Court,Belfast,Antrim,BT9 7GR  
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The Owner/Occupier, 28 Balmoral Court,Belfast,Antrim,BT9 7GR

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 The Owner/Occupier, 3 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, 3 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TW  
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 The Owner/Occupier, 34 Harberton Park, Belfast  
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 The Owner/Occupier, 4 Malone Park Lane, Belfast, Antrim, BT9 6NQ  
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 The Owner/Occupier, 9 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, 9 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TW  
 The Owner/Occupier, Apartment 1 - 85, 841 Lisburn Road, Malone Lower, Belfast, Antrim, BT9

The Owner/Occupier, Balmoral Golf Club,518 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 The Owner/Occupier, Nursery School,500 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 6GU	
<b>Date of Last Neighbour Notification</b>	26 <sup>th</sup> May 2020
<b>Date of EIA Determination</b>	<b>N/A</b>
<b>ES Requested</b>	No
<b>Drawing Numbers and Title:</b>  <b>Drawing No. 8687-760P3 – Road Layout Geometry &amp; Levels Phase 1 (Revised)</b>  <b>Drawing No. 38 (8687-720P8) - Road Layout Geometry and Levels Phase 1</b>	

- 1 This document is the final, completed, and signed version of the contract.
- 2 This document may not be altered in any way after it is signed.
- 3 The State Contractor shall provide a complete, accurate, and up-to-date description of the work to be performed, including all necessary details, specifications, and drawings.
- 4 The State Contractor shall provide a complete, accurate, and up-to-date description of the work to be performed, including all necessary details, specifications, and drawings.
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- 10 The State Contractor shall provide a complete, accurate, and up-to-date description of the work to be performed, including all necessary details, specifications, and drawings.

Plat 3, 4, 5 & 7 removed from planning	01-01-20	950	950	.00	
Amended to reflect Planned Input	02-01-20	950	950	.00	
accruals	city type				other

**Kings Hall Redevelopment  
For Benmore**

**Answer**  
Road Layout  
Geometry & Levels  
Phase 1 (Revised)

 TODD Architects Ltd.

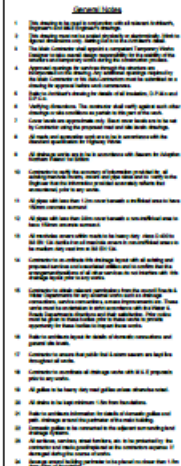


**albert fry**  
associates  
commercial & institutional  
interior design

[illegible]

1.800

8687-760P3



Issue collected by Impact and/or assigned as part of Planning committee	10/12/17	YES	NO	NA
Corporate Capital Updated	12/12/17	YES	NO	NA
Final report failure to coordinate with committee and staff assigned	10/12/17	YES	NO	NA
Behavioral Finance course utilized and course material by others utilized	11/16/17	YES	NO	NA
Financial model and report generated	04/26/17	YES	NO	NA
Financial model updated	11/16/17	NO	YES	NA
Financial model updated 11/16/17 to 12/17	12/18/2017	NO	YES	NA
committee	date	yes	no	na
committee	date	yes	no	na

**Kingshall Redevelopment  
For Benmore**

Road Layout  
 Geometry and Levels  
 Phase 1

 Todd Architects



a. <a href="mailto:info@globalgreen.com">info@globalgreen.com</a> or <a href="http://www.globalgreen.com">www.globalgreen.com</a>		
cell code	cell address	date
1.0000		17/04/18
done	checked	approved
WV	JL	JL
drawing no. <b>8687-720P8</b>		

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## Development Management Officer Report Committee Application

Summary	
<b>Committee Decision</b> Date: 16 June 2020	
<b>Application ID:</b> LA04/2019/2990/F	
<b>Proposal:</b> Change of Use of land from derelict hardstand to (temporary) replacement car park, new access/egress via Severn Street and Boundary treatment. (Amended description _ address)	<b>Location:</b> Lands adjacent to and south east of Ballymacarrett Community Centre between Severn Street and Ballymacarrett Walkway Belfast BT4 1SX
<b>Referral Route:</b> Applicant is Belfast City Council	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Belfast City Council City & Neighbourhood Services Dept 4-10 Linenhall Street Belfast BT2 8BP	<b>Agent Name and Address:</b> Belfast City Council 4-10 Linenhall Street Belfast BT2 8BP
<b>Executive Summary:</b>  This application seeks full planning permission for change of use of land from derelict hardstanding to temporary carpark, new access/egress via Severn Street and boundary treatment.  The key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> <li>• Principle of development and use;</li> <li>• Parking provision and access;</li> <li>• Impact on area of existing open space;</li> <li>• Visual Impact;</li> <li>• Impact on residential amenity of neighbours.</li> </ul> No third party objections have been received.  DFI Roads have no objection to the proposal.  The proposal will facilitate 17 parking spaces, 8 of which will be accessible spaces for use only by staff and users of the centre, who have been displaced, from their previous car park due to Environmental Improvement works to the Ballymacarrett Walkway. The proposal will provide a temporary functional ancillary use to benefit the community centre staff and users until the Recreational Masterplan has been progressed.  The site is within a wider designation as an Area of Existing Open Space in the Belfast Metropolitan Area Plan 2015 (BMAP) and the 2004 version. The BUAP 2001 designates the site as un-zoned white land.	

The area proposed to be designated as an Area of Existing Open Space extends to 1.8ha. The proposed site covers a small fraction of that area at 0.061ha and equates to 3.4% of the wider proposed area of existing open space. The proposal site is of a minor scale in context with the extensive Comber Greenway and open space in which it is located. The proposal serves to provide a relatively small ancillary use to the recreational function of the community centre and the wider linear park, which forms part of the larger Comber Greenway. The site is in close proximity to the CS Lewis Square, which was designated as white land and now provides a much used public open space and acts as a vital linkage between the adjacent linear parks at Severn Street through to the Newtownards Road and the wider Comber Greenway.

Given the public gain of Lewis Square in the immediate locality, the loss of a small area to facilitate an existing recreational use in the short term is considered acceptable and will not result in a negative impact on the provision of open and recreational space to the area.

