

## Addendum Report 2

**Application ID:** LA04/2022/0118/F

**Date of Committee:** 12<sup>th</sup> December 2023

**Proposal:** The proposed erection of 46No.apartment units of traditional construction over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (Amended plans received 21.9.23)

**Location:** 146 Parkgate Avenue  
Strandtown  
Belfast  
BT4 1JD.

**Referral Route:** Paragraph 3.8.2 (a) (i) of the Scheme of Delegation (proposal of more than 12 units with the original recommendation to refuse and representations in support).

**Recommendation:** No change of opinion

**Applicant Name and Address:**  
Parkgate Property Developments Ltd  
17 Mound Road  
Dromore  
BT25 1DL

**Agent Name and Address:**  
Rolston Architects  
49 Lisleen Road  
Belfast  
BT5 7SU

### Background

1. This application was approved by the Planning Committee at its 17<sup>th</sup> October 2023 meeting. Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 planning agreement.
2. In subsequent discussions with the applicant, it become apparent that the applicant does not own all the land to the west and south-west proposed as open space. Accordingly, the applicant can therefore only provide a reduced area of open space in association with the proposed development. An amended site location plan is shown below, with lands outlined blue within the applicant's ownership. An amended site layout is provided overleaf.



**Amended Site Layout:**

3. The application site (outlined red) is approximately 3,271 sqm. As set out in the previous Committee report, appended, Policy OS3 requires that a minimum of 10% of the site area should be provided as open space, equating to a requirement of 327 sqm. The adjacent land as confirmed as being in the applicant's control, and proposed as open space, is 1,050 sqm – equating to 32% of the application site and well above the 10% minimum. This reduced level of additional open space is still considered to off-set the concerns about the lack of useable quality amenity space within the main development (red line)
4. The remaining roughly triangular portion of land to the south west is approximately 1,485sqm in size and would have made an additional substantial contribution to open space/amenity provision for the development. However, that land is outside the applicant's control and it is not within their gift to bring forward and maintain as open space.
5. However, the applicant is committed to bringing forward and maintaining the land within their control (blue line) as open space. This would be secured by means of the Section 76 planning agreement.

**Conclusion**

6. The Committee is asked to re-confirm its decision to approve the application, giving delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 planning agreement, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

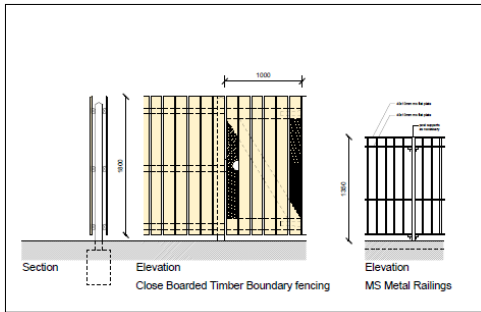
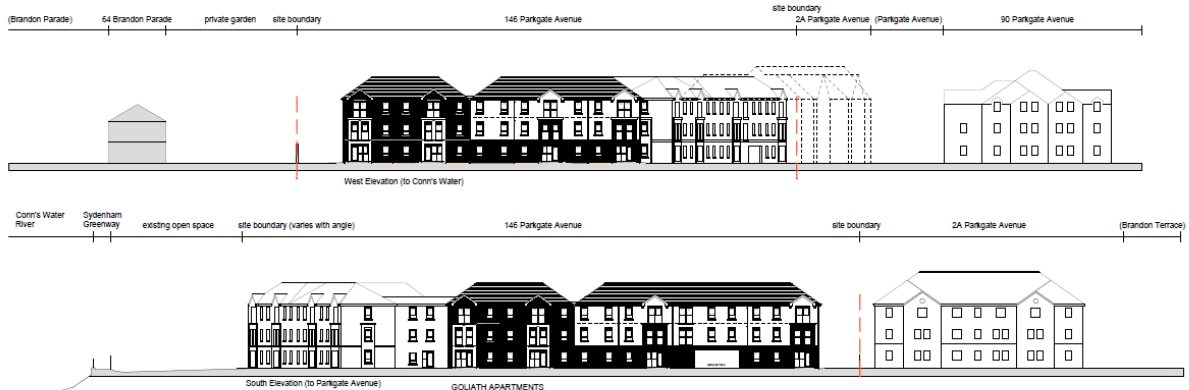
## Addendum Report 1

<b>Addendum Report 1</b>	
<b>Application ID:</b> LA04/2022/0118/F	<b>Date of Committee:</b> 17 <sup>th</sup> October 2023
<b>Proposal:</b> The proposed erection of 46No.apartment units of traditional construction over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (Amended plans received 21.9.23)	<b>Location:</b> 146 Parkgate Avenue Strandtown Belfast BT4 1JD.
<b>Referral Route:</b> Paragraph 3.8.2 (a) (i) of the Scheme of Delegation (proposal of more than 12 units with the original recommendation to refuse and representations in support).	
<b>Recommendation:</b> Approval subject to conditions and s76 planning agreement	
<b>Applicant Name and Address:</b> Parkgate Property Developments Ltd 17 Mound Road Dromore BT25 1DL	<b>Agent Name and Address:</b> Rolston Architects 49 Lisleen Road Belfast BT5 7SU
<p><b>Addendum Report:</b></p> <p><b>Background</b></p> <p>7. This application was previously reported to the 29<sup>th</sup> June 2023 Planning Committee. The application was deferred so that <i>'further engagement takes place between officers and applicant to attempt to resolve the issues. The Committee also agreed to hold a Committee Site Visit.'</i></p> <p>8. Two sets of amended plans have been submitted since the previous Committee meeting: amendments voluntarily submitted in August 2023 then amendments September 2023 following a meeting with officers. The most recent amended plans have been subject to Neighbour Notification and are available on the NI Planning Portal. Extracts from the plans are reproduced below.</p> <p>9. The Committee Site visit took place on 3<sup>rd</sup> October 2023.</p> <p>10. This addendum report should be read in conjunction with the original report to the 29<sup>th</sup> June 2023 committee, appended.</p> <p>11. The following updated assessment of the application is provided.</p>	

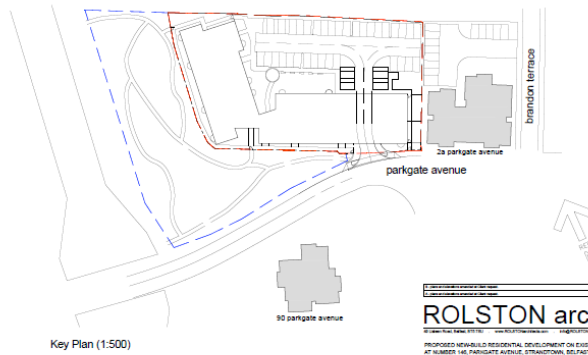
Amended Site Layout:



**Contextual Elevations:**



Boundary treatments:



**ROLSTON architects**  
ROLSTON ARCHITECTS LTD. 146 PARKGATE AVENUE, BELFAST, BT6 1UD  
 PROJECT NUMBER: 21/1034 SCALE: 1:5000G/A 27 JAN 2023/2023

contextual elevations and boundary treatments diag.no. 21\_1034-03/08

**CGI:**



146 Parkgate Avenue, Belfast

**COLLINS\_ROLSTON**  
CHARTERED ARCHITECTS PROJECT MANAGERS

## **Updated Assessment**

### Late items reported to the 29<sup>th</sup> June Committee

12. The following late items were verbally reported to the previous Committee meeting.

Letter from Connswaters Housing Association:

- Reiterated housing need in the area.
- Rationale provided for not providing housing mix as per Policy HOU6 which includes difficulties in letting 3 and 4 bedroom apartments and there is a need for smaller families and singles.
- Development mix is in accordance with the those on NIHE waiting lists.
- Rationale for shortfall in wheelchair units is that they have experienced difficulties in acquiring suitable tenants which results in the need to re-fit of units to general needs standards.
- NIHE has carried out up to date Housing Market Analysis (HMA) and annual HNAs in order to confirm the need in this area.

