

Development Management Report

Summary	
Committee Date: 12 th December 2023	
Application ID: LA04/2023/2668/F	
Proposal: Demolition of existing buildings and the erection of an affordable housing development comprising of 69No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works (amended description)	Location: Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 & 65a Dock Street and No. 123 Corporation Street, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>This application relates to two parcels of land either side of Pilot Street at Sailortown to the north of the City Centre. The application seeks full planning permission for the erection of 69 residential units, including 16 houses and apartments on “Site 1” adjacent Dock Street, Garmolye Street and Short Street; and a block of 53 apartments on “Site 2” adjacent Corporation Street.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement 	

- Pre-application Community Consultation

The site is within the development limit and north of the City Centre. Site 2 is within a Major Employment Area in both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) and zoned existing employment land in the most recent version (v2014).

The proposal is for social housing for which there is a significant unmet need in the city. Moreover, the proposal will help to regenerate this part of Sailortown. The loss of employment land is therefore considered acceptable.

The application is linked to the application for 256 Build To Rent apartments at City Quays 4 as it will provide the affordable housing required for that scheme under Policy HOU5. Both applications are being considered by the Committee on the same agenda.

On balance, the design of the proposal is considered in keeping. Sufficient parking would be provided. Following amendments to the scheme, there would be no unacceptable impacts on adjacent residential properties.

NIHE is supportive of the social housing. DfI Roads, DAERA, DfI Rivers and SES offer no objections to the proposal. NI Water has concerns about the availability of waste-water infrastructure. Final comments are awaited from Environmental Health in relation to potential noise impacts from the two bars adjacent the site.

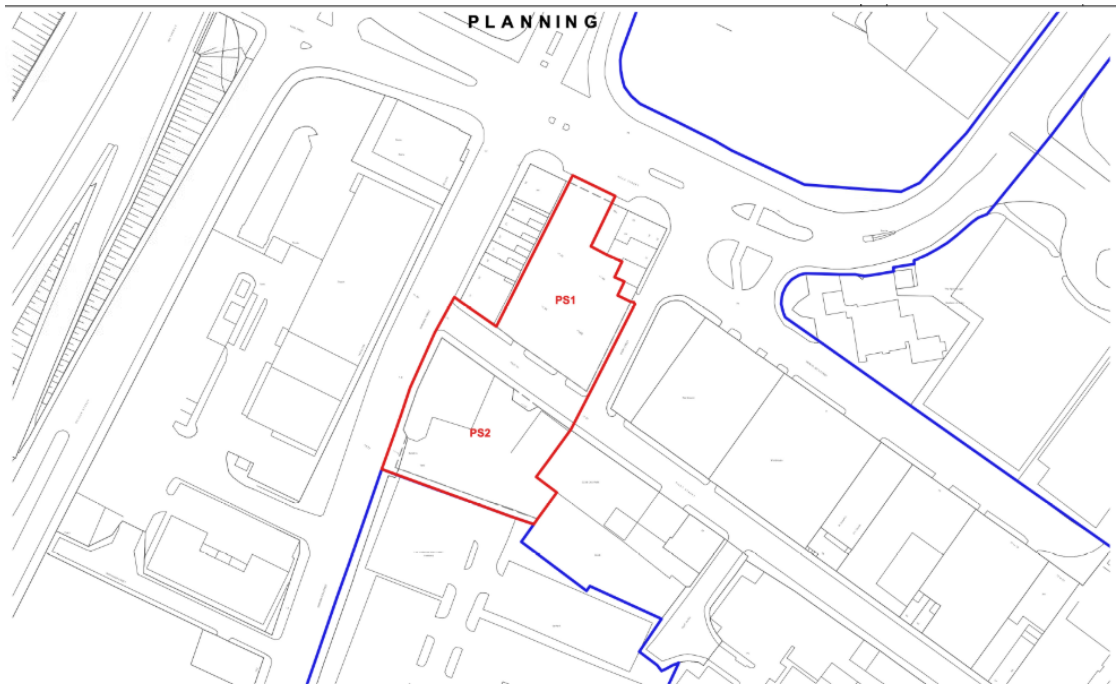
Three objections have been received from residents on Garmoyle Street on grounds of adverse impact upon their amenity, however, officers consider that those issues have been resolved following amendments to the scheme.

