

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 September 2023	
Application ID: LA04/2021/1447/F	Target Date:
Proposal: 28 house development (social housing) including provision of new access, below ground pumping station, open space and landscape (Amended drawings / Additional information)	Location: Lands to NE of 265 Whiterock Road Ballymurphy Belfast BT12 7FZ
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval	
Applicant Name and Address: Radius Housing Association 3-7 Redburn Square Holywood BT18 9HZ	Agent Name and Address: Hall Black Douglas Architects 152 Albertbridge Road Belfast BT5 4GS
<p>Executive Summary: This application seeks full planning permission for a proposed social housing development comprising of 28 units including provision of new access, below ground pumping station, open space and landscape (Amended drawings / Additional information)</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and Housing Mix • Accessible and adaptable accommodation • Design, layout and impact on the character and appearance of the area • Climate change • Access and parking • Drainage • Waste-water infrastructure • Ecological Impacts • Archaeology & built heritage • Noise, odour, and other environmental impacts including contamination. <p>117 letters of objection received with the main issues being the loss to the community of a valued outdoor environmental amenity area as well as concern related to traffic safety and congestion and demand upon infrastructure such as foul sewage disposal.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. Having considered all the matters as set out in the report below, there is a clear and pressing unmet social need in the local area, therefore, it is considered, on balance, to be acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise conditions.</p>	

Officer Report

1.0

Drawings

Fig 1. Site Location Plan



Fig 2. Proposed site Layout



2.0	Characteristics of the Site and Area
2.1	The site is situated on lands to NE of 265 Whiterock Road in West Belfast, approximately 5km to the West of Belfast City Centre. It is located approximately 400 metres north west of the Springfield Road and is bordered on the south-eastern boundary by residential development at New Barnsley Crescent and a childcare facility to the south-west. A watercourse runs along the northern and eastern boundaries of the site. The site has a sloping topography falling in a south-easterly direction. The site measures approximately 1.51 Ha.
2.2	The locality to the south and east of the application site is an area of established residential development, consisting of a mix of semi-detached and terraced housing. There are some neighbourhood services in the nearby areas. Other land uses within a 500m radius include retail, recreational and educational facilities. The land to the north and west of the application site lies outside the development limits of Belfast, and is generally undeveloped, agricultural land with exception of some single dwellings.
3.0	Description of Proposal
3.1	28 house development (social housing) including provision of new access, below ground pumping station, open space and landscape (Amended drawings / Additional information).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – Operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – Zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History No relevant planning history.
5.0	Consultations and Representations
5.1	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.
5.2	Statutory Consultations DfI Roads – No objections, subject to conditions DfI Rivers – No objections, subject to conditions NI Water – No objections, subject to conditions DAERA NIEA – No objections, subject to conditions HED – No objections
5.2	Non-Statutory Consultations BCC Environmental Health (EHO) – Content subject to conditions