Letter from applicant:

- Provided a rebuttal to the original Committee report (appended).
- Reiterated that the proposal is for 100% social housing and is content for this to be conditioned (officers advised that a s76 planning agreement would be required).
- Dismissed the need for a housing mix tenure and claimed that this can be provided at other locations.
- Potential to amend the layout to increase wheelchair units if there is demand.
- Overlooking could be designed out (officers advised that amended plans would be required).
- SuDS is provided. Other issues can be resolved by condition.
- A management plan can be put in place.

### Further consultations and representations

13. SES offers no objection subject to conditions.

14. An email was received from a resident on 21<sup>st</sup> September 2023, stating that they wished to object to the proposal. No details of any objection nor an address of the individual were provided.

### Impact on the character and appearance of the area

15. The applicant has amended the design of the proposed apartments, introducing hipped roofs and a greater variety of materials (render and brick rather than all render). The western block has also been repositioned approximately 2 metres westwards.

16. Hipped roofs have been incorporated within the main body of each block to reduce the visual impact of the scheme and avoid a “monolithic” type of massing, which was a criticism of the previous scheme. The design incorporates vertical shifts in the elevations through variation of brick and render walling materials to help break up the long elevations.

17. Following the repositioning of the western block and introduction of oriel windows to restrict views, the building is now considered to be adequately separated from existing houses along Brandon Parade. These changes have improved overall amenity of future tenants and existing residents.
18. The proposal is supported by a detailed boundary treatments plan which shows metal railings and 1.8m high close boarded double sided timber fencing. The proposal features parcels of grass lawn, hedging and several trees. There are no details given to the detailing of any retained vegetation or proposed planting, although the planning statement states that the apartments will feature hedge planting and low-level shrub planting to create attractive spaces with seasonal variation. If approved, landscaping conditions would be required to secure necessary details and management arrangements.
19. On balance, the design changes are considered to address the original Refusal Reason 1 and the proposal is considered to comply with Policies DES 1 and RD1.

### Impact on amenity

#### *Quality residential environment*

20. A number of changes have been made to improve the quality of residential environment for occupants of the proposed development.
- Windows between the blocks have been removed to avoid inter-overlooking within the development itself. It is noted that the main living spaces of Units 14, 30, 46 would overlook the central open landscaped area with only secondary rooms (bedrooms) looking toward the gable end of the other building volume. In addition, moving the western block westwards by around 2m has increased available separation to the gable wall.
  - Gable windows have been introduced to the east gable of the eastern block to improve light to those rooms (the windows will be required to be obscure glazed by condition to protect the privacy of the adjacent apartment block to the east).
  - Relocation of the bin store approximately 2m further from the nearest apartments, screened with additional landscaping which softens its impact.
  - Slight increase in amenity space within the development (see below).
  - The land in the applicant's control to the west and south-west will be delivered and maintained as open space for residents of the development (see below).
21. The amenity space within the development and adjacent open space would be required to be managed by the applicant as an obligation of a Section 76 planning agreement. The applicant has agreed to these requirements in principle. This would address the original Refusal Reason 5.
22. On balance, the amendments are considered to address the original Refusal Reason 2 and the proposal accords with Policy RD1.

#### *Impact on neighbours*

23. The change in roof design would reduce the visual impact and dominance of the development on neighbouring properties.
24. The introduction of oriel windows on the nearside apartments closest to the north rear boundary would mitigate concerns relating to the loss of privacy to the rear gardens of the existing neighbours on Brandon Parade.

### Amenity and Open Space

25. The western block has been moved approximately 2 metres to the west. This increases the available communal amenity space within the central portion of the site by 66 sqm to 400 sqm. This moderately improves the quality of amenity space within the development, maintaining over 10% open space on the site (total of 931 sqm). However, criticism of the useability of this space remains.
26. To offset these concerns, the applicant has confirmed that they agree to deliver the land in their control to the immediate west and south-west, which was previously open space, as open space to serve the development. This area measures approximately 2,465 sqm and is currently overgrown with shrubs, hedging and saplings. The open space would be required to be properly laid out, delivered and maintained through a Section 76 planning agreement, including its proper landscaping. Subject to this provision, it is considered that the original Refusal Reason 2 has been addressed and that the proposal is compliant with Policies RD1 and OS 3.

### Affordable housing

27. To recap, Policy HOU5 requires sites greater than 0.1 hectares and schemes containing 5 or more dwelling units to provide a minimum of 20% affordable housing. The applicant's "affordable housing form" states that the scheme would provide 100% social housing. However, the previous Committee report expressed concern about all 43 apartments coming forward as a mono-tenure social housing scheme.

28. Officers raised this issue with the applicant at the meeting in September, asking them to explore a greater tenure mix including potential provision of some intermediate housing units. The applicant has responded to the concerns about the mono-tenure social housing with correspondence from Connswater Homes, which reiterates its commitment to delivering a 100% social housing scheme:

*'At all locations and in-line with DfC's Affordable Housing and Intermediate Rent Policies, Connswater Homes explored opportunity to increase housing supply whilst ensuring delivery of high-quality homes at an affordable rent level. At March 2022 there were 12,237 applicants on the waiting list for Belfast City Council area, 9,307 of whom were in housing stress. Given the significant waiting list figures, a social housing model was deemed appropriate at Parkgate Avenue East Belfast.'*

29. The Affordable Housing and Housing Mix SPG advises that '... larger areas of mono-tenure social housing are not deemed to deliver sustainable communities.' and 'Proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances.'

30. Paragraph 4.4.12 of the SPG goes onto state that:

*'In all cases, whether or not a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by-case basis using the following factors:*

- *The level of social housing need in the vicinity of the site and the availability of land to address such needs;*
- *The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and*
- *Whether a scheme is proposed as 'shared housing'.*



31. In terms of the above guidance, NIHE has confirmed the need for proposed social housing. Whilst it is understood that the existing apartment blocks to the east and south are social housing, other housing in the immediate area is private which means that there would continue to be mix of residential tenures in the locality. The applicant has been asked if the proposal can come forward as 'shared housing'. Connswater Housing assert that the housing would be provided on a basis of need as opposed to a selection-based criteria (i.e., on religion, political beliefs, ethnicity, race, or nationality).
32. Whilst the proposal is in conflict with Policy HOU5 and the SPG, given that two of the above three criteria are satisfied and also having regard to the longevity of the application which was submitted in January 2022, on balance, the approach to affordable housing is considered acceptable and the original Refusal Reason 6 can be removed.

#### Housing mix

33. To recap, Policy HOU6 requires an appropriate housing mix on sites greater than 0.1ha or schemes containing 5 residential units or more. The policy goes on to state that the requirement for a mix of house types will not apply to single apartment developments. In such cases the housing mix will be considered acceptable through greater variety in the size of units. The proposed accommodation schedule comprises 1 x 2Person 1Bed (wheelchair), 2 x 3Person 2Bed (wheelchair), 3 x 2Person 1Bed, and 40 x 3Person 2Bed units. The breakdown of units is approximately 7% 2P1B and 93% 2P2B.
34. The Plans and Policy Unit has advised that more 3 and 4 bed apartments should be encouraged within the scheme, to meet the requirement for increased size, whilst promoting choice and facilitating the creation of balanced neighbourhoods. However, the applicant has not made any changes to the housing mix, stating that Connswater Homes have larger family homes available in the vicinity at other developments.
35. Having regard to the support for the scheme from NIHE and the longevity of the application, the housing mix is on balance considered acceptable. Original Refusal Reason 7 can be removed.

#### Adaptable and accessible accommodation

36. Policy HOU7 requires 10% of the units to be identified as wheelchair accessible. For the proposal, 5 units would need to be wheelchair accessible to comply. However, only three units have been identified as wheelchair accessible accommodation following the applicant's discussion with NIHE.
37. Officers advise that the requirements of NIHE do not negate the need to conform with Policy HOU7. The applicant has outlined that the Housing Association can undertake additional work to amend units should additional disabled units be required. However, the criteria, as set out in HOU7 for wheelchair accessible units, would require specific space standards, which might not be able to be retrofitted. However, in view of the provision of a high number of affordable housing for which there is a recognised need, and the longevity of the application, the failure of the proposal to fully comply with Policy HOU7 is on balance acceptable. Original Refusal Reason 8 can be removed.