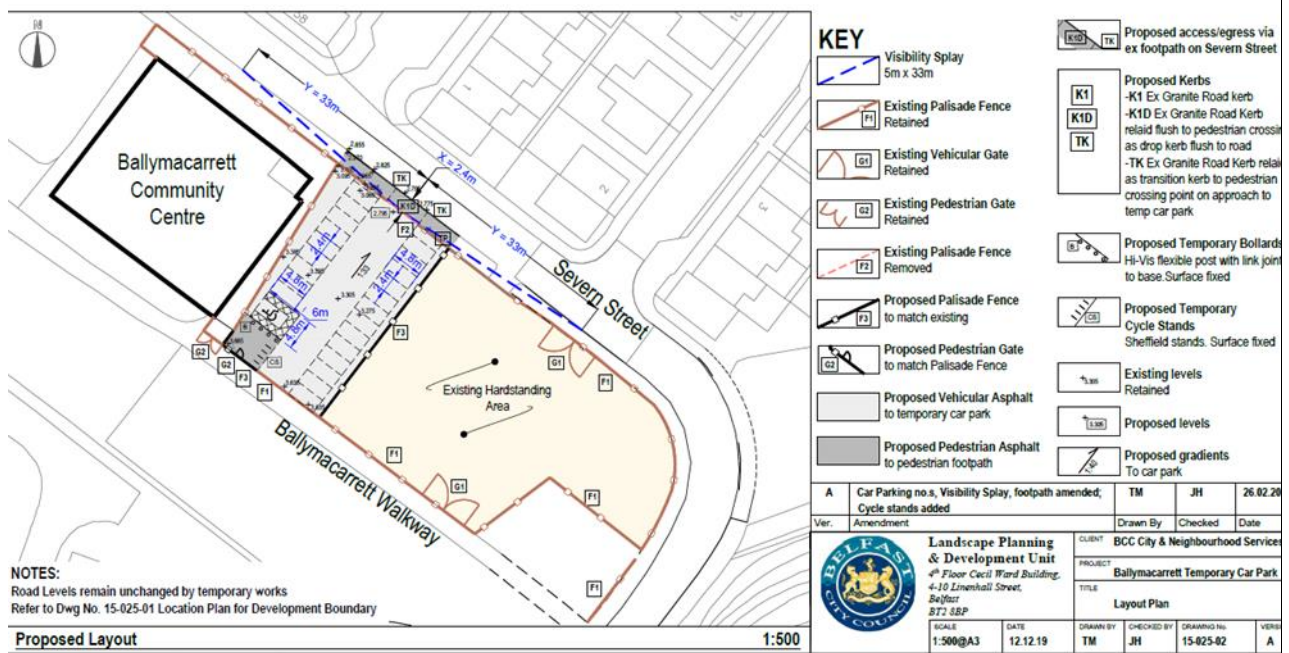
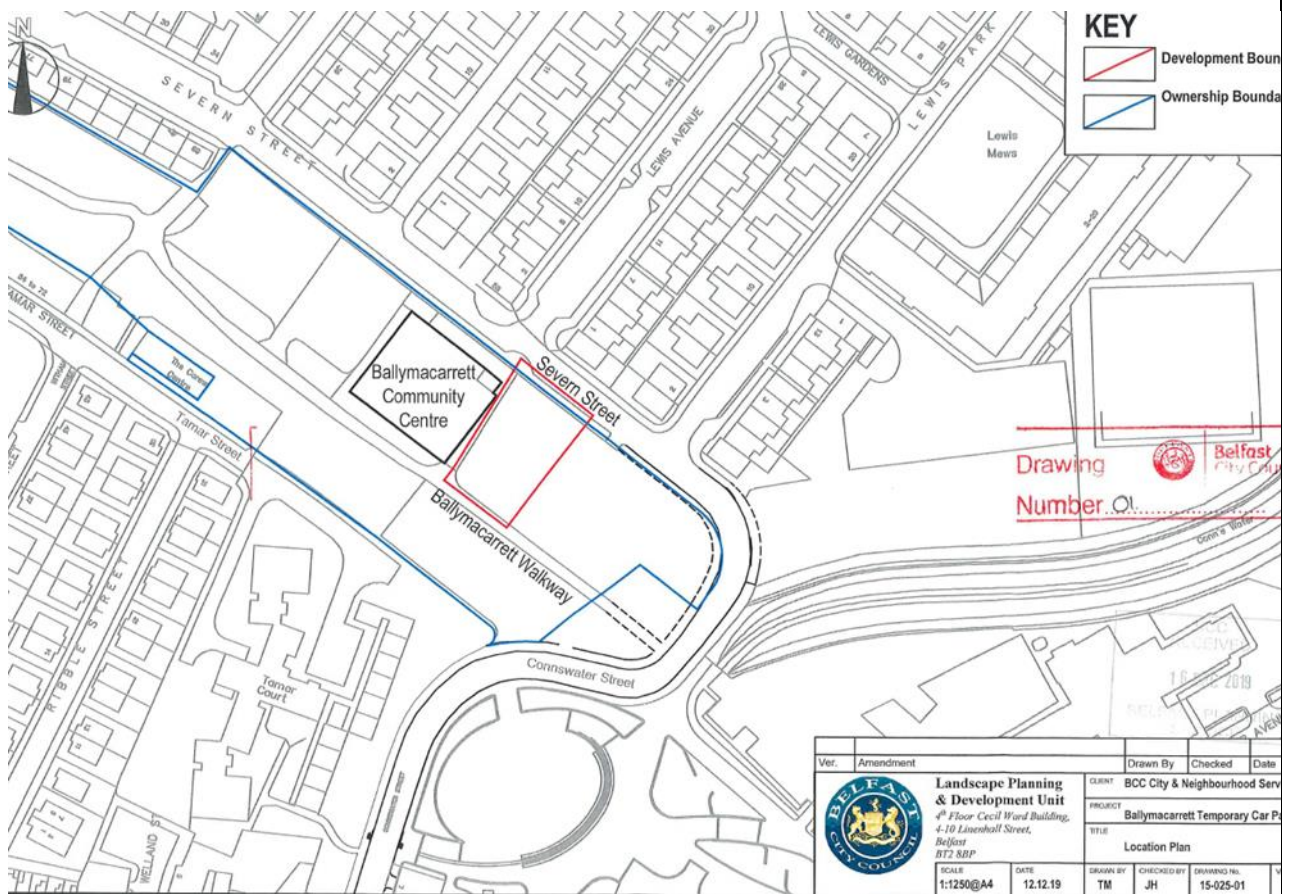
The proposal is considerable to be acceptable subject to a temporary time condition of 2 years.

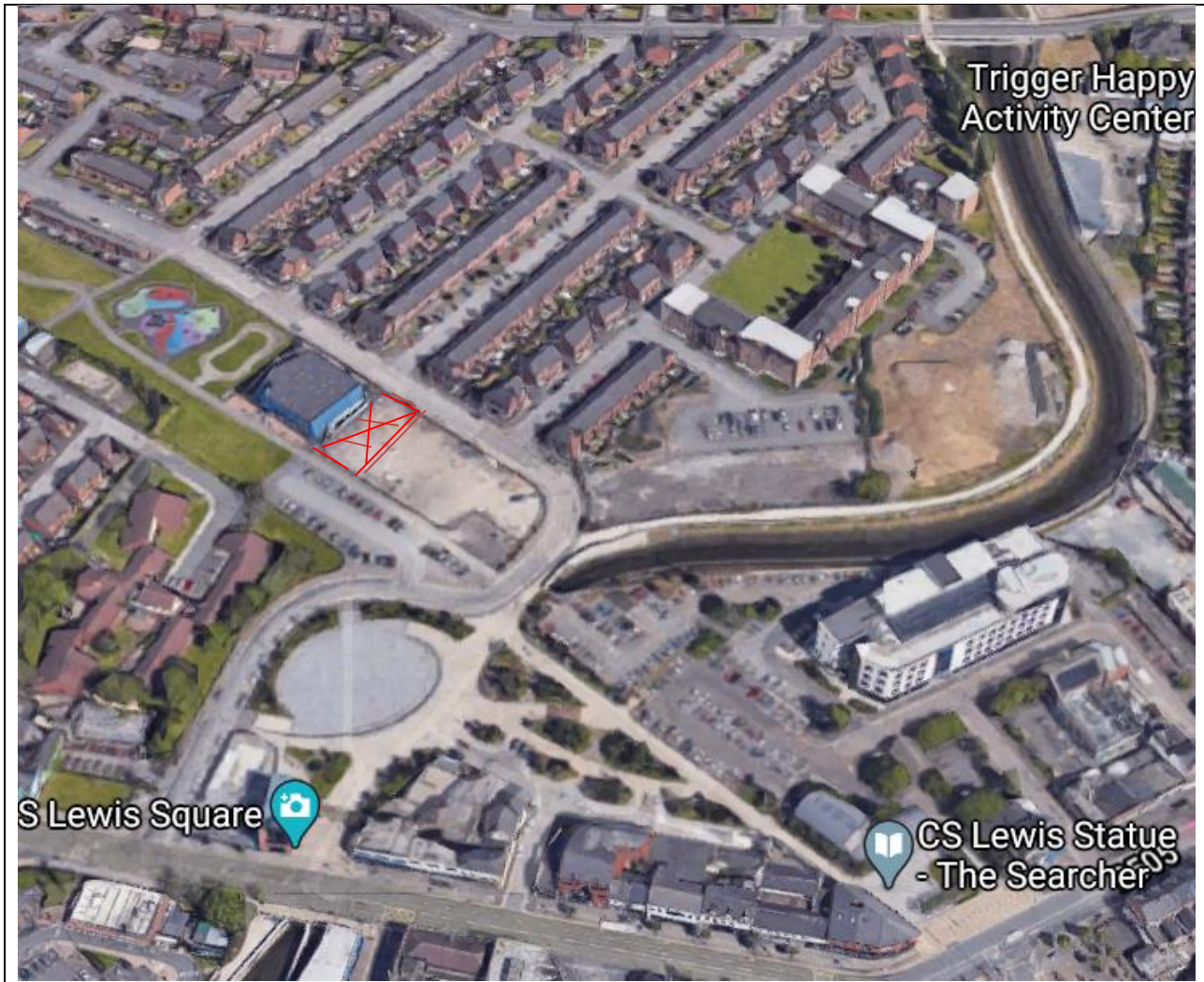
**Recommendation**

Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is approved subject to conditions 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