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

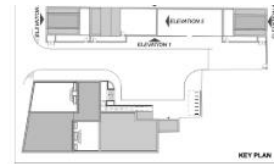
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from Environmental Health, and deal with any other matters that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Elevations Site 1:





Proposed Elevations Site 2:





CGI:



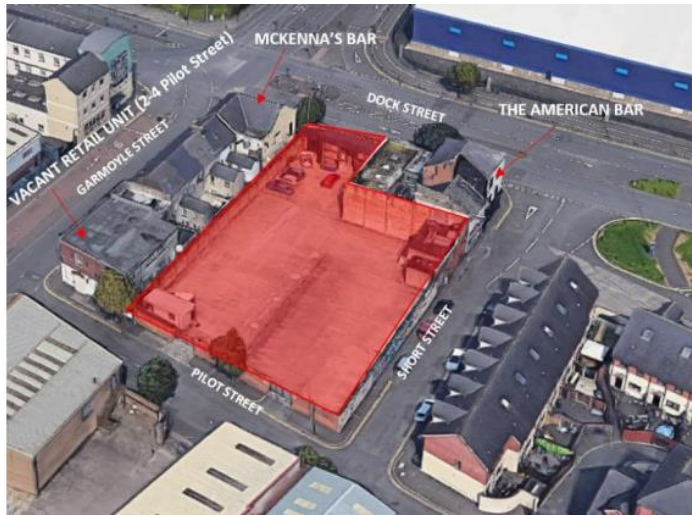
1.0 Characteristics of the Site and Area

1.1 This application site comprises two parcels of land situated to either side of Pilot Street in Sailortown to the north of the City Centre. Both sites are previously developed land (brownfield) and have a combined site area of 0.4 ha.

1.2 **Site 1** is located next to Pilot Street, Short Street and Dock Street. Historically the site was used by Irish Feeds Ltd for the storage and distribution of animal feeds. Its most recent use is as an area of hardstanding and informal car park. The north eastern boundary of the site is shared with The American Bar, a three storey Public House; and Benny's Café, a two-storey café/sandwich bar. The north western boundary comprises of McKenna's Bar, a two storey Public House; and residential properties located at Nos. 11-27 (evens) and Nos. 25-29 Garmoyle Street, and a vacant retail unit located at Nos. 2-4 Pilot Street. Further east of the site are residential properties located at Nos. 1-15 (evens) Short Street, a row of two and a half storey terraced properties, and Harbourview Apartments; a two and a half storey block stepping up to five/five and a half storey towards the waterfront which is operated by Clanmil Housing Association.

1.3 The residential properties along Garmoyle Street have rear returns facing towards the site. The retail unit also has high level windows which overlook the site; however, given the operations associated with this unit there is not anticipated to be any issues relating to overlooking/privacy. An existing gated alleyway runs between the site and the rear of the properties along Garmoyle Street. The alleyway is understood to be used for servicing of these properties and is outside the application boundary.

Site 1:



1.4 **Site 2** is located at the junction of Corporation Street and Pilot Street, comprising of an existing two storey office building to its northern boundary, and 2 x two-storey warehousing buildings located to its north-western and south eastern boundaries respectively; both which were associated with the former ship supplies business in the site which ceased operations in 2017. The site is bound to its southern, eastern, and western boundaries by a circa 2.5m high brick wall with security gates located along its boundaries with Pilot Street and Corporation Street. Further east of the site is the Dockers Club, a social/boxing club established in the 1970s. Further northwest of the site is the Driver and Vehicle Agency (DVA) Headquarters. Immediately southwest of the site is an existing surface level car park.