5.3	<p>BCC Plans & Policy team – Advice BCC Tree and Landscape Team – No objections Shared Environmental Services (SES) – Content subject to conditions NIE – No objection NIHE – In support of the application Defence Infrastructure – No objections Belfast Hills Partnership - Advice</p> <p>Representations</p> <p>The application has been advertised and neighbours notified. Following the submission of amended plans / further information, the application was re-neighbour notified a further 4 times. The Council has received 117 letters of objections. The issues raised are as follows:</p> <ul style="list-style-type: none"> Proposed will destroy a crucial natural recreational amenity space, an area of outstanding natural beauty / high scenic value with significant environmental and heritage regeneration potential. Proposal will destroy a number of historic and archaeological interest i.e., ‘Mill Race’ and two ancient raths or ringfort sites. Should be utilised and developed as an outdoor environmental and heritage amenity for local people - Belfast City Council should ‘re zone’ this site for community usage as we struggle with Covid / climate change. <p><i>Case Officer Response: The site is zoned as housing and as such the principle of development and social housing at this site is considered to be acceptable. The proposal falls outside the Area of High Scenic Value. Re-zoning queries / suggestions should be directed to the Development Plan and Policy team within Council. Consultations with HED and NED, no objections received.</i></p> <ul style="list-style-type: none"> The ‘Whiterock 2’ electoral ward is currently ranked number 1 most deprived under the domain of health and wellbeing - Importance of access to green spaces / Belfast Hills. <p><i>Case Officer Response: Council acknowledges the importance of green open space with the proposal providing adequate amenity space in the centre of the site. The site is also located on the edge of the city with Belfast Hills accessible.</i></p> <ul style="list-style-type: none"> Long-term impact on the wildlife and biodiversity that currently exists on the site, including the recent discovery by local conservationists of the endangered Pine Marten. <p><i>Case Officer Response: The Natural Environment Division (NED) within DEARA were consulted and content with the proposal, further assessed within the report.</i></p> <ul style="list-style-type: none"> Significant hazards for residents and the childcare facility at Newhill First Steps specifically the entry point (not fit for purpose) Traffic congestion, parking and disruption, exacerbating long term issues further. Enquiry if a transport assessment has been undertaken. Additional stress to the local infrastructure such as sewage and drainage systems which are already over capacity and struggling to cope. <p><i>Case Officer Response: The application underwent multiple consultations with DFI Roads, DFI Rivers, NI Water, NIEA, Environmental Health with no objections, ensuring the proposal will have no unacceptable impact to local infrastructure.</i></p>
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	<ul style="list-style-type: none"> • Belfast City Council (BCC) should commit to engage and work creatively with local residents and community organisations. <p><i>Case Officer Response: BCC offered to meet one or two representatives of the residents / group – however, no formal response was received.</i></p> <ul style="list-style-type: none"> • Noise pollution / construction concerns • Will cause vermin to descend on to neighbouring homes. <p><i>Case Officer Response: The proposed site for social housing has been assessed by EHO, in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations. The agent submitted ‘Noise and Odour Assessment’ and ‘Outline Construction Environmental Management Plan’. EHO were re-consulted and raised no objections, subject to conditions.</i></p> <ul style="list-style-type: none"> • Overlooking <p><i>Case Officer Response: The layout/aspect of all buildings within the site is such that there will be no significant overlooking into neighbour properties. There is a separation distance of approximately 23.5m from the rear building line of the proposed houses to the rear building line of the dwelling located in New Barnsley Crescent, with a soft landscaped buffer area with planted trees between the sites of approx.8m.</i></p> <p>Unless stated above, these representations are further addressed in the main report.</p>
6.0	PLANNING ASSESSMENT
	<p>Development Plan Context</p> <p>6.1 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>6.2 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>6.3 The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>6.4 Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> <p>6.5 Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its</p>