## Site Location Plan



**Consultations:**

Consultation Type	Consultee	Response
Statutory	DFI Roads - Hydebank	Advice
Statutory	DFI Roads - Hydebank	Content
Statutory	DFI Roads - Hydebank	Consultation reminder letter
Statutory	DFI Roads - Hydebank	Consultation reminder letter

**Representations:**

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

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> <p>The proposal is for full planning permission for the change of Use of land from derelict hardstanding to replacement car park, new access/egress via Severn Street and Boundary treatment. The proposal will facilitate 17 parking spaces, 8 of which will be accessible spaces for use only by staff and users of the centre, who have been displaced, from their previous car park due to Environmental Improvement works to the Ballymacarrett Walkway.</p>
<b>2.0</b>	<b>Description of Site</b> <p>The site is located at lands adjacent to and south east of Ballymacarrett Community Centre, between Severn Street and Ballymacarrett Walkway, Belfast. The site is currently in hardstanding having been used previously, temporarily to facilitate the wider works to the Greenway. The site is bounded by a metal palisade fence, approximately 2.4m.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	Z/2008/0795/F - Lands extending from Victoria Pk to Cregagh Glen inc. parts of Cregagh Rd, Castlereagh College Loop River Pk, Castlereagh Rd, Beersbridge Rd, Newtownards Rd, Sydenham Bypass, & lands in between. Also inc. lands extending from Beersbridge Rd to C - Variation of conditions 5 and 6 of planning approval Z/2007/0350/F - Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Hollywood Arches and installation of weir infrastructure at entrance to Victoria Park- an extension to the time period for the preparation of baseline surveys and an ecological management plan for the Connswater community greenway - Granted
3.2	Z/2007/0350/F - Lands extending from Victoria Pk to Cregagh Glen inc. parts of Cregagh Rd, Castlereagh College Loop River Pk, Castlereagh Rd, Beersbridge Rd, Newtownards Rd, Sydenham Bypass, & lands in between. Also inc. lands extending from Beersbridge Rd to C - Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Hollywood Arches and installation of weir infrastructure at entrance to Victoria Park - Granted
3.3	Z/2004/0558/F - Ballymacarrett Recreational Centre, Connswater, Belfast - Environmental improvements including provision of ramps to existing leisure centre - Granted
3.4	Z/2007/0899/A - Lands extending from Victoria Park to Cregagh Glen - Banners along route of Community Greenway – Granted

3.5	Z/1985/0656 – Ballymacarrett Recreation Centre – Name Sign – Granted
3.6	Z/1985/2109 – Extension to recreation hall - Granted
3.7	Z/1982/1125 – Erection of recreation Hall - Granted
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 8: Open Space and Recreation 4.4.4 Planning Policy Statement 13: Transportation and Land Use
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection.
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	None
<b>7.0</b>	<b>Representations</b>
7.1	The application has been re-neighbour notified and re-advertised in the local press. No representations have been received.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	The adopted Belfast Urban Area Plan 2001 designates the site as white un-zoned land.
8.2	Under the draft BMAP 2004 plan the site is proposed to be designated within an area of exiting open space and is located adjacent to the community Greenway.
8.3	Under the draft BMAP 2015 plan the site is proposed to be designated within an area of exiting open space and is located adjacent to the community Greenway.
<b>9.0</b>	<b>Assessment</b>
9.1	The key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> <li>• Principle of development and use;</li> <li>• Parking provision and access;</li> <li>• Impact on area of existing open space;</li> <li>• Visual Impact;</li> <li>• Impact on residential amenity of neighbours.</li> </ul>
9.2	The Belfast Urban Area Plan 2001 (BUAP) is the statutory development plan for the area.

	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) is a material consideration
9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	Section 6 (3) of the Planning Act for Northern Ireland 2001 states; <i>'If to any extent a policy contained in a local development plan conflicts with another policy in that plan the conflict must be resolved in favour of the policy which is contained in the last development plan document to be adopted or, as the case may be, approved'.</i>
9.5	The adopted Belfast Urban Area Plan 2001 designates the site as un-zoned white land.
9.6	<b><u>Principle of development and use</u></b> The principle of the development is considered acceptable at this location, the existing use as hardstanding has been in use for approximately 20 years and will not result in the loss of green open space. The proposal will provide a functional use for this derelict land that will be to the benefit of the community centre staff and users. Belfast City Council has advised that the site will be included in a future re-development proposal for the Ballymacarrett Community Centre and therefore it is considered that a temporary time frame of 2 years will enable the centre to benefit from this proposal and allow time for recreational masterplan to be progressed.
9.7	Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. It is considered that this proposal will not result in demonstrable harm to nearby residents or the environmental quality of the area.
9.8	<b><u>Parking provision and access</u></b> DFI Roads were consulted and have no objection to the proposal for the replacement car park. The 17 numbered car parking spaces proposed, of which 8 are to be accessible are required at this location to enable staff and users of the centre, including elderly to park in close proximity to the centre and easily access the facilities which it provides for the wider community. It is assumed that the catchment for the community centre will be from the immediate area in which it is located or within close proximity to the site and therefore considered to be a sustainable location for other users of the centre to access via public transport, walking and cycling.
9.9	<b><u>Impact on Area of Existing Open Space</u></b> The site is designation as an Area of Existing Open Space was contained in the Belfast Metropolitan Area Plan 2015 (BMAP) and the 2004 version. The BUAP 2001 designates the site as un-zoned white land.
9.10	The area proposed to be designated as an Area of Existing Open Space extends to 1.8ha. The proposal site is a small fraction of that area at 0.061ha and equates to 3.4% of the wider proposed area of existing open space. The proposal site is of a minor scale in context with the much larger Comber Greenway and open space in which it is located. The proposal serves to provide a relatively small ancillary use to the recreational function of the community centre and the wider linear park, which forms part of the larger Comber Greenway.

9.11	The site is in close proximity to the CS Lewis Square, which was designated as white land and now provides a much used public open space and acts as a vital linkage between the adjacent linear parks at Severn Street through to the Newtownards Road and the wider Comber Greenway.
9.12	Given the gain of Lewis Square in the immediate locality, the loss of a small area to facilitate an existing recreational use in the short term, is considered to result in no detrimental impact on the provision of open and recreational space to the area.
9.13	The proposal will provide a temporary functional use for a part of this derelict land that will be of benefit to the community centre staff and users until the recreational masterplan has been progressed. The proposal is an ancillary use to a building that is in a recreational function as per PPS 8. There are also site specific circumstances which must be considered in this case, given that the Recreation Masterplan is anticipated to come forward within the next two years, on balance the proposal is considered acceptable subject to a time limited condition to ensure its ongoing recreational use in the future.
9.14	<p><b><u>Visual Impact</u></b></p> <p>In respect of visual impact the proposal is for a change of use of the land from derelict hardstanding to a car park, with a boundary fence along the south eastern side of the proposed car park and a new vehicular access. The hardstanding of the proposal site will remain with minor changes to facilitate the car park use and will not have any greater detrimentally impact on the visual amenity of the area than the existing hardstanding, the Ballymacarrett Walkway/Comber Greenway or the residential area in which it is located directly adjacent to the site.</p>
9.15	<p><b><u>Impact on residential amenity of neighbours</u></b></p> <p>The proposed scale of the car park is considered to be acceptable, and of a level that will not result in unacceptable noise, nuisance or disturbance to nearby residential properties and is a use that is compatible use alongside the community centre.</p> <p><b><u>Recommendation</u></b></p> <p>The proposal is considerable to be acceptable subject to a temporary time condition. The proposal will provide a replacement car park for the community centre staff and users and will ensure the operational viability of the community centre is maintained for the wider community.</p>
9.15	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission 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.
<b>10.0</b>	<b>Summary of Recommendation:</b> Approval
<b>11.0</b>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. The permission hereby granted shall be for a limited period of two years only. The use shall cease and all associated development removed within two years from the date of this permission.</li> </ol> <p>Reason: To enable The Council to consider the development in the light of circumstances then prevailing and protect it from inappropriate development.</p> <ol style="list-style-type: none"> <li>2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.2A uploaded to the Planning portal on 3rd</li> </ol>

	<p>March 2020, prior to the operation of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted becomes operational and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>4. The vehicular access shall be provided in accordance with Drawing No.2A uploaded to the Planning portal on 3rd March 2020, prior to the operation of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p><b>Informatives</b></p> <p>1. The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number.</p>
<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>	
<p><b>Representations from Elected members:</b> N/A</p>	
<p><b>Neighbour Notification Checked:</b> Yes</p>	