Climate change

38. Officers had previously raised concerns about conflict with Policies ENV 2, ENV3 and ENV5. Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.
39. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. Policy ENV5 states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere.
40. The applicant has provided a Climate Change Statement, which indicates that the proposed development embraces sustainable principles and aims to mitigate the impacts of climate change by prioritising energy efficiency, sustainable materials, water conservation, and waste management. It lists measures taken to reduce energy demand, measures to limit carbon through sustainable materials and construction practices and flood mitigation. It is considered that the final detail can be secured by condition. Regarding SuDS, the amended plans include 290 sqm of permeable paving within the car parking area of the site. The amount of green space within the site has also marginally been increased. The land to the west and south west would be retained as green open space.
41. Whilst further commitments to mitigating and managing climate change could have been made, in view of the commitment to delivering 100% social housing and having regard to the longevity of the application, the approach is considered on balance acceptable.

Natural heritage

42. Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for carrying out an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.
43. Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NIEA.

44. In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised that following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, the proposal would not likely have a significant environmental effect on the integrity of any European site either alone or in combination with other plans or projects. This is subject to mitigation by way of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. This condition is considered necessary if planning permission is granted.
45. DAERA Water Management Unit has advised that it has no objection to the proposal in principle, however, it has the potential to have an adverse impact effect on the aquatic environment. They have recommended a similar condition to SES requiring method of sewage disposal to be agreed prior to commencement.
46. In conclusion, it is considered that the proposal would not have any adverse ecological effects subject to conditions. In this regard, the proposal complies with Policy NH1.

#### Section 76 planning agreement

47. Should the application be approved, a Section 76 planning agreement would be required to secure the following:
- 100% social housing – to off-set issues around the housing mix and commitments to managing and mitigating climate change;
  - Delivery and maintenance of the open space on the land to the west and south west, as well as amenity areas within the site; and
  - Implementation of the travel plan and appropriate green travel measures.

#### Recommendation

48. On balance, following amendments and further information, the previous refusal reasons set out in the original Committee report, appended, have been addressed.
49. It is recommended that planning permission is granted.
50. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 planning agreement, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 29 <sup>th</sup> June 2023	
<b>Application ID:</b> LA04/2022/0118/F	
<b>Proposal:</b> The proposed erection of 46No.apartment units of traditional construction over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access.	<b>Location:</b> 146 Parkgate Avenue, Strandtown, Belfast BT4 1JD.
<b>Referral Route:</b> Paragraph 3.8.2 (a) (i) of the Scheme of Delegation (scheme of more than 12 units with recommendation to refuse and representations in support having been received).	
<b>Recommendation:</b>	Refusal
<b>Applicant Name and Address:</b> Parkgate Property Developments Ltd 17 Mound Road Dromore BT25 1DL	<b>Agent Name and Address:</b> Rolston Architects 49 Lisleen Road Belfast BT5 7SU
<p><b>Executive Summary:</b></p> <p>This application seeks full planning permission for the erection of 46No.apartment units over three storeys, with associated car parking site and landscaping works and the alteration of an existing vehicular access.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Affordable housing and housing mix</li> <li>• Adaptable and accessible accommodation</li> <li>• Design, layout and impact on the character and appearance of the area</li> <li>• Scale, Height, Massing, Design and Layout</li> <li>• Access, Traffic and Parking</li> <li>• Environmental Health</li> <li>• Drainage and Flood Risk / Infrastructure Capacity</li> <li>• Impact on the natural environment</li> <li>• Ecological Impacts</li> <li>• Climate change</li> </ul> <p><b>Recommendation</b></p> <p>Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable in that the need for social housing does not outweigh the layout, design, amenity and policy issues as set out in the below assessment., and refusal is recommended for the reasons set out in the case officer report. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the refusal reasons and resolve outstanding consultations.</p>	

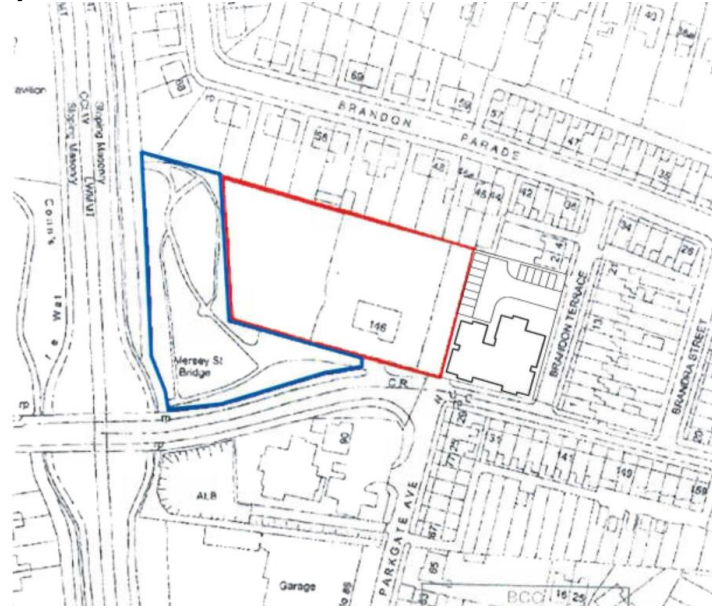
# Planning Report

1.0

Drawings

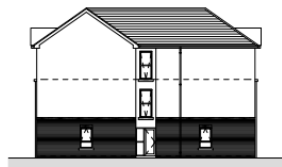
1.1

Site Location Map:





North Elevation



South East Gable Elevation

**OUTLINE SPECIFICATION**  
 - Gable roof  
 - Dark ground floor  
 - Light upper floors  
 - Dark window frames  
 - Dark door frames  
 - Dark ground floor  
 - Light upper floors  
 - Dark window frames  
 - Dark door frames  
 - Dark ground floor  
 - Light upper floors  
 - Dark window frames  
 - Dark door frames



Section AA



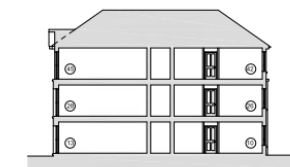
North West Gable Elevation



South Elevation (to Parkgate Avenue)

**ROLSTON architect**  
 ROLSTON ARCHITECTS LTD  
 146 PARKGATE AVENUE, SYDENHAM, KENT, SE26 6JL  
 TEL: 01892 511111  
 WWW.ROLSTONARCHITECTS.CO.UK

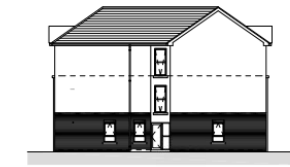
**GOLIATH APARTMENTS**



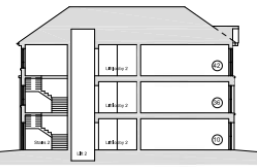
Section CC



East Elevation



North Gable Elevation



Section BB



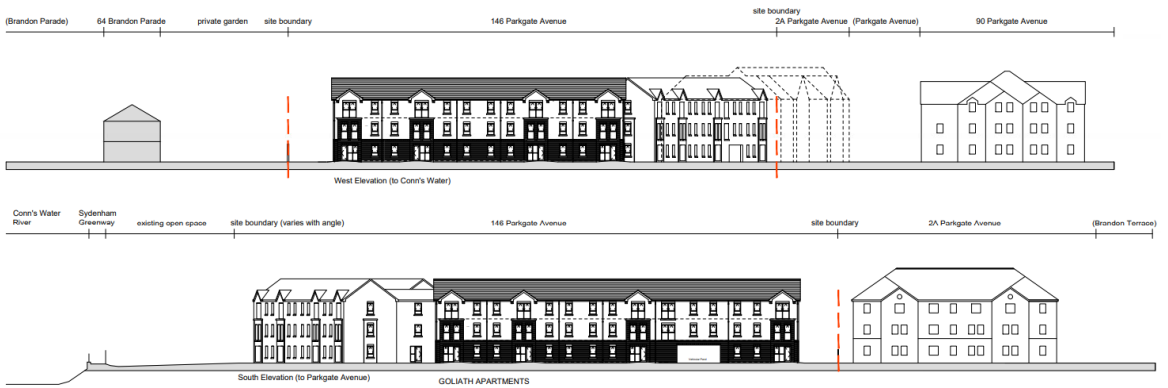
South Gable Elevation



West Elevation (to Conn's Water)