Site 2:



Description of Proposed Development

- 1.5 The application seeks full planning permission for the demolition of existing buildings and the erection of an affordable housing development comprising of 69 residential units with a mix of apartments, townhouses, including an associated community hub and offices, car parking, landscaping and all associated site and access works.
- 1.6 The application follows Pre-Application Discussions with officers.

2.0 PLANNING HISTORY

2.1 Relevant planning history is summarised below.

- Z/2010/1006/O – Proposed major mixed use development comprising offices; small scale retail and retail services; cafes/restaurants; a hotel; residential development and associated amenity space; basement, multi storey and surface level car parking; open space, service areas and related infrastructure improvements. Lands bounded by the River Lagan to the east Corporation Street to the west Dock Street and Corry Link to the north and the elevated M3 Cross Harbour Bridge/Motorway to the south City Quays Clarendon Dock Belfast BT1 3AL.

Permission granted on 22nd July 2014. Applications for reserved matters must be made by 21st July 2024. The permission must be begun by either 21st July 2026 or within 2 years of the date of approval of the last reserved matters.

- LA04/2021/1570/F- Retrospective out-door beer garden with covered seating area and dispense bar. West of 65-65A Dock Street, Belfast BT15 1FL.

Permission granted on 25th October 2023.

- LA04/2021/1570- Out-door beer garden with covered seating area and dispense bar. Retrospective application for a beer garden to the west of 65-65A Dock Street Belfast BT15 1FL. Planning permission granted on 24th October 2023.

3.0

PLANNING POLICY

3.1

Development Plan – operational policies

Belfast Local Development Plan, Plan Strategy 2035

- Policy SP1A – managing growth and supporting infrastructure delivery
- Policy SP2 – sustainable development
- Policy SP3 – improving health and wellbeing
- Policy SP5 – positive placemaking
- Policy SP6 – environmental resilience
- Policy SP7 – connectivity
- Policy SD2 – Settlement Areas
- 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 EC3 – Major employment and strategic employment locations
- Policy EC4 – Loss of zoned employment land
- Policy DES1 – Principles of urban design
- Policy DES2 – Masterplanning approach for major development
- Policy RD1 – New residential development
- Policy BH1 – Listed Buildings
- Policy BH5 – Archaeology
- Policy HC1 – Promoting healthy communities
- Policy TRAN1 – Active travel – walking and cycling
- Policy TRAN 2 – Creating an accessible environment
- 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 - Sustainable drainage systems (SuDS)
- Policy GB1 – Green and blue infrastructure network
- Policy OS3 - Ancillary open space

- Policy TRE1 – Trees
- Policy NH1 – Protection of natural heritage resources

Supplementary Planning Guidance

- Affordable Housing and Housing Mix
- Residential Design
- Placemaking and Urban Design
- Tall Buildings
- Masterplanning approach for Major developments
- Sustainable Urban Drainage Systems
- Transportation
- Trees and Development
- Development Viability

	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> <p>4.5</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DfI Roads – No objection subject to conditions.</p> <p>DfI River – No objection subject to conditions.</p> <p>DAERA – No objection subject to conditions.</p> <p>NI Water – Concerns about the availability of waste water infrastructure, which are addressed in the main assessment.</p> <p>NIHE – supports the proposal, accepting the principle of off-site social housing.</p> <p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Planning Service Urban Design Officer – concerns raised about some aspects of the design of the proposal, which are addressed in the main assessment</p> <p>Planning Service Conservation Advice – refer to main assessment.</p> <p>Environmental Health – awaiting final response.</p> <p>BCC Economic Development Unit – awaiting final response.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions.</p> <p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>Three objections have been received from residents on Garmoyle Street (adjacent terrace). Concerns are raised about loss of light and overshadowing; loss of privacy; loss of parking from Site 1 and lack of parking for the proposal; and anti-social behaviour.</p>

5.0	PLANNING ASSESSMENT
	Main Issues
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation
	Development Plan Context
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
	<u>Operational Polices</u>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p>
	<u>Proposals Maps</u>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP</p>