<p>6.6</p> <p>6.7</p> <p>6.8</p> <p>6.9</p>	<p>advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>Relevant Planning Policies The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU1 – Accommodating new homes • Policy HOU2 – Windfall housing • Policy HOU4 – Density of residential development • Policy HOU5 – Affordable housing • Policy HOU6 – Housing mix • Policy HOU7 – Adaptable and accessible accommodation • Policy DES1 – Principles of urban design • Policy RD1 – New residential developments • Policy BH5 – Archaeology • Policy TRAN4 – Travel Plan • Policy TRAN6 – Access to public roads • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy ENV2 – Mitigating environmental change • Policy ENV3 – Adapting to environmental change • Policy ENV4 – Flood Risk • Policy ENV5 – SuDS • Policy GB1 – Green and blue infrastructure network • Policy OS3 – Ancillary open space • Policy NH1 – Protection of natural heritage resources • Policy TRE1 – Trees • Policy DC1 – All Countryside development – general policy principles <p>Key Issues The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and Housing Mix • Design, layout and impact on the character and appearance of the area • Climate change • Accessible and adaptable accommodation • Access and parking • Drainage • Waste-water infrastructure • Ecological Impacts • Archaeology & built heritage • Noise, odour and other environmental impacts including contamination <p><u>Additional Information</u> Officers requested that the applicant provided a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p>
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	<p>The Planning Service's Plans and Policy team has been consulted on the applicant's Plan Strategy and have provided advice. No further consultations have been considered necessary following adoption of the Plan Strategy.</p>
6.10	<p><u>Principle of development</u> The majority of the site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below. The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in Belfast City. Policy HOU2, Windfall Housing is not relevant as the site is zoned for housing as advised below.</p>
6.11	<p>The site is zoned for housing in BUAP. The site was also zoned for housing in Draft BMAP 2004, at that time, an objection was received from New Barnsley Crescent requesting that the housing zoning is deleted and the land rezoned for open space / recreation. In the Adoption Statement, the Department did not accept this recommendation as Belfast City Council had no open space / recreation proposals for the site. In Draft BMAP 2015 the site is zoned for Social Housing WB 04/14 – Land to the west of New Barnsley Crescent, Whiterock Road.</p>
6.12	<p>Whilst many of the objections received raised issues with the use as housing, favouring the use as open space / heritage amenity, the site is zoned as housing and as such the principle of development and social housing at this site is considered to be acceptable.</p>
6.13	<p><u>Design, layout and impact on the character and appearance of the area</u> The proposed development, by reason of its form, scale, layout, design and materials, is in keeping with the site and its surrounding area. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:</p>
6.14	<p>a. <i>Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:</i> The site is in a primarily residential area and the proposed layout will not conflict with the established uses in the surrounding area. There is a total of 28 social housing units, 14 detached and 14 semi-detached. The dwellings are two storey and are in keeping with the surrounding housing units. The proposed finishes are to consist of grey coloured roof tiles with buff facing brick indicated on elevation drawings, in keeping with the surrounding area which consists of a mix of brick and render. The proposed development will be enhanced by quality hard and soft landscaping around the buildings.</p>
6.15	<p>The site has a sloping topography falling from the north west of the site in a south easterly direction. Consequently, the proposed development sits higher than the neighbouring development at New Barnsley Crescent. The applicant has proposed tree planting to soften the landscape between both residential areas, creating a landscape buffer. It is considered that the overall design, scale and massing will not create conflict with adjacent land uses. The proposal will create a quality residential environment that creates an attractive, locally distinctive and appropriate design in relation to the surrounding area.</p>
6.16	<p>b. <i>Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:</i> The layout / aspect of all buildings within the site is such that there will be no significant overlooking into neighbour properties. There is a separation distance of approximately 23.5m from the rear building line of the proposed houses to the rear building line of</p>

	<p> dwellings located in New Barnsley Crescent, with a soft landscaped buffer area between the sites of approx. 8 metres.</p>
6.17	<p>The separation distance increases where the proposed dwellings fall to the south-west of the site. The separation distance is considered acceptable and in keeping with the guidance in Creating Places. There is also similar or less separation distances between the existing properties in the area e.g., there is approx 18.5m separation distance from rear building lines between No. 13 and No 31 New Barnsley Crescent. The separation distance will ensure that dominance and overshadowing will not occur to an unacceptable degree.</p>
6.18	<p>Additionally, EHO requested odour and noise impact information due to the proposed pumping station within the site. The proposed pumping station is located in the south eastern corner of the site, with proposed dwelling located to the north west and existing dwellings located to the south. EHO advise that the odour impact assessment concludes that levels are predicted to be below the threshold which is considered to have a negligible effect for a 'moderately offensive' odour. Based on the predicted levels, EHO states that they have no further comment to make. In relation to noise, the submitted Noise Impact Assessment (NIA) predicts the noise impact at nearby receptors (both existing and proposed) will be minimal. EHO note their assessment is based upon a specific make and model of pump being used, however pending communication with NI Water, the specific pump may need to be reviewed to meet requirements. Consequently, EHO have recommended conditions in the event of approval.</p>
6.19	<p><i>c. Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure</i></p> <p>The development site is approximately 400m from Metro Bus Links that are situated on the Springfield Road in either direction. The bus links form connections to all areas beyond the city centre. Translink Metro Route 10 serves the Springfield Road in either direction and there is also easy access to Black Taxis and Private Hire Taxis. The surrounding area does not provide adequate cycling infrastructure, however there is accessibility to bus lanes to cycle to destinations within the city.</p>
6.20	<p><i>d. Provides adequate open space:</i></p> <p>The proposed units benefit from the provision of private rear amenity space bound by a 1.9m high paladin fence and an area of private amenity space to the front, predominantly bound by low-level beech hedging. The rear gardens are between 50-140 sqm in size, this level of provision is in accordance with the standards set out in the Creating Places guidance document.</p>
6.21	<p><i>e. Keeps hard surfacing to a minimum</i></p> <p>Car parking is not considered to dominate the residential development. This allows for an abundance of green open and private amenity space for future residents.</p>
6.22	<p><i>f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.</i></p> <p>The proposed scheme is in keeping with the space standards as set out in appendix C. The proposal consists of a mix of two storey dwellings. The 2 bedroom/ 3person require a minimum of 70sqm with these dwellings ranging between 76-77 sqm. The 3 bedroom/ 5 person require 90sqm, with these dwellings ranging between 93-95 sqm.</p>
6.23	<p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i></p> <p>The entrances to the properties are from the main street and allow for natural surveillance of the street scene.</p>