**ROLSTON architect**  
 ROLSTON ARCHITECTS LTD  
 146 PARKGATE AVENUE, SYDENHAM, KENT, SE26 6JL  
 TEL: 01892 511111  
 WWW.ROLSTONARCHITECTS.CO.UK

**SAMPSON APARTMENTS**



<b>2.0</b>	<b>Characteristics of the Site and Area</b>
2.1	The occupies approximately 0.334 hectares of land located at 146 Parkgate Avenue, Belfast. The site is unoccupied and is covered in parts by hardstanding and scrub grass. The site has an existing access point onto Parkgate Avenue. the site is relatively flat and is bounded to the East by a 1.8m high vertical timber boarded fence, to the West by a green 2.1m high paladin fence and planting to Sydenham Greenway and the Connswater river, to the south in part by a railing and wall with piers. The boundary to the North is formed by a 2.4m high blockwork wall. There are a number of trees around the perimeter of the site.
2.2	The agent indicated that the site was previously occupied by a former residential building that had also been used commercial purposes. Any buildings which were present have been demolished and cleared from the site. The immediate area is primarily characterised by residential developments consisting of terraced and semi-detached dwellings. There are also two apartment developments adjacent and opposite the site. Building heights are predominately two storeys in height. The site is bounded to the East by a three-storey apartment building at 2a Brandon Terrace, to the West by Sydenham Greenway and the Connswater river, to the south by a three-storey apartment building across Parkgate Avenue. The boundary to the North is formed by the rear boundary of a row of houses along Brandon Parade. The site is accessed primarily from the south off Parkgate Avenue and from the West on foot from Sydenham Greenway.
<b>3.0</b>	<b>Description of Proposal</b>
3.1	The erection of 46No.apartment units of traditional construction over three stories, with associated car parking site and landscaping works and the alteration of an existing vehicular access.
<b>4.0</b>	<b>Planning Policy and Other Material Considerations</b>
4.1	<b>Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.2	<b>Development Plan – operational policies</b>  Belfast Local Development Plan, Plan Strategy 2035
4.3	<b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.4	<b>Supplementary Planning Guidance</b> Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development
4.5	<b>Other Policies</b> Belfast Agenda Creating Places (DfI)

4.6	<p><b>Relevant Planning History</b></p> <p><u>Application Site:</u>  Ref ID: Z/2006/0087/F  Proposal: Proposed housing development of townhouses and apartments (24 no units)  Address: 146 Parkgate Avenue, Strandtown, Belfast, BT04 1JD  Decision: Permission Granted  Decision Date: 16.12.2008</p> <p><u>Surrounding Land:</u>  Ref ID: Z/2006/1556/F  Proposal: 18 no. apartments (elderly residential development)  Address: 148-150 Parkgate Avenue, Strandtown, Belfast, BT04 1JD  Decision: Permission Granted  Decision Date: 11.04.2007</p> <p>Ref ID: Z/2008/0795/F  Proposal: 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.  Address: 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, &amp; lands in between. Also inc. lands extending from Beersbridge Rd  Decision: Permission Granted  Decision Date: 28.10.2008</p> <p>Ref ID: Z/2007/0350/F  Proposal: 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.  Address: 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, &amp; lands in between. Also inc. lands extending from Beersbridge Rd  Decision: Permission Granted  Decision Date: 26.07.2007</p>
-----	---



5.0	<b>Consultations and Representations</b>
5.1	<p><b>Statutory Consultations</b></p> <p>DfI Roads- No objection  NI Water- Refusal recommended – network capacity issues.  DAERA NIEA- No objection in relation to contamination issues. Awaiting response from further consultation in relation to Natural Environment and Water Management following NIW response.  Rivers- The agent has submitted correspondence uploaded on the 15-3-23 regarding a Consent to Discharge letter from DFI Rivers. Request to Rivers to verify and confirm that this is acceptable. Awaiting response.  SES - response outstanding, DEARA response required prior to responding.  NIHE- In support of the proposal</p> <p>5.2 <b>Non-Statutory Consultations</b>  BCC Environmental Health – Content subject to conditions  BCC Plan Team- Environment: given the scale and location of the proposal, further details of sustainable design features of the development should be sought to demonstrate full compliance with ENV2. There is no demonstration of full compliance with ENV3. The submission has not demonstrated adequate compliance with Policy ENV5.  <i>Housing:</i> The proposal for 46 units cannot be considered small scale and therefore a greater mix of tenures is encouraged to satisfy the requirements of Policy HOU5.  • To help aid choice, more 3 and 4 bed apartments should be encouraged in the proposed scheme.  • Given that the total number of units proposed is 46, the Policy requirement under Policy HOU7 is that five units should be wheelchair accessible.</p> <p>5.3  Whilst some consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require those consultees to re-evaluate the proposal in the context of the Plan Strategy. No further consultations have therefore been issued.</p> <p>5.4 <b>Representations</b>  The application has been advertised and neighbours notified. The Council has received three representations. The Council has received one representation objecting to the proposal. Concerns from the resident at 2a Brandon Terrace include the height of the apartment development, loss of light and the proliferation of Japanese knotweed.</p> <p>Two representations were submitted in support of the proposal. Connswater Homes Housing Association stated that they are in support of this application and can confirm that there is an urgent need for social housing. They comment that the proposed building has been designed in accordance with Department for Communities guidance, to meet specific requirements in terms of the mix of housing accommodation types, parking and open space provision. Matthew Spiers submitted a representation of support from Gavin Robinson’s office (DUP) citing the need for social housing in the area.</p> <p>Matters raised in the representations will be assessed later in the report.</p>
6.0	<b>PLANNING ASSESSMENT</b>
6.1	<p><b>Development Plan Context</b></p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the</p>

	determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.4	<b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	<b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	<p><b>Relevant Planning Policies</b></p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> <li>Policy SP1A – Managing growth and supporting infrastructure delivery</li> <li>Policy SP2 – Sustainable development</li> <li>Policy SP3 – Improving health and wellbeing</li> <li>Policy SP5 – Positive placemaking</li> <li>Policy SP6 – Environmental resilience</li> <li>Policy SP7 – Connectivity</li> <li>Policy SD1 – Settlement hierarchy</li> <li>Policy SD2 – Settlement Areas</li> <li>Policy HOU1-Accommodating new homes</li> <li>Policy HOU 2- Windfall housing</li> <li>Policy HOU 4- Density of residential development</li> <li>Policy HOU 5-Affordable Housing</li> <li>Policy HOU6- Housing mix</li> <li>Policy HOU7-Adaptable and accessible accommodation</li> <li>Policy DES1- Principles of Urban Design</li> <li>Policy RD1- New residential developments</li> <li>Policy TRAN3- Transport Assessment</li> <li>Policy TRAN4- Travel Plan</li> <li>Policy TRAN 8- Car Parking and Servicing Arrangements</li> <li>Policy TRAN 9- Design of Car Parking</li> <li>Policy ENV1- Environmental quality</li> <li>Policy ENV 2- Mitigating Against Environmental Change</li> <li>Policy ENV 3- Adapting to Environmental Change</li> <li>Policy ENV5- Sustainable drainage systems (SuDS)</li> </ul>