	<p>2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.
5.8	Belfast Harbour Plan Local Plan – Site 1 is un-zoned “white land”. Site 2 is within Laganside.
5.9	Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit. Site 1 is zoned housing land (NB 05/06). Site 2 is zoned is a Major Area of Existing Employment.
5.10	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit. Site 1 is un-zoned “white land”. Site 2 within Belfast Harbour Major Employment Location and is zoned for existing employment.
	<p><u>Principle of housing in this location</u></p>
5.11	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> a. The site is suitable for housing – the site is located within a mixed-use area comprising housing and commercial uses. Loss of zoned employment land is discussed below. The location is considered suitable in principle for housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is adjacent the City Centre and within reasonable walking distance to the city centre core. It is accessible to shops, services, amenities and public transport. c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.
5.12	The proposal will support the regeneration of the area, which is welcomed.
5.13	Site 2 is zoned as a Major Area of Existing Employment in both versions of dBMAP 2015 (v2004 and v2014) and existing employment land (v2014). Site 2 is protected employment land under Policies EC3 and EC4. However, in view of the benefits of the proposal in respect of delivery of much needed social housing, regeneration of the area and that the proposal would facilitate a Build To Rent scheme at City Quays, as detailed later in the report, the loss of employment land is in this case considered acceptable.
5.14	It is considered that the site is a suitable location in principle for housing and that the proposal is compliant with Policies HOU1 and HOU2.
	<p><u>Housing density</u></p>
5.15	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.

- 5.16 The site is located within the inner city where the average density should be 75-150 dwellings per hectare (ha). The site area is 0.4 ha and so the proposal equates to a density of 173 dwellings per ha, demonstrating that it would make effective use of land.
- Affordable housing**
- 5.17 Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.
- 5.18 The application is linked to the application for a Build to Rent (BTR) scheme of 256 residential units at City Quays 4 (LA04/2023/2388/F). The application is seeking to address the requirements of Policy HOU5 for that other application by providing social housing at the Pilot Street site, rather than provide affordable housing as part of the BTR scheme. The BTR application is reliant on the Pilot Street application in respect of affordable housing and therefore both applications should be considered by the Committee at the same time.
- Proposal for off-site affordable housing provision*
- 5.19 Policy HOU5 requires the BTR proposal to deliver a minimum 52 affordable homes (rounded up). The Pilot Street application seeks full permission for 69 residential units – under Policy HOU5, this generates a requirement to provide a minimum of 20% affordable housing in its own right, equating to a further 14 affordable homes (rounded up). The net affordable housing requirement for both sides is therefore 66 affordable homes – the Pilot Street proposal exceeding this by three residential units.
- 5.20 NIHE is supportive of both the BTR and Pilot Street applications, accepting the principle of off-site social housing, noting that both sites are in the same ownership and that the proposals ‘...allow for a more appropriate development of social housing units in this area.’ NIHE cites the strong housing need in Belfast with a social housing waiting list of 12,086 households with 9,426 in housing stress. Demand is increasing with projection of social housing need indicating a requirement for 7,984 new units across Belfast over the 5-year period 2022-2017.
- 5.21 The Pilot Street application is proposed to deliver 69 social homes across two sites either side of Pilot Street, with the breakdown of house types set out in the tables below.

Site 1

Accommodation type	Size per unit (sqm)	Number of units	% units
2 bedroom 3 person terrace	75	1	6%
3 bedroom 5 person townhouses	110	2	13%
2 bedroom 3 person apartments	64-71	13	81%
Total		16	100%

Table 1a: Breakdown of house types at Pilot Street, Site 1

Site 2

Accommodation type	Size per unit (sqm)	Number of units	% units
2 bedroom 3 person apartments	65 - 67.5	39	73%
1 bedroom 2 person apartments	55.5 - 57	8	15%
2 bedroom 3 person apartments	85	6	11%
Total		53	100%