6.24	<p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i> All of the house types provide ample light through to living rooms, bedrooms and kitchens.</p>
6.25	<p>Further to policy RD1, the proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.</p>
6.26	<p><u>Climate change</u> The proposal maximises opportunities to incorporate sustainable design features where feasible. The Plan Strategy Statement (PSS) outlines the following features:</p>
6.27	<ul style="list-style-type: none"> • The PSS references that the quality development proposed will enhance the existing site, for example, through the removal of spoil and additional tree planting. The planning application was supported by a Contaminated Land Risk Assessment, Noise and Odour Assessments, outline Construction Environmental Management Plan, Flood Risk and Drainage Assessment and a Noise Impact Assessment. It is considered that the planning application complies with Policy ENV 1.
6.28	<ul style="list-style-type: none"> • The house types are designed to EPC Rating A; each house will have a PV panel array; and the specification of products considered ensures that optimised energy performance can be achieved and to reduce the whole life cycle impact of the houses. It states that the energy performance of the house types has been optimised to reduce emissions of greenhouse gases and PV panels will reduce reliance upon greenhouse gases. In addition, it states that the significant tree planting proposed will contribute to the absorption of greenhouse gases. The proposal appears to comply with the provisions set out within the policy ENV 2.
6.29	<ul style="list-style-type: none"> • The PSS mentions that the proposal minimises hard surfacing and incorporates extensive tree planting and landscaping. It is also noted that a Drainage Assessment was undertaken and submitted as part of the planning application package, and it has been determined through the statutory consultation process to be acceptable. The proposal incorporates not only significant areas of open and landscaped space but significant amounts of planting in those spaces, notably the extensive buffer planting around three sides of the site, all providing attenuation. The proposal also includes over 400 sq m of SuDs permeable paving at the pumping station and communal open space. Owing to the longevity of the application process and provision of SuDs measures, it is considered that the proposal complies with Policies ENV 3 & 5.
6.30	<p><u>Affordable housing</u> Policy HOU 5 of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing. All 28 of the proposed dwellings will be provided as affordable housing (100% provision). NIHE confirmed that there is an unmet social housing need of 1090 social housing units for Inner West Belfast (2022-2027) and at March 2023, there were 984 households in housing stress. NIHE has supported the applicant to progress this scheme for social housing.</p>
6.31	<p>However, Policy HOU5 requires that affordable housing should be provided as an integral part of mixed tenure development. A consultation response was received from the BCC Policy Team outlining that the Affordable and housing mix SPG recognises that a small-scale development involving 100% social housing may be deemed to meet the requirements of Policy HOU5 where an identified need is addressed and the proposal is able to contribute towards sustainable and balanced communities. The SPG also notes that 'proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances'. Section 4.4.14 of the SPG also states that whether a proposal for mono-tenure social housing is deemed to deliver sustainable and</p>