	<p>Policy GB1- Green and blue infrastructure network  Policy OS3-Ancillary open space  Policy NH1- Protection of natural heritage resources  Policy TRE1 – Trees</p>
6.7	<p><b>Key Issues</b></p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Affordable housing and housing mix</li> <li>• Adaptable and accessible accommodation</li> <li>• Design, layout and impact on the character and appearance of the area</li> <li>• Scale, Height, Massing, Design and Layout</li> <li>• Access, Traffic and Parking</li> <li>• Environmental Health</li> <li>• Drainage and Flood Risk / Infrastructure Capacity</li> <li>• Impact on the natural environment</li> <li>• Ecological Impacts</li> <li>• Climate change</li> </ul>
6.8	<p><b><u>Additional Information</u></b></p> <p>Officers have requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has submitted an adaptable and accessible accommodation statement, affordable housing form, climate change statement and a housing mix statement.</p>
6.9	<p><b><u>Principle of development</u></b></p> <p>Within the adopted BUAP, the site is located within the settlement development limit and is unzoned within ‘whiteland’. Under the provisions of both versions of BMAP (dBMAP v2004) and (dBMAP v2015), the site is located within ‘whiteland’ in the Settlement Development Limit and the site is adjacent to a community greenway and a LLPA (Local Landscape Policy Area). The site was subject to a residential approval for 24 units under Z/2006/0087/F which has expired.</p>
6.10	<p>The proposed principle of the use does not conflict with the development plan or planning policy context and is considered acceptable in principle. Further assessment of the proposal details is set out below.</p>
6.11	<p><b><u>Density</u></b></p> <p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements. BCC LDP team advise that the site is located within the inner city and therefore in terms of Policy HOU4 the assigned average density band of 75-150dph for Inner city Belfast Character Area applies. In this context and taking account of the site area it is expected that a proposed scheme should accommodate between 25 (75dph) and 50 (150dph) units. The current application indicates that the number of residential units to be accommodated within the proposed scheme totals 46. Given the site area, the proposed density equates to around 138dph which is near the top end of the average density band for Inner city Belfast Character Area. The proposed density is therefore considered appropriate in context but could also be reduced if required to enable an improved mix of unit sizes, whilst still remaining within the broad density requirements. HOU4 clearly states</p>

6.12	<p>that density bands are to be used as a guide to inform proposed development, and is subject to meeting all other policy requirements with the LDP.</p> <p><b><u>Affordable housing</u></b>  Policy HOU 5 requires sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing. The application form does not refer to social housing. The affordable housing form states that the scheme is 100% social housing. The submission states that the 43 no. apartments are for 'general needs' and 3no. are 'wheelchair' apartments. The applicant is a private limited company and claims to have engaged with Connswater Housing on the development. A letter was received from Connswater Housing Association which stated that the proposal received support from NIHE. NIHE commented that they are in support of the proposal. Gavin Robinson MP stated that is a clear need for social housing in the area and the Housing association is keen to progress. Q4 of the affordable housing application form asks for affordable housing requirement numbers/proportion. The agent has responded "N/A" (non-applicable). They have indicated that the scheme is 100% social housing. Policy HOU 5 requires that affordable housing should contain a mix of social rented housing and/or intermediate housing. There is no indication if the units are for rent or sale. BCC Planning Housing team advise that a greater mix of tenures is required to satisfy the requirements of Policy HOU5. All units are within the space standards applicable in Appendix C of the Plan Strategy.</p>
6.13	<p><b><u>Housing mix</u></b>  Policy HOU6 of the Plan relates to provision of appropriate housing mix on sites greater than 0.1ha and/or containing 5 or more dwelling units. The policy goes on to state that the requirement for a mix of house types will not apply to single apartment developments. In such cases the housing mix will be considered acceptable through greater variety in the size of units. The proposed accommodation schedule comprises 1 x 2Person 1Bed (wheelchair), 2 x 3Person 2Bed (wheelchair), 3 x 2Person 1Bed, and 40 x 3Person 2Bed units. The percentage breakdown of units is approximately 7% 2P1B and 93% 2P2B.</p>
6.14	<p>BCC LDP advise that more 3 and 4 bed apartments should be encouraged in the proposed scheme, to meet the requirement for increased size, whilst promoting choice and facilitating the creation of balanced neighbourhoods. In addition, greater clarity should be sought from NIHE in relation to the breakdown of the size and type of households on the housing waiting list for the relevant housing need area and how this could be transferred into a more varied mix of house types and sizes. NIHE advise that there is social housing new build need of 284 in Inner East for 2022- 2027. At December 2022 there were 713 households in Housing Stress. They have not provided guidance on housing mix in their response.</p> <p>Having regard to the response from the LDP team, the proposed housing mix is considered unacceptable and contrary to Policy HOU6 of the Plan.</p>
6.15	<p><b><u>Adaptable and accessible accommodation</u></b>  Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible and provides an additional nine criteria (g. to o.) with which the wheelchair accessible units should accord. The applicant has provided evidence that 3 units will be dedicated as wheelchair accessible units. They state that it the figure is based on need following discussions with NIHE and a housing association. The applicant states that the apartments will be built to Lifetime Homes standards and constructed to Housing Association Guide</p>

	(HAG) standards. This will enable conversion to wheelchair apartments should the need arise in the area.
6.16	The breakdown of apartment units indicates that three wheelchair accessible units are proposed. BCC LDP team advise that given that the total number of units proposed is 46, this represents only 6.5%. The 10% requirement under Policy HOU7 is that five units should be wheelchair accessible. While it may be that NIHE have only confirmed a need for three bespoke wheelchair units with respect to the waiting list in the locality, whether or not there is a specific, bespoke wheelchair housing unit required within the social housing does not negate the requirement to conform with the Policy HOU7. Therefore, there is an under provision within the proposals and it is not considered to satisfy the accessibility requirements of Policy HOU7.
6.17	<p><b><u>Design, layout and impact on the character and appearance of the area</u></b></p> <p>Policy RD 1- New residential developments states that planning permission will only be granted where it is demonstrated that the proposal is in accordance with general urban design policies and where it is demonstrated that it promotes a quality residential development that creates a place which is attractive, locally distinctive and appropriate to the surroundings.</p>
6.18	The policy further states that in established residential areas housing development will not be permitted where they would result in unacceptable damage to the local character or residential amenity of these areas. The policy sets out 14 criteria which all residential developments are expected to meet. The proposal is assessed against each of the criteria below. It is noted that amended plans were received in January 2023 after officers indicated that the proposal was contrary to planning policy and would be recommend for refusal. The amendments do not overcome the issues raised by officers as set out in the assessment below.
6.19	<p><b><u>Scale, Height, Massing, Design and Layout</u></b></p> <p>The layout proposes to create two linked apartment buildings of 21 units (Samson) and 25 units ('Goliath') comprising a total of 46 units. The breakdown of the units consists of 1 No. 2 Person 1 Bedroom Wheelchair Apartments, 2 No. 3 Person 2 Bedroom Wheelchair Apartments, 3 No. 2 Person 1 Bedroom 'General Needs' Apartments and 40 No. 3 Person 2 Bedroom 'General Needs Apartments.</p>
6.20	The accommodation is located to the south and west of the site and is arranged within two linear elements. The south facing facade of the building will address Parkgate Avenue. This facade is in line with the existing building line created by neighbouring 2a Brandon Terrace to the east and is parallel to the facade of 90 Parkgate avenue to the south. The west facing facade of the building is parallel to, and addresses, the Connswater River / Sydenham Greenway'. The linear arrangement of the accommodation visually screens proposed parking to the rear which is accessed via a pend/passageway through the building.
6.21	The proposed apartments are three storey buildings with a height of 11.1m. The Goliath building is 48m in length and 16.3m wide. The Samson building is 38.5m in length and extends to a maximum width of 17.9m. The design of the buildings in terms of their form, roof shape, materials and fenestration are similar though the Goliath building has a passageway through the off centre of the building at ground level to provide access to the rear of the development.