Table 1b: Breakdown of house types at Pilot Street, Site 2

Tenure

- 5.22 The Pilot Street application is for a 100% social housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.14 of the SPG states that larger mono-tenure schemes [such as that proposed] may be considered having regard to the following considerations:
- *‘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 an area, in order to minimise large areas of single tenure social housing; and*
 - *Whether a scheme is proposed as ‘shared housing’*
- 5.23 Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. However, turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community. Nevertheless, regard is had to the strong support for the proposal from NIHE, that the proposal includes a small number of family homes for which there is a particular need in this location, the largely supportive response from the local community housing to the pre-application community process and the longevity of the scheme. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.
- 5.24 Whilst the BTR application is reliant on the Pilot Street application in respect of affordable housing provision under Policy HOU5, the Pilot Street application is standalone and not reliant on the BTR application. It can therefore be considered on its own merits.
- 5.25 If approved, it will be necessary to require the delivery of the social housing on the Pilot Street site prior to occupation of the BTR development. This would allow construction of the BTR scheme to proceed and should be secured by way of a Section 76 planning agreement in respect of that application.
- Housing mix**
- 5.26 Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:
- a. Up to date analysis of prevailing housing need in the area;
 - b. The location and size of the site;
 - c. Specific characteristics of the development; and

	d. The creation of balanced and sustainable communities.
5.27	The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.
5.28	The proposed housing mix is shown in Tables 1a and 1b, above. The proposal mostly consists of two-bedroom 3 person units with a small number of three bedroom 5 person townhouses and 1-bedroom apartments. This is considered to represent a reasonable housing mix with the family homes welcomed in particular given the unmet need for larger social housing units. NIHE is supportive of the housing mix. Having regard to these factors, the proposed housing mix is considered acceptable.
	<u>Adaptable and accessible accommodation</u>
5.29	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.
5.30	The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 10% wheelchair units. It is considered that the proposal complies with the additional nine criteria g. to o. The proposed floor plans clearly show the 10% wheelchair acceptable units demonstrating that the criteria above has been met.
	<u>Design and placemaking</u>
5.31	The proposal has been assessed against the SPPS, and Policies SP5, DES1, DES2 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent land.
	<i>Pilot Street Site 1:</i>
5.32	Site 1 is largely vacant other than the hardstanding used as a temporary surface car park. The site fronts Dock Street (north), Short Street (east) and Pilot Street (south). To the west, the site is defined by a uniform brick wall, separated from the rear boundaries of the existing residential terrace properties along Garmoyle Street by a narrow alleyway (0.6m). The original submission included 5 townhouses along the western site of the site in close proximity to the rear boundary wall of properties along Garmoyle Street. Serious concerns were raised about the adverse impact on the rear of the Garmoyle Street properties by reason of overbearing and loss of outlook. Therefore, two of the townhouses were omitted, thereby reducing the scheme to 69 residential units. This will be discussed further later in the report. The changes have allowed for an additional communal garden to be integrated into the design of Site 1.
5.33	The proposed layout is considered to be reflective of similar developments within the surrounding and would not appear incongruous when viewed within the street scene. There is a proposed four-storey apartment block which addresses Short Street; this is considered appropriate as the additional height at this location is comparative with the wider Harbourview apartment development (five storeys) also located along Pilot Street.