	<p>balanced communities will be assessed on a case-by case basis using the following factors:</p> <ul style="list-style-type: none"> • The level of social housing need in the vicinity of the site and the availability of land to address such needs; • The wider tenure and characteristics of and are, in order to minimise large areas of single tenure social housing; and • Whether a scheme is proposed as ‘sharing housing’
6.32	<p>NIHE have advised that there is a significant unmet social housing need within the area and confirmed that they are supportive of the proposal. Given this context, on balance, it is considered the proposal complies with Policy HOU5.</p>
6.33	<p><u>Housing Mix</u></p> <p>With regards to housing mix, the proposal comprises a total of 28 residential units, including 3 persons / 2 bedroom semi-detached dwellings, ranging from 70-75 sqm per dwelling, 5 persons / 3 bedrooms semi-detached at approx. 93 sqm and 5 persons / 3 bedroom detached dwelling at approx. 95 sqm. All house types meet the space standards as set out in Appendix C of the Plan Strategy. The proposed housing mix has been informed by an analysis of the prevailing housing need in the area. Whilst it is acknowledged that greater variation in house types would facilitate the creation of balanced communities, support for the proposed housing mix has been confirmed by NIHE. On balance, the housing mix is considered acceptable having regard to policy HOU6 of the Plan Strategy 2035.</p>
6.34	<p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas. Although not yet formally defined, the site is likely to fall within the Outer Belfast area, so the average density band (in dwellings per hectare) should be between 25-125. The development proposed 28 units on a site of 1.51ha, which gives a density of approximately 18dph, which falls below the relevant density parameters. The policy states that the density bands are to be used as a guide to inform proposed development and proposal outside of these broad bands will be considered on their own merits. It is considered that the proposed development broadly complies with the other operational policies of the Plan Strategy. On balance, owing to the longevity of the application and the agreed housing numbers throughout the process, the proposal is considered acceptable having regard to policy HOU4.</p>
6.35	<p><u>Adaptable and Accessible Housing</u></p> <p>Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. It is considered that the proposal includes adequate standards in relation to parking, entrance, entrance level living / dining space / WC, accessible bathroom on same floor as main bedroom and glazing in the principal living space enables outlook. Although surface material of the parking bays has not been illustrated on the site layout, it is considered this could be conditioned in the event of approval.</p>
6.36	<p>For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible. The applicant has not provided evidence that the scheme will provide sufficient wheelchair accessible units.</p>
6.37	<p>The agent has advised that the applicant and NIHE have engaged extensively from initial site feasibility to ensure that the proposal meets the identified housing need specific to the area. This engagement continues throughout the planning process to ensure the housing mix reflects the ongoing need in the area. The agent has advised that NIHE have been continually supportive of the housing mix and clarified that specific wheelchair accessible housing was not part of the mix. The agent has stated that requesting 10% of dwellings to</p>

	be made wheelchair accessible this late in the process is concerning and could ultimately result in the scheme no longer being financially viable.
6.38	Notwithstanding this, the agent advises that the proposed dwellings will meet with the Lifetime Homes requirements. Lifetime Homes is a standard which requires all new homes to be designed in a flexible way to ensure housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. Through the Lifetime Home Standards there is flexibility and adaptability to allow for future wheelchair provision to be accommodated within the envelope of the dwelling. The proposed dwellings comply with some of the criteria laid out in respect of wheelchair accessible housing, however fail the tests in relation to space standards, driveway width, space for second wheelchair storage and lack of turning circle in the hall way.
6.39	Based on the information provided and the consultation response from BCC LDP team, it is considered that the proposal does not comply with HOU7 in respect of wheelchair accessible dwellings. However, this is balanced against a number of factors, including the longevity of the application, the design to lifetime home standards and the significant housing need in the area. Balancing all of the considerations, it is considered that the proposal is acceptable.
6.40	<p><u>Access, movement, and parking</u></p> <p>The proposed development is accessed directly from the Whiterock Road. DfI Roads had previously requested that pedestrian footpaths should extend the length of the visibility splays, with a streetlight to provide visibility. Consequently, the footpath located to the north of the site access extends beyond the development limit by approximately 25 metres. Given the existence of the childcare facility to the south of the site (within the zoned housing land), the proposed access is the only feasible access to zoned housing land. Consequently, it is considered that the provision of the footpath and streetlight is acceptable, given the road safety improvements. It is also noted that proposal will cluster with existing built development, as per Policy DC1.</p>
6.41	The means of access to the development is considered to be safe. There is sufficient parking available having regard to the location and sustainability of the site.
6.42	DfI Roads were consulted and offer no objections to the proposal, subject to conditions. It is considered the proposal complies with Policies TRAN 4, TRAN 6 and TRAN 8.
6.43	<p><u>Drainage</u></p> <p>A Flood Risk and Drainage Assessment was undertaken and submitted. DfI Rivers were consulted and offer no objections to the proposal, subject to a condition for a final drainage assessment, prior to commencement. It is therefore considered that the proposal complies with Policy ENV4.</p>
6.44	<p><u>Waste-water infrastructure</u></p> <p>As noted above, the proposal includes a pumping station in the south eastern corner of the site. NI Water (NIW) and DAERA Water Management Unit (WMU) have offered no objection to the proposal. In this regard, the proposal is considered compliant with Policy NH1 and paragraphs 6.176 and 6.177 of the Strategic Planning Policy Statement.</p>
6.45	<p><u>Ecological Impacts</u></p> <p>Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). SES have advised the Council that the project would not have</p>