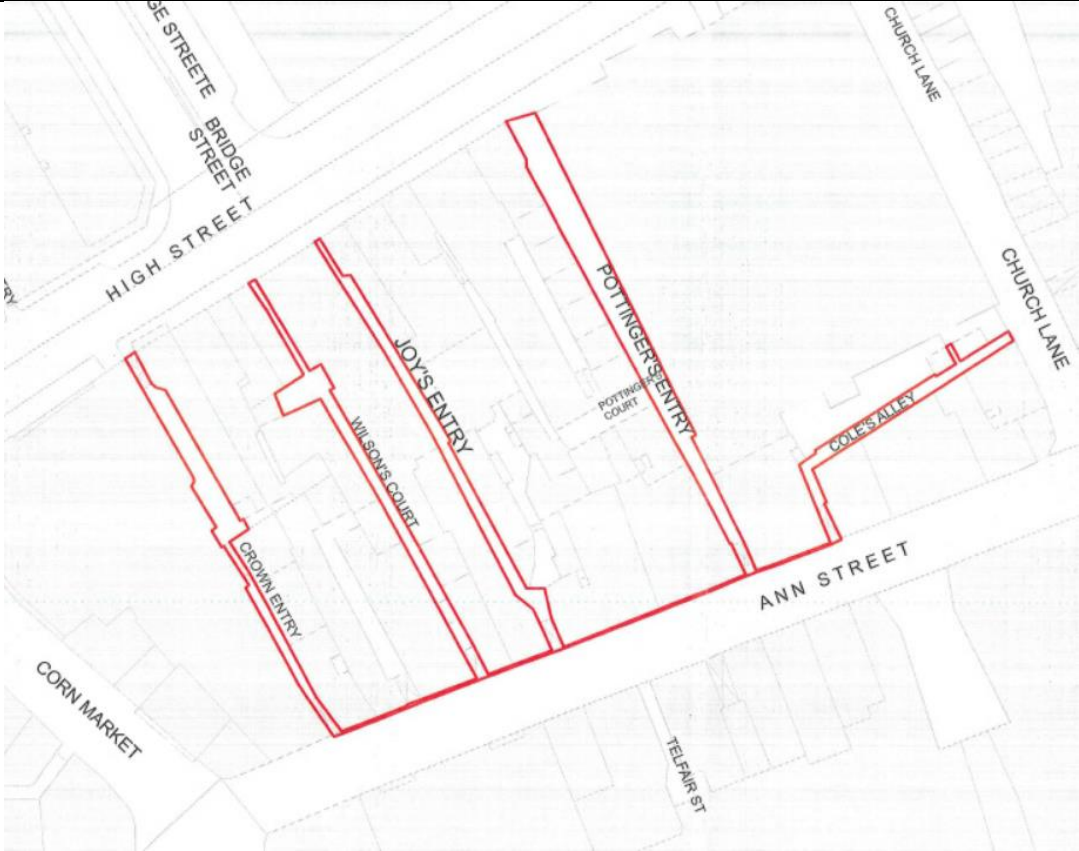
<b>ANNEX</b>	
<b>Date Valid</b>	2nd January 2020
<b>Date First Advertised</b>	17th January 2020
<b>Date Last Advertised</b>	22nd May 2020
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 58 Severn Street,Belfast,Down,BT4 1FB The Owner/Occupier, 60 Severn Street,Belfast,Down,BT4 1FB The Owner/Occupier, 62 Severn Street,Belfast,Down,BT4 1FB	
<b>Date of Last Neighbour Notification</b>	20th May 2020
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
Drawing Nos. 1-4 Type: Site Location Map, Site Layout Plan existing and proposed, Landscaping plan.	

## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2020/0587/F	<b>Date of Committee:</b> 16 <sup>th</sup> June 2020
<b>Proposal:</b> Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation.	<b>Location:</b> Crown Entry, Wilsons Court, Joys Entry, Pottinger's Entry, Coles Alley Belfast
<b>Referral Route:</b> Application made by Belfast City Council	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ
<p><b>Executive Summary:</b> Planning Permission is sought for the installation of artwork on the external façade of various buildings within Crown Entry, Wilsons Court, Joys Entry, Pottinger's Entry and Coles Alley as well as the installation of a feature lighting system in Crown Entry. 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"> <li>• Impact on character and appearance of the area including Belfast City Centre Conservation Area</li> <li>• Impact on amenity</li> <li>• Impact on highway safety</li> </ul> <p>The 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 offer no objections.</p> <p>The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3 and PPS6. Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval.</p> <p><b>Recommendation – Approval subject to conditions</b> 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 third parties.</p>	

Case Officer Report

Site Location Plan





## Crown Entry

Archway Lighting Proposal



Location:

Lighting will be fixed to the rim of the inner lip of the archway to uplift the features.

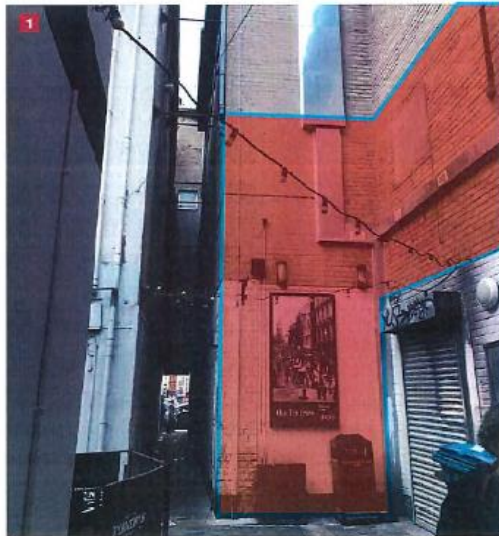
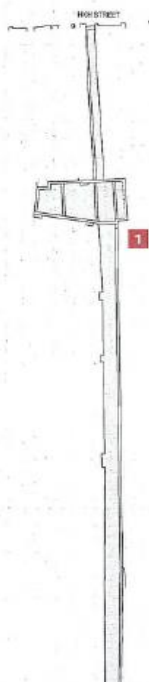
### ENTRY 2

#### Wilson's Court

Locations for street art painting numbered and indicated in red.



#### Site Plan



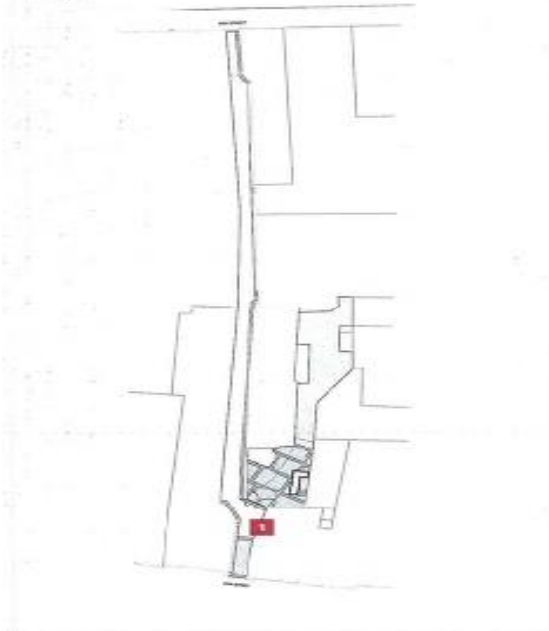
1 Wall

#### Site Plan

**Joy's Entry**  
Locations for street art painting numbered and indicated in red.



#### Site Plan



The Entries 2020 - Daisy Chain Inc. & Form Native - Belfast City Council



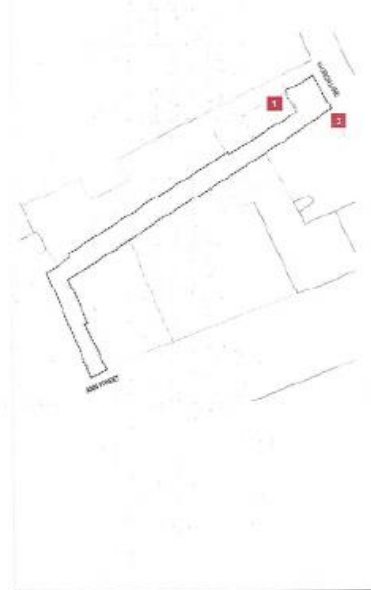
1 Ann Street overhang face and adjoining wall

#### Site Plan

**Cole's Alley**  
Locations for street art painting numbered and indicated in red.



#### Site Plan



10 The Entries 2020 - Daisy Chain Inc. & Form Native - Belfast City Council



1 Cable wall perpendicular to Church Lane



2 End wall facing down Church Lane

Artistic style  
Anatomix



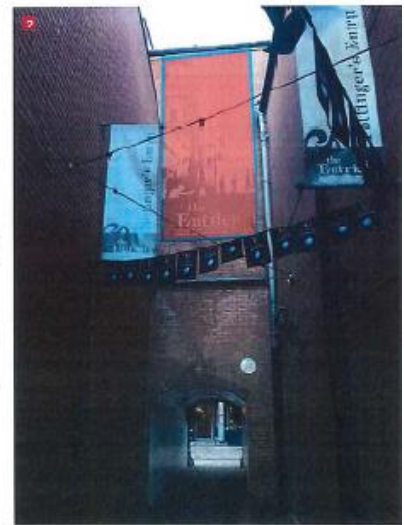
**ENTRY 4**  
**Pottingers Entry**  
Locations for street art painting numbered and indicated in red.