5.34	<p>The apartment block element of the development extends to four storeys at the junction of Pilot Street and Short Street, stepping down to three storeys towards Dock Street. This design respects the height of the existing buildings at this juncture including the American Bar. The apartment block is also lowered to three storeys towards Corporation Street. It is considered that the differentiation in heights, setbacks at upper levels, and vertical/horizontal articulation of materials assist in minimising the overall scale and massing of the apartment block, which is considered in keeping with the area.</p>
5.35	<p>The proposal includes three townhouses; one centrally within the site close to the rear boundary of the properties on Garmoyle Street; one on Pilot Street and a further townhouse on Dock Street. The design of the townhouses on Pilot Street and Dock Street has been amended to ensure that the gable ends more appropriately address the existing street scene. A white render finish has been introduced to the townhouse on Dock Street, which better relates to the adjacent building. This part of the development has been designed to address the new internal courtyard and the primary elevation onto the new pedestrian access into the development. The proposed orientation serves to assist prospective residents' integration with the wider Pilot Street Development. The townhouses are considered to satisfactorily relate to the existing properties and street scene and their design is acceptable.</p> <p>Pilot Street Site 2:</p>
5.36	<p>Site 2 is located on a prominent corner plot at the junction of Corporation Street and Pilot Street where additional height is considered appropriate. A community hub and Housing Association offices are proposed at ground floor level. An enclosed under-croft car parking arrangement is also proposed at ground floor level. This is not uncharacteristic of the wider apartment developments in the locality, such as the James Clow buildings located between Pilot Street and Princes Dock Street which includes a similar arrangement. The scale, height and massing of Site 2 can be appropriately read with larger buildings further to the west of the site including Clarendon Apartments and the James Clow Building. The apartment block extends to six storeys along Corporation Street and steps down to four storeys at its junction with Pilot Street. A setback has been introduced at fourth to sixth floor level, accommodating a rooftop terrace area.</p>
5.37	<p>Whilst the Senior Urban Design Officer is critical of the apportionment of massing across the building, suggesting that the building should rise at its north west corner at the junction of Corporation Street and Pilot Street rather being reduced in scale, officers advise that the proposed massing better responds to the smaller scale of the existing properties on Garmoyle Street and for this reason is acceptable.</p>
5.38	<p>The proposal has a contemporary aesthetic with regards to materials, where the predominant material is brick and variations thereof, which is considered contextually appropriate in this area. Officers requested that further consideration was given to the adding visual interest and relief to the large blank gables on the south and east sides. In response, further brick bonding has been introduced, which alongside the materials at the upper levels, helps to break up the overall scale and mass of the building.</p> <p>General comments:</p>
5.39	<p>The Senior Urban Design Officer has raised concerns regarding both sites in relation to the ground and finished floor levels proposed. The raised plinth arrangement will lift the building approximately 1.3m above street level and effectively requires the duplication of the public footway around the edge of the building as well as a series of stairs, ramps, and disabled lifts. The applicant advises that the raised finished floor levels are a core mitigation measure due to the site lying within the floodplain. DfI Rivers has welcomed</p>

5.40	<p>this design approach to further alleviate flood risk within the city centre. Taking into account the concerns in relation to flooding, and having regard to the site context and precise built form of the proposal, on balance, the raised floor levels are acceptable.</p> <p>Public realm:</p>
5.41	<p>The <i>Developer Contribution Framework</i> requires applications for Major development to make improvements to the public realm. The existing pavement and footways around the site are in poor condition and the applicant is proposing to resurface them with “black top” asphalt. This is welcomed and considered appropriate to the context of the site – it is considered unreasonable to require high quality paving in this location, particularly because of the likely difficulties obtaining separate approval from DfI Roads, who would likely object due to concerns about the cost of maintenance.</p> <p><u>Impact on heritage assets</u></p>
5.42	<p>The proposal is sufficiently far from Listed Buildings such as to not impact on their setting. There would be no archaeological implications. The proposal is considered compliant with Policies BH1 and BH5.</p> <p><u>Climate change</u></p>
5.43	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.</p>
5.44	<p>The proposal includes various sustainable design features which seek to mitigate environmental change. These measures include the integration of solar panels on the roof of the buildings, low energy light fittings, increased water attenuation, and high-performance glazing to improve the performance of the buildings and reduce solar gain, whilst maximising daylight transmission rates. The applicant has stated that the proposal is anticipated to achieve a 4.5 star rating out of 5 under the HQM One Scheme. A condition is recommended to require that the proposal is constructed to this standard.</p>
5.45	<p>Policy ENV2 also states that development proposals, where feasible, should seek to avoid demolition and should consider how existing buildings or their main structures could be reused. It is proposed to demolish the warehouse at Site 2 – this is a modern building unsuitable for conversion for residential purposes and its demolition is considered acceptable. Excavated materials from the site will be used if deemed suitable. Other waste will be managed through a Waste Management Plan to ensure that all construction and demolition waste associated with the development is managed and controlled to prevent the risk of environmental pollution or ecological damage.</p>
5.46	<p>The proposal is considered compliant with Policy ENV2.</p>
5.47	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p>
5.48	<p>The applicant has demonstrated that the proposal is compliant with criteria a to i. The implementation of SuDs is welcomed. Other measures which adapt to environmental change and provide resilience in extreme weather conditions are included. The ground levels have been deliberately raised in cognisance of the wider flood risk in this location.</p>
5.49	<p>The proposal is considered compliant with Policy ENV3.</p>