	an adverse impact on the integrity of any European site either alone or in combination with other plans / projects.
6.46	DAERA NIEA Natural Environment Division (NED) were consulted on the proposal and advised that a 10 m buffer would be required between the location of all construction works and the watercourse that runs along the northern and eastern boundaries. NED acknowledges that Japanese knotweed (<i>Fallopia japonica</i>) has been identified on site. NED acknowledges that no other protected species or habitats have been recorded on site and are content that the proposal is unlikely to significantly impact NI Priority / protected species or habitats. NED have no objections, subject to conditions.
6.47	The proposal is considered compliant with Policy NH1 and ENV1.
6.48	<u>Archaeology & Built heritage</u> The application site is immediately adjacent to a rath (ANT 060:035), a site of regional interest. DFC Historic Environment - Historic Monuments (HED) considered the impacts of the proposal and is content with the proposal, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ. HED also requested the erection of a fence around the monument during the construction phase. This should be located on the 5m buffer line shown in the Landscaping Plan.
6.49	It is therefore considered that the proposal is compliant with Policy BH5.
6.50	<u>Contamination</u> A Contaminated Land Risk Assessment has been submitted in support of the application. No unacceptable risks to environmental receptors have been identified. NIEA Land and Regulation Unit and EHO commented on the information, advising of no objections subject to conditions. As previously noted, EHO were content with the submitted noise information. Consequently, it is considered that the proposal complies with Policy ENV1.
6.51	<u>Other issues</u> Belfast Hills Partnership (BHP) were consulted on the proposed development. They outlined a number of concerns in relation to the proposal: <ul style="list-style-type: none"> • The proposed scheme will either remove or result in a number of places of historic and archaeological interest being isolated out of context, i.e. the Mill race and Rath. • Loss of pedestrian access route from Black Mountain shared space development. BHP are aware of a number of proposals to develop the access, recreation and tourism potential of this area, most of which will be stymied by this development unless a pedestrian access route was kept. • Loss of a green open space which is well used by the local community. • Issues with proposed landscaping. • Impact on priority habitats and species • Concerns regarding additional traffic on Whiterock Road.
6.52	It is considered that the issues raised by BHP have been appropriately dealt with during the application process and have been covered within this report.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. Having considered all the matters as set out above there is a clear and pressing unmet social need in the local area, therefore, it is considered, on balance, acceptable.

7.2	<p>It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the condition.</p>
<p>DRAFT CONDITIONS:</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 1474-HAH-ZZ-00-DR-C-0003-P07, prior to the commencement of any other works or other development hereby permitted.</p> <p>REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>3. No dwelling shall be occupied until its driveway has been constructed in accordance with the approved Drawing No. 1474-HAH-ZZ-00-DR-C-0003-P07 to provide adequate facilities for parking. These spaces shall be permanently retained.</p> <p>REASON: To ensure adequate parking in the interests of road safety and the convenience of road users.</p> <p>4. 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 occupied and such splays shall be retained and kept clear thereafter.</p> <p>REASON: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.</p> <p>5. The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</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>6. 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:1474-HAH-ZZ-00-DR-C-0003-P07 bearing the Department for Infrastructure determination date stamp 30/8/23.</p> <p>REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>7. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No part of the development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined</p>	

blue on Drawing No:1474-HAH-ZZ-00-DR-C-0003-P07 bearing the date stamp 30/8/23. 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 that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

8. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of each phase.

REASON: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling

9. The development shall operate in accordance with the Residential Travel Plan – Radius Housing, Whiterock Road, Belfast – December 2022 - Revision D.

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

10. Any existing street furniture within the visibility splays shall be relocated to the rear of footway as directed by the DfI Private Streets Officer.