Site Plan



1 High Street entrance one side

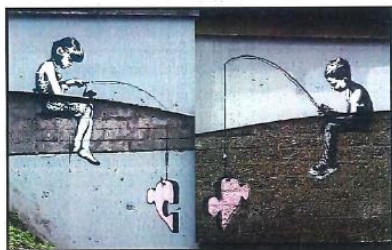


2 Ann Street entrance above tunnel

**ENTRY 1**  
**Crown Entry**  
Indicative examples of work by the proposed Artist.



Artist style  
ADW



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> The application is for the installation artwork on the external façade of various buildings within Crown Entry, Wilsons Court, Joys Entry, Pottinger's Entry and Coles Alley, as well as the installation of a feature lighting system. The feature lighting will be installed within Crown Entry and will be fixed to the rim of the inner lip of the archway to highlight the features.
<b>2.0</b>	<b>Description of Site and Area</b> The application site is located at Crown Entry, Wilsons Court, Joys Entry, Pottinger's Entry and Coles Alley, which are all enclosed by Corn Market, High Street, Church Lane, and Ann 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.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>  <u>Winecellar Entry</u> LA04/2020/0586/F - Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation – Permission Granted  <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
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015  The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
	Draft BMAP 2004
4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)
4.2.2	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 6: Planning Archaeology and the Built Heritage
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	Historic Environment Division – no objection
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	None
<b>7.0</b>	<b>Representations</b>

7.1	The application was neighbour notified on the 20 <sup>th</sup> May 2020. It was advertised in the local press on the 20 <sup>th</sup> March 2020. The consultation period expired on the 20 <sup>th</sup> April 2020. No representations have been received to date. Any further representations received will be reported as an update to committee.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	Belfast City Centre Conservation Area Design Guide Section 104 of the Planning Act (Northern Ireland) 2011
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>• Impact on the character and appearance of the surrounding area including Belfast City Centre Conservation Area</li> <li>• Impact on amenity</li> <li>• Impact on highway safety</li> </ul>
9.3	<p><u>Impact on the character and appearance of the area including Belfast City Centre Conservation Area</u></p> <p>The scale, form, materials and detailing of the artwork respects the adjoining buildings in the area. At present, the pedestrianised entry of Entries are run down and uninviting. The proposed artwork would be installed in 8 separate locations within the entries which would enhance the visual amenity of the areas, while the feature lighting would be installed within Crown Entry and would help create a safer and more inviting space. The proposed lighting would be installed on the ceiling of the entry 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. Historic Environment Division were consulted as part of the application process and they have confirmed they have no concerns with the proposal. Overall, the proposal complies with PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 201 in that the artwork and lighting would enhance the character and appearance of the area including the City Centre Conservation Area.</p>
9.4	<p><u>Amenity</u></p> <p>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.</p>
9.5	<p><u>Impact on highway safety</u></p> <p>The lighting will be positioned above the entry at ceiling level, and 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.</p>
<b>10.0</b>	<p><b>Summary of Recommendation: Approval subject to conditions</b></p> <p>Having regard to the policy context and other material considerations, it is concluded that the proposal is considered acceptable 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 third parties.</p>
<b>11.0</b>	<p><b>Conditions</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p>

	<p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to installation the final artwork scheme will be submitted for approval to the Planning Authority, the artwork hereby approved shall not include lettering or brand imaging of any kind.</p> <p>Reason: To ensure the artwork preserves and enhances the Conservation Area</p>
<b>Notification to Department (if relevant):</b> N/A	
<b>Representations from Elected members:</b> N/A	

**Details of Neighbour Notification** (all addresses)

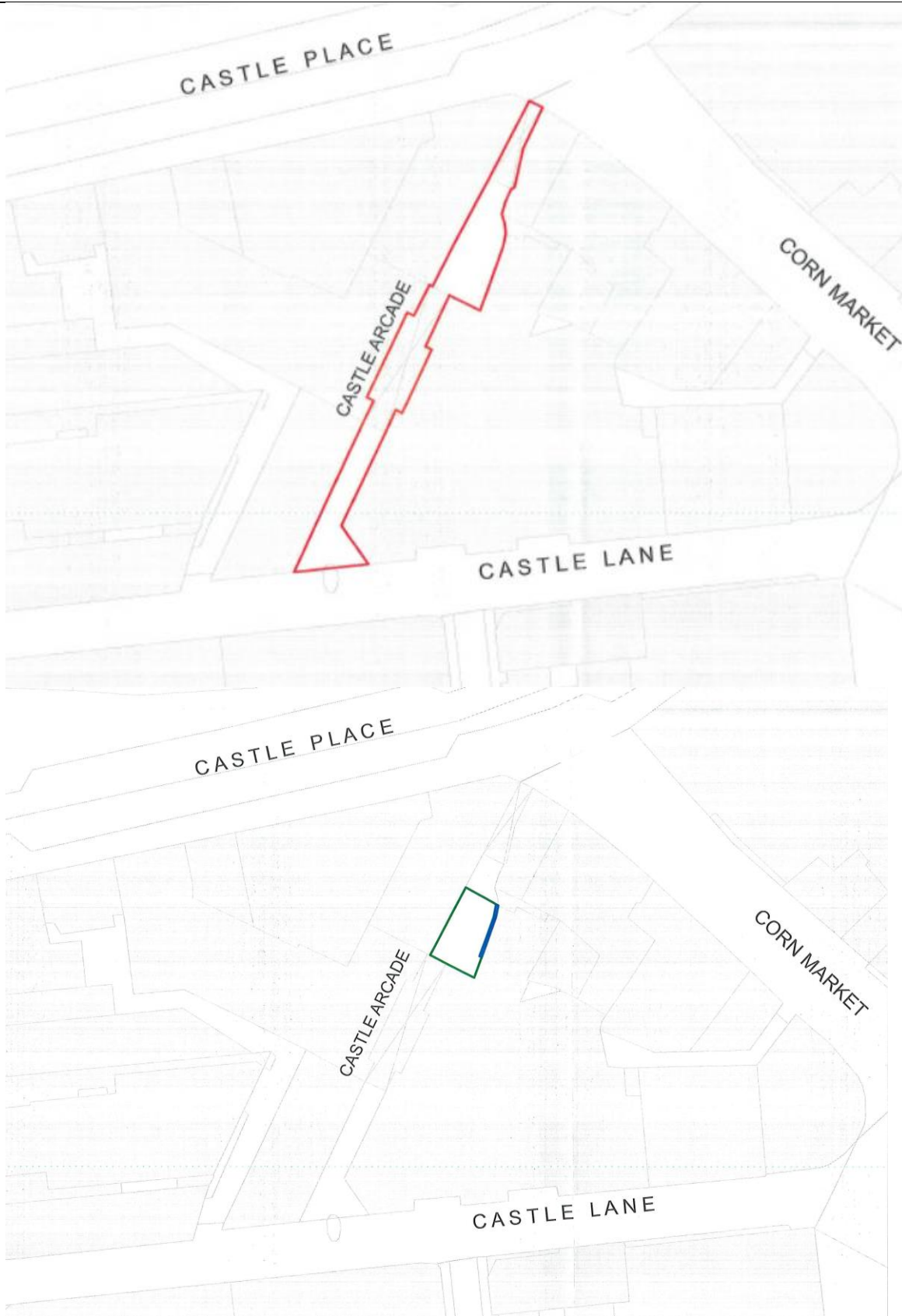
1,15a ,Pottingers Court,Belfast,Antrim,BT1 4DU  
 10a ,Ann Street,Belfast,Antrim,BT1 4EF  
 11-13 ,Church Lane,Belfast,Antrim,BT1 4QN  
 1-15 ,High Street,Belfast,Antrim,BT1 2AA  
 11-15 ,Pottingers Entry,Belfast,Antrim,BT1 4DT  
 12-16 ,Corn Market,Belfast,Antrim,BT1 4DD  
 12-15 ,Wilsons Court,Belfast,Antrim,BT1 4DQ  
 11 -15 Bridge Street,Belfast,Antrim,BT1 1LT  
 14 Ann Street,Belfast,Antrim,BT1 4EF  
 16-22 ,Ann Street,Belfast,Antrim,BT1 4EF  
 17 Bridge Street,Belfast,Antrim,BT1 1LT  
 17-19 ,Pottingers Entry,Belfast,Antrim,BT1 4DT  
 18 Pottingers Entry,Belfast,Antrim,BT1 4DT  
 18-24 ,Corn Market,Belfast,Antrim,BT1 4DD  
 19 Ann Street,Belfast,Antrim,BT1 4EA  
 19 Bridge Street,Belfast,Antrim,BT1 1LT  
 19-21 ,High Street,Belfast,Antrim,BT1 2AA  
 19-21 High Park Centre,Church Lane,Belfast,Antrim,BT1 4QN  
 1st & 2nd Floor,10 Ann Street,Belfast,Antrim,BT1 4EF  
 1st Floor (Rear),47-53 Hampton House,High Street,Belfast,Antrim,BT1 2AB  
 1st Floor,42 Church Lane,Belfast,Antrim,BT1 4QN  
 20 High Street,Belfast,Antrim,BT1 2BD  
 23-25 Highbridge House,High Street,Belfast,Antrim,BT1 2AA  
 24a-27 ,Ann Street,Belfast,Antrim,BT1 4EB  
 Hi-Park Centre,High Street,Belfast,Antrim,BT1 2JZ  
 Highbridge House,25 High Street,Belfast,Antrim,BT1 2AA  
 Office (1st – 3rd Floor),19-21 ,High Street,Belfast,Antrim,BT1 2AA