6.22	<p>The immediate area is primarily characterised by residential developments consisting of typical two storey terraced and semi-detached dwellings with associated yard/garden areas to the rear. There are also two apartment developments adjacent and opposite the site. Building heights are predominately two storeys. The site is bounded to the East by a three-storey apartment building at 2a Brandon Terrace, to the West by Sydenham Greenway and the Connswater river, to the south by a three-storey apartment building across Parkgate Avenue. The apartment buildings are atypical of the surrounding context. The boundary to the North is formed by the rear boundary of a row of semi-detached houses along Brandon Parade.</p>
6.23	<p>The two buildings range between approximately 38m and 48m in length. This design approach would result in a monolithic type of massing which is out of character with the area and contextually inappropriate. The scale of the buildings, in combination with the proportions and massing, fails to respect the existing streetscape. The applicant has argued that the proposal fits comfortably within the context of the area and neighbouring buildings, however, it is considered that the length and massing is inappropriate to the scale of the street. Whilst the area contains several apartment developments they are not of a similar scale in terms of length and resulting massing. When read as an entity a proposal of this scale in the local context is an indicator of overdevelopment. The extensive length and massing of the proposal is considered to represent significant overdevelopment of the site. Whilst three storey building height is present in the area, these buildings have restricted plots resulting in limited visual impacts and do not therefore support the design approach of the proposal. Amenity provision space is substandard and will be assessed later in the report. The proposal is contrary to the SPPS, Policy DES1 (a), (j) and (k) and Policy RD1 (a), (b), (d), (g) of the LDP Plan Strategy 2035 in that the development does not respect the surrounding context and is inappropriate to the character of the locality in terms of layout, scale, proportions, massing and appearance of buildings and if permitted would result in overdevelopment of the site.</p>
6.24	<p><b><u>Impact on Amenity</u></b></p> <p>Whilst a 3 storey height forms part of the character of the area, the design and layout of the proposal in proximity to an existing apartment development at No. 2a Brandon Parade creates an unacceptable relationship and will have a detrimental impact on the residential amenity of existing residents. The 3-storey element and roof height create dominant bulk and massing due to its close proximity to the apartment development at No.2a Brandon Terrace. It would appear as a dominant and overbearing feature creating overshadowing due to its height in the street scene which is indicative of overdevelopment, and it would impact on the neighbouring residential amenity of neighbouring properties. However, the separation distance between the two buildings would be 6m, and the dominance created would be unacceptable.</p>
6.25	<p>The inter relationship of apartments between units Nos 1 and 14, 15 and 30, 31 and 46 would result in direct overlooking and intervisibility due to the orientation of the building, the positioning of windows and the limited separation distance. This is considered unacceptable and would compromise the amenity of prospective residents.</p>
6.26	<p>The protection of amenity of existing residents is a requirement under Policy RD1 of the LDP. The amended plans show the omission of gable windows to prevent overlooking to 2a Brandon Terrace, however the revisions do not go far enough to address the issue. Due to the layout, arrangement and height of the buildings, the proposal would result in overlooking, and the perception thereof, from access stairwells and habitable rooms of apartments at first and second floor, in particular nos 27, 28, 43, 44 of the 'Samson' block, and 15-18, 31-34 inclusive, to the rear garden/amenity areas of existing residents at Brandon Parade abutting the site. The separation distances of the proposed blocks to</p>

	existing built form and associated boundary treatments are insufficient to adequately mitigate the impacts.
6.27	The impact on residential amenity for occupiers and neighbours is unacceptable and is an indicator that the proposal is overdevelopment in its current format. The proposal is likely to create residential amenity issues in the form of dominance, overlooking, overshadowing and poor outlook and as a result the proposal is contrary to the SPPS and Policy DES1 (a), (j) and (k) and Policy RD1 (a), (b), (d), (g) of the LDP Plan Strategy 2035.
6.28	<p><b><u>Outlook</u></b></p> <p>Six ground floor apartments, seven first floor apartments and seven second floor apartments are located wholly to the rear of the development without direct access to the public street. Outlook from these apartments would be unattractive, particularly for unit Nos 3, 12, 17, 18, 28, 33, 34 and 44 as they mainly front onto hard standing car parking and access areas and the bin storage area and as such would be contrary to Policy RD 1(g) of the LDP Plan Strategy 2035. The poor outlook is an indicator of overdevelopment of the site.</p>
6.29	<p><b><u>Space standards</u></b></p> <p>The proposed development includes a mix of 46 units. The units range from 50sqm to 85sqm which are in keeping with the space standards as per Policy RD1 (f).</p>
6.30	<p><b><u>Materials</u></b></p> <p>The proposal includes a varied materials palette which is reflective of other developments within the immediate locality. The proposal includes a mix of painted render facades along with clay facing brick projections and surroundings to openings. The apartment building features a clay facing brick 'plinth' to the full height of the ground floor level, with painted render facades to first and second floor levels. Two storey projected surroundings to openings are to be constructed in brick.</p>
6.31	<p><b><u>Landscaping</u></b></p> <p>The proposal has also been supported by a detailed boundary treatments plan which consist of metal railings and 1.8m high close boarded double sided timber fencing. The proposal features parcels of grass lawn, hedging and several trees. There are no details given to the detailing of any retained vegetation or proposed planting, though the planning statement stated that the apartments will feature hedge planting and low-level shrub planting to create attractive spaces with seasonal variation. If the proposal were to be approved, landscaping conditions would be required to secure necessary details and management arrangements.</p>
6.32	<p><b><u>Amenity Space</u></b></p> <p>It is considered that the scheme fails to provide quality amenity and landscaped space. The proposed is inadequate and inappropriate and is therefore contrary to the SPPS and Policy RD1 (d) and Policy OS3 Ancillary open space of the LDP Plan Strategy 2035 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.</p>
6.33	Creating Places provides guidance as to the level of <i>Private open space</i> provision and with respect to apartments on urban infill sites advises private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens with a minimum provision of 10sqm per unit. Policy OS 3 states that proposals will only be permitted for residential development of more than 25 units where <i>public open space</i> is provided as an integral part of the development. The normal expectation is at least 10% of the site area.

6.34

This figure would equate to 342sqm as the site area is 3,342sqm and proposes 46 apartment units. The minimum space provision of 10sqm per unit would equate to 460sqm.

The agent indicated on a site layout plan that 931sqm of communal open space has been provided within the site as illustrated in the first image below (Image 1). The agent later claimed that 1,993sqm of open space was being offered through the development (Image 2). This included car parking areas and is not considered to be an accurate reflection of the quantum of communal open space. A figure of approximately 931sqm of communal open space is considered to be accurate.

**Image1:**

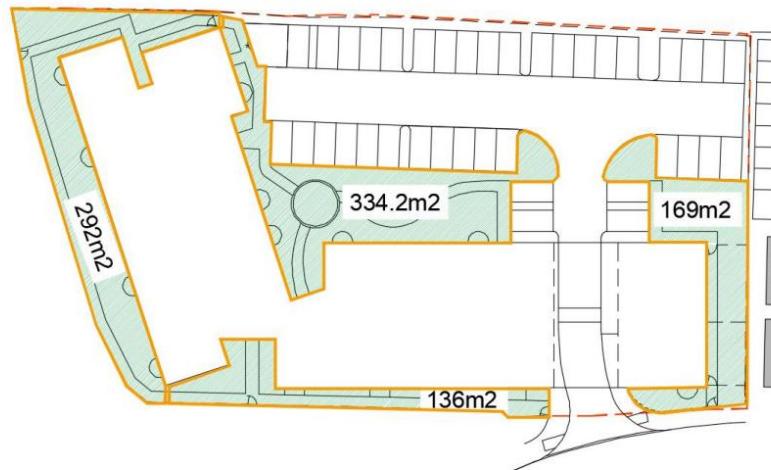


Figure 1 – Breakdown of areas of communal open space around proposed apartment building with access by residents only.