5.50 Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include the following SuDs measures:

- Construction of 'blue roofs';
- SuDs planters in the terraced areas to provide an effective stormwater management mechanism;
- Rain gardens/rain butts;
- Oversized pipework; and
- Gated discharge and check valves.

5.51 A condition is recommended requiring the hard surface areas to be porous.

Residential quality and impact on amenity

5.52 Policies DES1, DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.

5.53 *Creating Places* advocates external private amenity space of between 10 and 30 sqm per residential unit. The proposal includes both private and communal spaces as detailed in the table below.

Site 1

Location	Size (sqm)
Communal Roof Terrace	106
Communal Garden	120
Private Terraces/Gardens	72
TOTAL	289
AVERAGE	18.6

5.54 The amenity space for the private garden areas associated with the townhouses provides 24 sqm on average per dwelling. The remainder of the amenity space equates to approximately 16.1sqm for the apartments and end terrace. Given the characteristics of the proposal and site, this is considered acceptable.

Site 2

Location	Size (sqm)
Private first floor communal area	457
Private fourth floor communal terrace	133
TOTAL	590
AVERAGE	11.1 sqm

5.55 The amenity space for Site 2 equates to an average of 11.1 sqm per unit. This is at the lower end of the advice within *Creating Places* but is considered acceptable, having regard to the characteristics of the proposal and site.

5.56 Regard if also had to the proximity to the high quality open space at City Quays Gardens, approximately 450m distance from the site (4 minute walk).

5.57 The removal of two of the townhouses within the centre of Site 2 has addressed the original serious concerns about overbearing and loss of outlook to the rear of the terrace housing on Garmoyle Street. A shadow analysis has demonstrated that there are no significant issues of overshadowing or loss of light to the rear of the terrace properties, assisted by the fact the proposed remaining townhouse is to the north (with the path of the sun being to the south).

5.58 There is potential for the gable first floor bedroom of the remaining central townhouse in Site 2 to overlook the rear terrace. It is recommended that the window is fitted with obscured glazing to at least 1.7 metres above floor level; whilst this is not normally recommended for a habitable room, given the characteristics of the proposal and site, on balance, this approach is considered acceptable.

Space standards:

5.59 Site 2 proposes a mix of two and three-bedroom townhouse and apartments which have private terraces and garden areas.

Accommodation Type	Size per unit (Sqm)	Number of Unit
3 person 2 bedroom terrace	75	1
5 person 3 bedroom townhouse	110	2
3 person 2 bedroom apartments	64-71	13

5.60 Site 2 proposes of a mix of one and two-bedroom apartments, a community hub, and offices which will be associated with the management of the affordable housing.

Accommodation Type	Size per unit (Sqm)	Number of Unit
3 person 2 bedroom apartments	65-67.5	39
2 person 1 bedroom apartments	55.5-57	8
3 person 2 bedroom WC apartment	85	6
Community Hub	194	N/A
Offices	156	N/A