## Committee Decision Application

Development Management Report	
<b>Application ID:</b> LA04/2020/0589/F	<b>Date of Decision:</b> 16 <sup>th</sup> June 2020
<b>Proposal:</b> Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation.	<b>Location:</b> Castle Arcade Belfast BT1 5DG
<b>Referral Route:</b> Application made by Belfast City Council	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ
<p><b>Executive Summary:</b> Planning Permission is sought for the installation of artwork on the external façade of the building within Castle Arcade 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"> <li>• Impact on character and appearance of the area including Belfast City Centre Conservation Area</li> <li>• Impact on amenity</li> <li>• Impact on highway safety</li> </ul> <p>The site is located within Belfast City Centre Conservation Area. Overall the proposal would enhance the character and appearance of the area including the 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 offer no objections.</p> <p>The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3 and PPS6. Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval.</p> <p><b>Recommendation – Approval subject to conditions</b> 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 third parties.</p>	

## Case Officer Report

### Site Location Plan



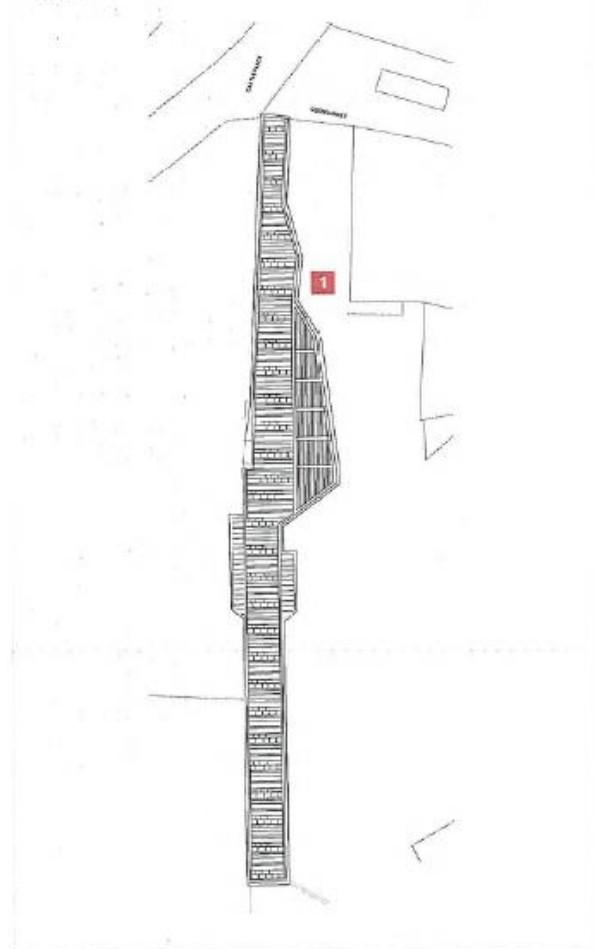
ENTRY 6

Castle Arcade

Locations for street art painting numbered and indicated in red.



Site Plan



1 Large wall surface above white wall to the top of the building

ENTRY 6

Castle Arcade

Indicative examples of work by the proposed Artist.



Artist style

Friz



Artist style

Dreph



Characteristics of the Site and Area	
<b>1.0</b>	<b>Description of Proposed Development</b> The application is for the installation artwork on the external façade of building within Castle Arcade, as well as the installation of a feature lighting system. The feature lighting will be installed in an elevated position, almost 10m above ground level and will be of string lighting style. The lighting will cover an area of 8m x 16m and will consist of 128 individual strands of lights, each 4m in length.
<b>2.0</b>	<b>Description of Site and Area</b> The application is located at Castle Arcade, a former shopping complex. 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.
Planning Assessment of Policy and other Material Considerations	
<b>3.0</b>	<b>Site History</b>  <u>Winecellar Entry</u> LA04/2020/0586/F - Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation – Permission Granted  <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  <u>Castle Arcade</u> LA04/2019/2352/F - Temporary installation of neon artwork on external façade of building (1 year)Permission Granted
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 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.
	Draft BMAP 2004
4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)
4.2.2	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 6: Planning Archaeology and the Built Heritage
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	Historic Environment Division – no objection
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>

6.1	None
<b>7.0</b>	<b>Representations</b>
7.1	It was advertised in the local press on the 20 <sup>th</sup> March 2020. The consultation period expired on 20 <sup>th</sup> April 2020. No representations have been received to date. Neighbour notifications issued on the 20 <sup>th</sup> May 2020, the delay was due to coronavirus restrictions. Any further representations received will be reported as an update to committee.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	Belfast City Centre Conservation Area Design Guide Section 104 of the Planning Act (Northern Ireland) 2011
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>• Impact on the character and appearance of the surrounding area including Belfast City Centre Conservation Area</li> <li>• Impact on amenity</li> <li>• Impact on highway safety</li> </ul>
9.3	<u>Impact on the character and appearance of the area including Belfast City Centre Conservation Area</u> The scale, form, materials and detailing of the artwork respects the adjoining buildings in the area. At present, the pedestrianised entry of Castle Arcade 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 10m 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. Historic Environment Division were consulted as part of the application process and they have confirmed they have no concerns with the proposal. Overall, the proposal complies with PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 201 in that the artwork and lighting would enhance the character and appearance of the area including the City Centre Conservation Area.
9.4	<u>Amenity</u> 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.
9.5	<u>Impact on highway safety</u> The lighting will be positioned above the entry, almost 10m 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
<b>10.0</b>	<b>Summary of Recommendation: Approval subject to conditions</b> 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 third parties.
<b>11.0</b>	<b>Conditions</b>

	<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to installation the final artwork scheme will be submitted for approval to the Planning Authority, the artwork hereby approved shall not include lettering or brand imaging of any kind.</p> <p>Reason: To ensure the artwork preserves and enhances the Conservation Area</p>
<b>Notification to Department (if relevant):</b> N/A	
<b>Representations from Elected members:</b> N/A	