**Image 2:**

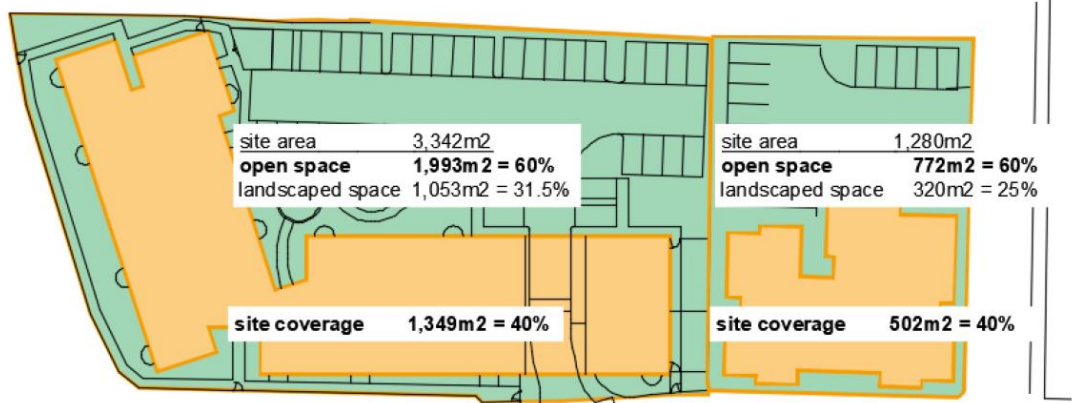


Fig.5 – site plan – open space comparison with neighbouring development.

6.35

The primary open space area is located to the rear of the apartment buildings. There are several additional smaller pockets of amenity space to the front and sides of the buildings. However, when examining the quality of the provision it is evident that there are concerns with the quality and typology of amenity space. Pockets of amenity space are dotted across the site. Whilst they offer visual relief, other than two areas to the rear marked as 334sqm and 169sqm they are limited in quality and usability. In addition, the figures are inaccurate as they include pathways into and around the development and cycle parking areas. Amenity space is required to provide for passive recreational activity such as sitting out,



	<p>for active recreational activity and should be adequate as play space for children. Amenity space should be of a shape and size which can practically accommodate the activities for which they are intended and should be practical and level where possible and designed in accordance with Creating Places Supplementary Planning Guidance. Amenity areas are either too small and narrow or located in areas which would be completely overshadowed such as the space located between the Goliath apartments and 2a Brandon Terrace. This area will be hemmed in by the two adjacent buildings which doesn't represent a quality design.</p>
6.36	<p>A significant number of areas identified as amenity act as landscape buffers softening the boundaries and parking areas as opposed to functioning as areas of communal private space. In essence the quantum and quality of space is poor and represents overdevelopment of the site. Private amenity space within the site is limited to a number of ground floor units and no dedicated provision is included for apartments at first and second floor.</p>
6.37	<p>The applicant commented that the scheme benefits from access to a generous area of landscaped public open space to the west. This area is accessed via pedestrian gates within the boundary railing that defines and encloses the apartment development. This area of land is not within the red line of this proposal and therefore cannot be considered as usable amenity space for the purposes of this application. It is acknowledged that the proposed site is adjacent to the Sydenham Greenway and is within 500 meters of Victoria Park and King George playing fields, however considering the Eia Street planning appeal decision 2018/A0070 it was considered that existing other public spaces were not an acceptable substitute for the deficit of private and communal space in quantitative and qualitative terms.</p>
6.38	<p>The overall amount and quality of amenity space is indicative of a poor design and overdevelopment of the site. It is considered that the proposal is contrary to Policy RD1 criterion (d) and Policy OS 3.</p>
6.39	<p><b>Waste Management</b></p> <p>The applicant's service management strategy states that bins for both Samson and Goliath buildings will be brought by management staff from bin store enclosures to the main site entrance for collection. The layout illustrates three separate bin storage areas. Two are incorporated within the Goliath apartment building close to the entrance point. A third bin storage area is located within the north-western corner of the car parking area to the rear of the development. These will serve the residents within the Samson apartment building. This waste area is located directly opposite the front of apartment No12 on the ground floor which will result in poor outlook. The bin area is less than 2.8 meters from the windows of the apartment. This arrangement is unacceptable and contrary to Policy DES1 (k)</p>
6.40	<p><b>Access, Traffic and Parking</b></p> <p>Vehicular and pedestrian access is available from the south off Parkgate Avenue, with pedestrian access also available from the 'Sydenham Greenway. The site has good public transport provision and is close to main arterial bus routes. The scheme includes for 38 no. car parking spaces for the apartment's residents, including 6no. wider disabled parking spaces. Parking areas are connected to apartment entrances via 2m wide footpaths. Cycle parking is located to the rear of the development. DFI Roads have offered no objections to the proposal. It is considered the proposals comply with the traffic, access and parking policy provisions within the SPPS and the LDP Pan Strategy 2035.</p>

6.41	<p><b>Environmental Health</b></p> <p>EHO provided comment in relation to the proposed development in terms of noise, air pollution, ambient air quality, contaminated land and other considerations. EHO have considered Contamination Assessments submitted in support of the application and recommended appropriate conditions. It is considered the proposals comply with Policy ENV1 Environmental Quality of the LDP Plan Strategy 2035 and the SPSS.</p>
6.42	<p><b>Drainage and Flood Risk / Infrastructure Capacity</b></p> <p>Rivers Agency provided comments on the proposal. They highlighted that FLD 3 Development and Surface Water is applicable. A Drainage Assessment has been submitted with this application. DfI Rivers commented that in order to fully assess the drainage the Drainage Assessment that the applicant provides a Schedule 6 approval response from DfI Rivers area office consenting to the discharge of a total maximum of 5.8l/s of storm run-off into the proposed Conn's Water River. (As indicated in the DA). The applicant has submitted correspondence to support this, and the Council are awaiting a response from DFI Rivers. Should DFI Rivers confirm the proposed arrangements are acceptable, then the application would be compliant with relevant LDP considerations.</p>
6.43	<p>NI Water recommended refusal. They commented that while there is available capacity at the WWTW, due to issues with the surrounding network a wastewater impact assessment application is required to find a potential solution. This part of Belfast catchment is constrained by an External Flooding Overloaded Sewer and 2 downstream Unsatisfactory Intermittent Discharges (UID's) at (1) Sydenham Park Avenue TPS and (2) Inverary Drive CSO. (1 &amp; 2) discharge to Belfast Harbour. NI Water is currently processing a Wastewater Impact Assessment (DS50888) in respect of this proposal. Planning Authority should issue a reconsultation as soon as recommended WWIA Report solution has been adopted and on-site checks confirm its feasibility. Subject to a successful outcome and re-consultation, NI may reconsider its recommendation. There are a significant number of extant and unimplemented planning permissions across the city for housing, commercial and other uses including over 20,000 new homes. Given NI Water's duty to connect to those developments and that it has not provided detailed evidence to support its objection to this application, it would be unreasonable for the Council to refuse planning permission on these grounds.</p>
6.44	<p><b>Impact on the natural environment</b></p> <p>NIEA were consulted on the proposal and requested further information relating to contamination and the water environment. NIEA Water Management Unit is concerned that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to Kinnegar Wastewater Treatment Works (WWTW). Water Management Unit would therefore recommend that the Planning Case Officer consult with Northern Ireland Water Limited (NIW) to determine if both the WWTW and associated sewer network will be able to cope with the additional load or whether they would need to be upgraded. If NIW indicate that the WWTW and associated sewer network can accept the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unit would have no objection to this aspect of the proposal.</p>
6.45	<p>NIEA Regulation Unit requested a Generic Quantitative Risk Assessment (GQRA) informed by targeted intrusive site investigation including groundwater assessment. They offer no objections to the proposal.</p>
6.46	<p>NIEA offered no objections on natural heritage matters nor did they raise any concerns regarding Japanese Knotweed as per letter of objection from Brandon Terrace. The proposal offers landscaping including several trees are to be retained along the perimeter. Furthermore, the additional tree planting indicated represents a net gain of 13 additional</p>

	trees, further ability for the proposal to mitigate and adapt to climate change and complying with Policy TRE1 within the LDP.
6.47	<p><b>Ecological impacts</b></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). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
6.48	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p>
6.49	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. This conclusion is subject to mitigation in the form of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water.</p>
6.50	<p>Shared Environmental Services, DAERA Environment, Marine and Fisheries Group &amp; NIEA responses relating to comments received from NI Water. remain outstanding. Delegated authority to resolve any matters arising including finalising refusal reasons if appropriate.</p>
6.51	<p><b><u>Climate change</u></b></p> <p>Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.</p>
6.52	<p>The applicant provided a Climate Change statement which refers to an address at 22-30 Hopefield Avenue, and is taken as a typographical error. The statement indicates that the proposed development embraces sustainable principles and aims to mitigate the impacts of climate change by prioritising energy efficiency, sustainable materials, water conservation, and waste management. It lists measures taken to reduce energy demand, measures to limit carbon through sustainable materials and construction practices and flood mitigation. The Council’s LDP team provided commentary on the Plan Strategy</p>