REASON: In the interests of pedestrian convenience.

11. Prior to the commencement of any of the approved development on site, a final drainage assessment, compliant with the Strategic Planning Policy Statement, Policy ENV4 (Flood Risk) of the Belfast Local Development Plan: Plan Strategy 2035 and Sewers for Adoption Northern Ireland 1st Edition, and containing a detailed drainage network design including a demonstration of how out of sewer flooding will be safely managed must be submitted to the Council for its consideration and approval.

Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

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

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

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

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

14. After completing any remediation works required by condition 14, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives.

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

15. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

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

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

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

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

17. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 16. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

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

18. No site works of any nature or development shall take place until a fence has been erected around the area specified, along the 5m line as shown in Drawing No. 19D. No works of any nature or development shall be carried out within the fenced area. No erection of huts or other structures, no storage of building materials, no dumping of spoil or topsoil or rubbish, no bonfires, nor any use, turning or parking of plant or machinery shall take place within the fenced area. The fence shall not be removed until the site works and development have been completed.

Reason: to prevent damage or disturbance of archaeological remains within the application site.

19. Prior to installation, the applicant shall submit to the Council, for review and approval in writing, confirmation of the specification of the submersible motor pump to serve the pumping station. Should the noise specification differ from that presented at planning consultation stage, an updated statement of noise impact shall be submitted for review and approval.

Reason: Protection of residential amenity from noise impact.

20. The submersible motor pump, as approved, shall be installed prior to occupation of the proposed development.

Reason: Protection of residential amenity from noise impact.

21. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: Protection of human health.

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

Reason: In the interests of visual amenity.

23. Prior to any work commencing all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified within the landscape plan and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

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

24. All soft landscaping works shall be carried out in accordance with the approved details on Drawing Number 19D. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

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

Reason: To avoid compaction and root severance within the RPA of existing trees to be retained.

26. Prior to the commencement of any works, a clearly defined buffer of at least 10 metres must be maintained between the locations of all construction, refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the watercourses within and adjacent to the red line boundary of the site.

Reason: To protect the hydrologically connected features of European Sites in Belfast Lough from adverse effects.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
 - 01B Site Location Plan
 - 05 House Type B1 Plans and Elevations
 - 06 House Type B1 Elevations
 - 07 House Type B2 Plans and Elevations
 - 08 House Type B2 Elevations
 - 09 House Type B3 Plans and Elevations
 - 10 House Type B3 Elevations
 - 11 House Type C1 Plans and Elevations
 - 12 House Type C2 Plans and Elevations
 - 13E Site Layout Plan
 - 14B Extended Site Sections
 - 16B - Site Sections 01
 - 17B - Site Sections 02
 - 18F - DFI Roads - Approved PSD
 - 19D Soft Landscape Proposals
 - 22B - DFI Roads - Approved Roads Long Sections
 - 26B - Boundary Elevations
 - 27A - Proposed Site Boundary Sections
 - 28 House Type C4 Proposed Floor Plans
 - 29 House Type C4 - Proposed Elevations
 - 30 House Type C4 - Proposed Sections
 - 31 House Type C3 - Proposed Floor Plans and Elevations
 - 32 House Type C3 Sections
 - 33 House Type B4 Floor Plans
 - 34 House Type B4 Elevations
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	02/06/21
Date First Advertised	25/06/21
Date Last Advertised	07/04/23
Details of Neighbour Notification (all addresses)	
<p>38 New Barnsley Crescent, 52 New Barnsley Crescent, 44 New Barnsley Crescent, 34 New Barnsley Crescent, 62 New Barnsley Crescent, 36 New Barnsley Crescent, 54 New Barnsley Crescent, 60 New Barnsley Crescent, 48 New Barnsley Crescent, 50 New Barnsley Crescent, 46 New Barnsley Crescent, 56 New Barnsley Crescent, 261 Whiterock Road, 265 Whiterock Road, 58 New Barnsley Crescent, 40 New Barnsley Crescent, 42 New Barnsley Crescent, 24 Dermott Hill Parade, 52 Whiterock Road, 22 Dermott Hill Parade, 20 Dermott Hill Parade, 50 Whiterock Road</p>	