**Details of Neighbour Notification** (all addresses)

1 Corn Market,Belfast,Antrim,BT1 4DA  
 10-18 ,Castle Place,Belfast,Antrim,BT1 1GB  
 11 Castle Lane,Belfast,Antrim,BT1 5DA  
 11 - 17 Corn Market,Belfast,Antrim,BT1 4DA  
 17 Castle Arcade,Belfast,Antrim,BT1 5DG  
 1st Floor,19-21 Holbeck House,Corn Market,Belfast,Antrim,BT1 4DB  
 2 Castle Place,Belfast,Antrim,BT1 1GB  
 27-29 ,Castle Lane,Belfast,Antrim,BT1 5DB  
 2nd Floor,19-21 Holbeck House,Corn Market,Belfast,Antrim,BT1 4DB  
 39 Castle Lane,Belfast,Antrim,BT1 5DB  
 3rd Floor,19-21 Holbeck House,Corn Market,Belfast,Antrim,BT1 4DB  
 4 – 11 Castle Lane,Belfast,Antrim,BT1 5DA  
 Ground Floor,19-21 Holbeck House,Corn Market,Belfast,Antrim,BT1 4DB  
 Office (2nd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF  
 Office (3rd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF

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## Committee Application

Development Management Report	
<b>Application ID:</b> LA04/2020/0454/F	<b>Date of Committee Decision:</b> 16 June 2020
<b>Proposal:</b> Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking to rear yard area. (No external alterations are proposed to the facade).	<b>Location:</b> 19 Balfour Avenue, Belfast, BT7 2EU.
<b>Referral Route:</b> Councillor referral	
<b>Recommendation:</b>	<b>REFUSAL</b>
<b>Applicant Name and Address:</b> Mr Martin Kerr 19 Balfour Avenue Belfast BT7 2EU	<b>Agent Name and Address:</b> Paul Jenkins 40 Mount Merrion Park Belfast BT6 0GB
<p><b>Executive Summary:</b></p> <p>The proposal is for 'Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking to rear yard area. (No external alterations are proposed to the facade)'.</p> <p>The key considerations for this proposal are:</p> <ul style="list-style-type: none"> <li>• Principle of Development</li> <li>• Impact on amenity</li> </ul> <p>15 neighbours were notified of the proposed development and no representations were received.</p> <p>The site is located within a zoned Housing Action Area, in accordance with the BUAP. Within draft BMAP, the site is located within the proposed Lower Ormeau Area of Townscape Character (ATC) - Ref BT 060.</p> <p>The HMO Subject Plan is unaffected by the quashing of BMAP and is a material consideration.</p> <p>As the application site falls within a designated HMO policy area, Policy HMO 1 applies and states that within designated HMO Policy Areas, planning permission will only be granted where the number of HMO dwelling units does not as a result exceed 30% of all dwelling units within the Policy Area. Out of 370 domestic properties within the Lower Ormeau Policy Area, 122 are HMOs, equating to 32.9%.</p> <p>The applicant disagrees with the Council's calculation of the number of HMOs and the number of dwellings within the Policy Area. The applicant's representative has submitted a planning statement and taken the opportunity to rebut Council calculations in this case and has sent further emails in support of the proposed development. An assessment of the issues is contained within this report.</p> <p><b>Recommendation – Refuse</b></p> <p>Having considered all the evidence in this case, it is recommended that planning be refused as the proposal fails to comply with the tests of Policy HMO 1 with delegated authority given to the Director</p>	

of Planning and Building Control to finalise the wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.

## Characteristics of the Site and Area

### 1.0 Description of Proposed Development

The proposal is for the 'Conversion of existing residential dwelling to 4 bedroom HMO, with cycle parking'. No external changes are proposed. The proposed cycle parking is located in a small yard to the rear.

### 2.0 Description of Site

The application site is located within the urban limits of Belfast. The site is a terraced dwelling, located on Balfour Avenue. The dwelling is 2 storeys in height, with a roof dormer at the front of the dwelling.

The surrounding area is characterised primarily by residential development. Commercial uses are more prevalent along the nearby Ormeau Road.





### Planning Assessment of Policy and other Material Considerations

<b>3.0</b>	<b>Site History</b>	
3.1	No relevant site history.	
<b>4.0</b>	<b>Policy Framework</b>	
4.1	Belfast Urban Area Plan 2001 (BUAP)	
4.2	Draft Belfast Metropolitan Area Plan 2015 (dBMAP)	
4.3	Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast City Council Area 2015 (HMO Subject Plan)	
	4.1.1	Housing Action Area
	4.2.1	Area of Townscape character
	4.3.1	HMO Policy Area – Lower Ormeau
4.4	Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3: Access, Movement and Parking	

	Planning Policy Statement 6 Addendum: Areas of Townscape Character
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objection
6.2	NI Water – No objection
<b>7.0</b>	<b>Representations</b>
7.1	15 neighbours were notified of the proposed development, with no representation received in respect of the proposal.
<b>8.0</b>	<b>Assessment</b>
8.1	<p><u>Development Plan context</u></p> <p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p>
8.2	<p>The site is located within a zoned Housing Action Area, in accordance with the BUAP. Within draft BMAP, the site is located within the proposed Lower Ormeau Area of Townscape Character (ATC) - Ref BT 060. There was one objection to this proposed ATC designation during the BMAP public inquiry, however the PAC found that the objection was aimed at the plan process rather than this site specific designation. The PAC advised no change to the plan. It is therefore likely, if and when BMAP is lawfully adopted, a Lower Ormeau ATC designation will be included.</p>
8.3	<p>There are no specific policies within the BUAP regarding HMOs, however policy HOU 6 of dBMAP provides criteria for conversion of buildings for multiple occupation. Prior to the BMAP Public Inquiry, the Department published the HMO Subject Plan. The PAC recommended that Policy HOU 6 was deleted from the plan, as the issues raised in relation to HOU 6 are fully addressed in the HMO Subject Plan. The HMO Subject Plan is unaffected by the quashing of BMAP and is a material consideration.</p>
8.4	<p><u>HMO Subject Plan</u></p> <p>The HMO Subject Plan Strategy aims to adopt a balanced approach to HMO development, by seeking to positively influence and shape the market for HMOs, while controlling and curtailing further development in areas where such accommodation is currently concentrated.</p>
8.5	<p><u>Principle of HMO Development</u></p> <p>As the application site falls within a designated HMO policy area, Policy HMO 1 applies and states that within designated HMO Policy Areas, planning permission will only be granted</p>

	where the number of HMO dwelling units does not as a result exceed 30% of all dwelling units within the Policy Area.
8.6	The Council has to calculate the number of HMOs and the total number of dwelling units within the Lower Ormeau Policy area. The methodology for this is included within the HMO Subject Plan:
8.7	<p>The level of multiple occupation within an area, whether designated or not, will be measured by:</p> <ul style="list-style-type: none"> <li>- the number of HMOs recorded by the NIHE at November 2004; plus</li> <li>- the number of HMO development units subsequently approved by the Department; plus</li> <li>- the number of extant permissions for HMO development units.</li> </ul> <p>The total number of dwelling units in a Policy Area will be measured by Ordnance Survey's Pointer database. The Pointer database includes all dwellings with an address in Northern Ireland. In considering Policy HMO1 this assessment will be undertaken across the individual Policy Area and not on a street by street basis.</p>
8.8	<p>With regard to the number of HMOs:</p> <ol style="list-style-type: none"> <li>1. The number of HMOs recorded by the NIHE at November 2004 was 120.</li> <li>2. 7 No. Certificates of Lawful Use (CLUDS) have been approved for HMOs. However, 5 of these properties were on the 2004 Register (and are included in point 1 above), therefore 2 additional properties (18 Farnham Street &amp; 17 Balfour Avenue) have been subsequently declared lawful HMOs.</li> <li>3. No HMO planning applications have been approved.</li> </ol> <p>In accordance with the methodology set out in the HMO Subject Plan, the number of HMOs within the Lower Ormeau Policy Area is 122.</p>
8.9	With regard to the total number of dwellings in the Policy Area, the number of domestic property addresses was 370 on 24/3/20, in accordance with Ordnance Survey's Pointer Database. It is noted that the number of dwellings in the policy area has reduced from 389.
8.10	In summary, out of 370 domestic properties within the Lower Ormeau Policy Area, 122 are HMOs, equating to 32.9%. Accordingly, it appears that the proposal does not comply with the Policy tests of HMO 1 in that the number of HMOs already exceeds 30% of all dwelling units within the Policy Area.
8.11	<p><u>The Applicant's case</u></p> <p>The HMO Subject Plan directs that in circumstances where an applicant disagrees with Planning Service's assessment on the number of HMOs in a given area or considers that the property was already a HMO at November 2004 when the Planning (Use Classes) Order (Northern Ireland) 2004 was introduced, then the applicant will be afforded an opportunity to provide evidence and demonstrate otherwise. A planning statement has been submitted to the Council in support of the proposed development. The Council had previously wrote to the agent on two occasions, 22<sup>nd</sup> April 2020 and 1<sup>st</sup> May 2020, advising that it considered the proposal does not comply with Policy HMO 1 and setting out its calculations. On both of these occasions, the agent followed up with further detailed emails rebutting the Council's position.</p>
8.12	<p>The supporting planning statement argues against the use of 2004 HMO data; 'this is not a sustainable planning argument and to use figures which are now 15 years out of date is not logical'.</p> <p>The case went on to state that the Council's HMO Unit has advised the applicant that there are 69 licensed HMOs within the policy area. The Supporting statement advised that the Council confirmed that 3 CLUDs had been approved for HMOs, however the 3 related properties are already included within the 69 HMOs. The applicant therefore contends that the number of HMOs within the area has decreased from 120 to 69.</p>