<p>6.53</p> <p>6.54</p> <p>6.55</p> <p>6.56</p>	<p>Statement (PSS) stating that there is a general lack of detail and commitment to many of the measures listed and little on wider sustainable design measures. It is considered that, given the scale and location of the proposal, further details of sustainable design features of the development should be sought to demonstrate full compliance with ENV2.</p> <p>The Planning Supporting Statement (PSS) provides limited commentary on ENV3 (adapting to environmental change), primarily relating water usage efficiency and current flood risk. It is noted from DfI Rivers Flood Maps that this is an area of surface water flood risk. Whilst the applicant's response is of some relevance to dealing with climate change, the submission does not adequately address the objectives of the policy, which primarily relate to future resilience of the development, including in relation to the built fabric and the comfort/safety of its occupiers. Therefore, there is no demonstration of full compliance with ENV3.</p> <p><b><u>Sustainable Urban Drainage Systems (SuDS)</u></b></p> <p>Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. The PSS response mentions SuDS measures and relies on the open space landscaped areas to act as SuDS features. Given the scale and location of the proposal, this is not considered adequate, both in terms of scope of measures and detailed proposals. The applicant should further consider appropriate SuDS measures throughout the site – the SPG on SuDS provides a range of features that could be incorporated in this development. The submission has not demonstrated adequate compliance with Policy ENV5.</p> <p><b><u>Representations</u></b></p> <p>The Council has received three representations. The Council has received one representation objecting to the proposal. Concerns from the resident at 2a Brandon Terrace include the height of the apartment development, loss of light and the proliferation of Japanese knotweed. These matters have been considered in the above assessment.</p> <p>Two representations were submitted in support of the proposal. Connswater Homes Housing Association stated that they are in support of this application and can confirm that there is an urgent need for social housing. They comment that the proposed building has been designed in accordance with Department for Communities guidance, to meet specific requirements in terms of the mix of housing accommodation types, parking and open space provision. Matthew Spiers submitted a representation of support from Gavin Robinson's office (DUP) citing the need for social housing in the area.</p> <p>Notwithstanding the submissions of support, the need for social housing is not considered to outweigh the layout, design, amenity and policy issues as set out in the above assessment.</p>
<p><b>7.0</b></p>	<p><b>Recommendation</b></p>
<p>7.1</p> <p>7.2</p>	<p>Having regard to the development plan and other material considerations, the proposal is unacceptable for the reasons set out above and at 8.0 below. It is recommended that planning permission is refused.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and resolve any matters arising from outstanding consultations.</p>

**8.0 Reasons for Refusal:**

1: The proposal is contrary to the SPPS, Policy DES1 (a), (j) and (k) and Policy RD1 (a), (b), (d), (g) of the LDP Plan Strategy 2035 in that the development does not respect the surrounding context and is inappropriate to the character of the locality in terms of layout, scale, proportions, massing and appearance of buildings and poor outlook and if permitted would result in overdevelopment of the site.

2: The proposal is contrary to the SPPS and Policy RD1 (d) and Policy OS3 Ancillary open space of the LDP Plan Strategy 2035 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.

3: The proposal is contrary to Policy RD1 (b) of the LDP Plan Strategy 2035 in that the development would, if permitted, adversely impact on the amenity of neighbouring properties in terms of overlooking, overshadowing, and overdominance due to its' inappropriate scale, form, massing and design.

4: The proposal is contrary to Policy ENV2, ENV3 and ENV 5 of the LDP Plan Strategy 2035 in that the development would, if permitted, not address matters associated with Climate Change, adapting to the environment and SuDS thus being harmful to the local environment.

5: The proposal is contrary to the SPPS, Policy RD1 (i) and (n) of the LDP Plan Strategy 2035 in that the development does not provide adequate management arrangements to ensure a positive and safe living environment for occupants and does not provide adequate communal facilities.

6: The proposal is contrary to Policy HOU 5 of the LDP Strategy 2035, in that the development fails to provide an appropriate mix of tenures.

7: The proposal is contrary to Policy HOU 6 of the LDP Strategy 2035, in that the development fails to provide an adequate range of apartment sizes in order to meet the requirements for increased size, promoting choice, and facilitating the creation of balanced neighbourhoods.

8: The proposal is contrary to Policy HOU 7 of the LDP Strategy 2035, in that the development fails to make sufficient provision for wheelchair accessible units.

<b>ANNEX</b>	
<b>Date Valid</b>	13/01/22
<b>Date First Advertised</b>	28/01/22
<b>Date Last Advertised</b>	28/01/22

**Details of Neighbour Notification**

Flat 8,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Apartment 7,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 70 Brandon Parade,Belfast,Down,BT4 1JH  
 Apartment 18,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 62 Brandon Parade,Belfast,Down,BT4 1JH  
 Apartment 1,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Apartment 5,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Flat 10,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Apartment 14,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 64 Brandon Parade,Belfast,Down,BT4 1JH  
 46 Brandon Parade,Belfast,Down,BT4 1JH  
 Flat 7,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Flat 5,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Apartment 15,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 2 Brandon Terrace,Belfast,Down,BT4 1JF  
 Apartment 16,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 148 Parkgate Avenue,Belfast,Down,BT4 1JD  
 Apartment 13,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Garfield House,146 Parkgate Avenue,Belfast,Down,BT4 1JD  
 Garfield House,146 Parkgate Avenue,Belfast,Down,BT4 1JD  
 Flat 4,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 52 Brandon Parade,Belfast,Down,BT4 1JH  
 46a ,Brandon Parade,Belfast,Down,BT4 1JH  
 Apartment 4,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Flat 11,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Apartment 9,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Apartment 17,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Apartment 2,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Flat 12,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Flat 9,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 48 Brandon Parade,Belfast,Down,BT4 1JH  
 Apartment 3,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 4 Brandon Terrace,Belfast,Down,BT4 1JF  
 68 Brandon Parade,Belfast,Down,BT4 1JH  
 129 Parkgate Avenue,Belfast,Down,BT4 1JB  
 44 Brandon Parade,Belfast,Down,BT4 1JH  
 Apartment 12,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 60 Brandon Parade,Belfast,Down,BT4 1JH  
 150 Parkgate Avenue,Belfast,Down,BT4 1JD  
 50 Brandon Parade,Belfast,Down,BT4 1JH  
 Apartment 8,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Flat 3,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Flat 6,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 56 Brandon Parade,Belfast,Down,BT4 1JH  
 Flat 2,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 66 Brandon Parade,Belfast,Down,BT4 1JH  
 58 Brandon Parade,Belfast,Down,BT4 1JH  
 54 Brandon Parade,Belfast,Down,BT4 1JH  
 Flat 1,Parkgate House,90 Parkgate Avenue,Belfast,Down,BT4 1JB  
 92 Parkgate Avenue,Belfast,Down,BT4 1JB  
 Apartment 6,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Apartment 11,2a ,Brandon Terrace,Belfast,Down,BT4 1JF  
 Apartment 10,2a ,Brandon Terrace,Belfast,Down,BT4 1JF