8.13	HMO licensing is separate from the planning process and is not maintained for the purposes of planning. In planning terms, it is possible for a property to be classified as a HMO but not be licensed as such. The applicant has identified that many of the properties on the 2004 list are not currently licensed. However, no evidence has been provided to the Council indicating that specific properties previously on the 2004 Register are no longer HMOs from a planning perspective, other than not having a HMO license. The applicant states that 53 of the HMOs identified by the Council are not registered or licensed, and suggests they do not exist as HMOs. Furthermore, the applicant requests evidence that these HMOs currently exist. It is entirely possible that a property is a HMO in planning terms, whether it is licensed as a HMO or not. As clearly stated within the Policy, the onus is on the applicant to provide evidence, not the Council.
8.14	The Subject Plan is very clear in how to measure the level of HMOs within an area. The baseline for this measurement is the number of HMOs recorded by NIHE at November 2004, however the applicant appears to disregard these figures as they are 'out of date'.
8.15	The applicant has provided comments from the Planning Appeal Commission's (PAC) Report into objections to the Houses in multiple occupation (HMOs) Subject Plans for Belfast City Council Area 2015. The PAC acknowledged that there were issues with the identification of HMOs throughout the city. The PAC conceded that the database, excepting registered properties, is a list of likely rather than known HMOs, however it also acknowledged that an underestimate of HMO numbers is more likely. Despite these shortcomings, the PAC ultimately endorsed the unit based approach to the assessment of existing HMO development. The PAC Report examined the methodology used in the formulation of the policy. As already stated, the Subject Plan has now been adopted and the proposed development is assessed against the policies contained within.
8.16	<p>It is important to note the disparity in the figures relating to approved CLUDs for HMO use within the policy area. In total, 7 CLUDs have been approved, however the applicant submitted an Environmental Information Request (EIR) and at the time of the applicant's EIR request in relation to approved CLUDs, only 3 had been approved. In the meantime, a further 4 CLUDs have been approved. The 7 approved CLUDs relate to the properties below:</p> <ul style="list-style-type: none"> <li>- 3 Balfour Avenue (LA04/2019/2483/LDE)</li> <li>- 17 Balfour Avenue (LA04/2019/1969/LDE) - Not on 2004 Register.</li> <li>- 60 Balfour Avenue (LA04/2019/2315/LDE)</li> <li>- 18 Farnham Street (LA04/2018/1945/LDE) - Not on 2004 Register.</li> <li>- 60 Farnham Street (LA04/2019/1969/LDE)</li> <li>- 9 Hatfield Street (LA04/2019/2546/LDE)</li> <li>- 31 Hatfield Street (LA04/2019/2955/LDE)</li> </ul>
8.17	The applicant also argues that using Ordnance Survey's Pointer Address Database, there are presently 389 dwelling units within the Policy area. This contrasts with the Council figures, which found that the number of domestic property addresses was 370 on 24/3/20. The applicant's supporting statement suggests the Council's figures are not correct, however no further evidence is submitted explaining why they are not correct.
8.18	The applicant has provided a list of the 389 identified properties, in contrast to the Council's records which identified 370 properties. In a significant number of cases, the applicant's information does not correspond with the information the Council holds. Furthermore, some of the properties identified by the applicant lie outside the Policy Area (i.e. the 15 apartments located at No. 22 and 23 Artana Street).
8.19	The applicant's supporting statement sets out that the percentage of HMOs within the Policy Area equates to 17.7%. This is based on 69 HMOs and 389 dwelling units within the area. It

	<p>is considered that this percentage is incorrect as the number of HMOs and dwelling units provided by the applicant are not accurate, as explained to the applicant's representative and set out in this report. The applicant's representative has also sent numerous emails in respect of the Council's consideration of the information and has also requested a meeting with senior officers, it was explained that the Planning Service is always willing to facilitate meetings where it would assist to bring forward a more acceptable proposal. However, in this case, in line with the Planning Service's 10 Operating Principles, the facts were clearly set out by the Officer and Development Plan Team and no contrary convincing evidence was provided by the applicant and therefore there was no benefit to the applicant in meeting to discuss the figures as the two sets of figures are incomparable.</p>
8.20	<p>As stated above the Council wrote to the agent on two separate occasions advising that it does not consider the proposal complies with the policies of the HMO Subject Plan. In accordance with the HMO Subject Plan, the Council invited the agent to submit additional evidence, however the agent confirmed that all the evidence required is within the supporting statement.</p>
8.21	<p><u>Amenity</u></p> <p>The proposed HMO has only 4 bedrooms, is not wholly in the rear of the property and has access to the public street. The proposal therefore complies with the tests of Policy HMO 6. There are no concerns with residential amenity of future occupiers or existing neighbours. Furthermore, no external alterations are proposed therefore the proposal complies with the tests of PPS 6 Addendum.</p>
8.22	<p><u>Consultee Comments</u></p> <p>DFI Roads, BCC Environmental Health (EHO) and NI Water were all consulted regarding this proposal. No objections were offered from any consultees. EHO suggested an informative relating to HMO Standards and minimum requirements etc. DFI Roads stated that the provision of car parking is not a requirement of the assessment process for HMOs. Equally, existing regional policy and supplementary planning guidance do not incorporate car parking as a requirement for HMO development.</p>
8.23	<p><u>Committee Referral</u></p> <p>As per normal procedure, the Council contacted the agent on 2<sup>nd</sup> June 2020 to advise the application was recommended for refusal and would issue as such, in accordance with the Council's Scheme of Delegation. The agent responded advising that he had not been given an opportunity to ask a Councillor to refer the application to Planning Committee, despite the details being sent to him on 1<sup>st</sup> May 2020. The Council agreed to hold the application to allow the agent a further opportunity to have the application called before Committee.</p>
<b>9.0</b>	<p><b>Summary of Recommendation: REFUSAL</b></p>
9.1	<p>Out of 370 domestic properties within the Lower Ormeau Policy Area, 122 are HMOs, equating to 32.9%. Accordingly, it appears that the proposal does not comply with the Policy tests of HMO 1 in that the number of HMOs already exceeds 30% of all dwelling units within the Policy Area.</p>
9.2	<p>The agent has provided supporting evidence in an attempt to show that the number of HMOs does not exceed 30% of all dwelling units within the Policy Area. It is considered that the agent's assessment of both the number of HMOs and existing dwelling units within the Policy Area is incorrect for the reasons outlined above.</p>

9.3	Accordingly, it is considered that the proposal is contrary to Policy HMO 1 of the HMO Subject Plan and is therefore recommended for refusal.
<b>10.0</b>	<b>Reasons for Refusal</b>
10.1	The proposed development is contrary to Policy HMO 1 of the Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast City Council Area 2015 in that the number of HMO dwelling units already exceeds 30% of all dwelling units within the Lower Ormeau Policy Area.
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b>  Cllr Lyons – Requested the application be presented to Committee on behalf of the applicant. Cllr Gormley – update on status of application Cllr Murphy – update on status of application	

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