5.61 The proposed residential units for both Sites 1 and 2 are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.

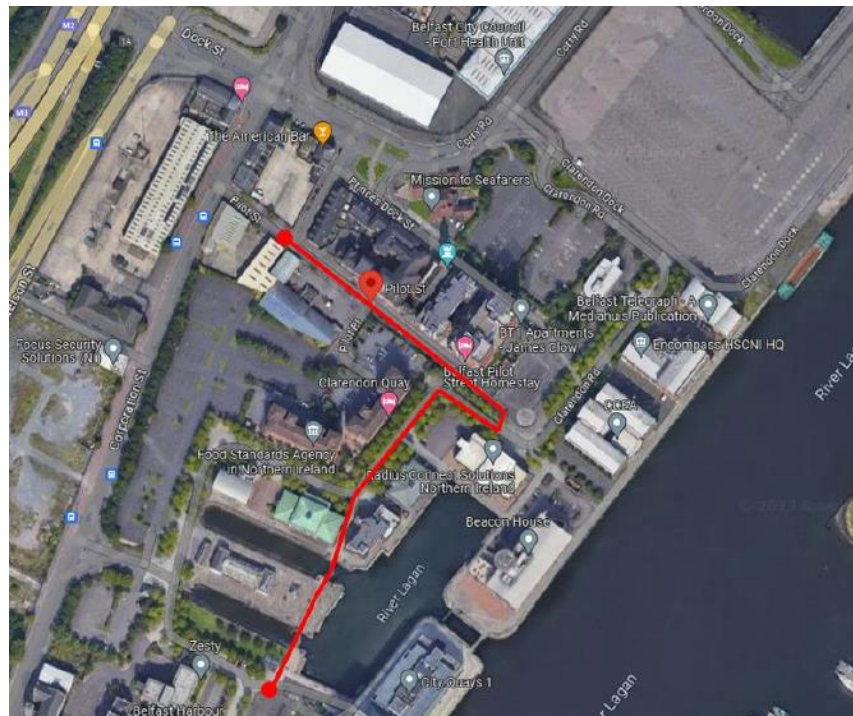
Open space

5.62 Policy OS3 requires that all new development proposals makes appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.

5.63 Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.

5.64 In this case, no public open space is proposed within the site. Policy OS3 accepts that on-site provision for open space can be reduced where the site is close to or would benefit from ease of access to areas of existing public open space. In this regard, the site is within close proximity of the site to *City Quays Gardens*, a high-quality area of open space (0.88ha) approximately 450m distance from the site (4-minute walk). The image below shows the route from the site to City Quays Gardens. Construction of City Quays Gardens is expected to begin shortly. It is considered that once completed City Quays Gardens will be able to be used by occupants of the proposed development.

5.65 It is considered necessary to require the construction of City Quays Gardens prior to occupation of the proposed development; this will be secured by means of a Section 76 planning agreement.



5.66 Having regard to these considerations, the approach to open space is considered acceptable.

Access and transport

5.67 The site has good accessibility being adjacent the City Centre and within walking distance of the city centre core. It is also close to Yorkgate, supermarkets and amenities at Yorkgate. The site is well served by existing pedestrian facilities with footways provided on both sides of the carriageways as well as controlled pedestrian crossings located at strategic locations on the surrounding network including Corporation Street. An internal cycle storage area is provided at ground floor level of both site apartment blocks and an external cycle storage area at Site 1 to encourage cycling. The proposal is considered compliant to Policy TRAN1.

5.68	Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes ease of access to reserved parking within Site 1, with the provision of 2 disabled parking spaces. Clarification is awaited on the design disabled spaces within the undercroft parking at Site 2, which currently includes 19 car parking spaces.
5.69	Policy TRAN 4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. This includes the following green travel measures: <ul style="list-style-type: none"> • One travel card offered per dwelling for a period of 3 years; • 100% subsidy of car club membership per dwelling for a period of 3 years; and • Membership of Belfast Bikes per dwelling for a period of 3 years.
5.70	The travel plan measures are considered acceptable having regard to Policy TRAN4.
5.71	Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. Within Site 1, there is a total of 5 in-curtilage car parking spaces, including 2 disabled spaces. Site 2 would provide 19 spaces within the under-croft car park. Given the accessibility of the site and travel plan commitments, this level of parking is considered acceptable. The proposal is considered to accord with Policy TRAN8.
5.72	DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.
<u>Health impacts</u>	
5.73	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.74	The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within walking distance of the city centre and its amenities. It is within short walking distance of City Quays Gardens, a new area of quality open space. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. A reasonable level of amenity space would be provided within the development including private and communal gardens (Site 1), roof terraces and outdoor amenity space (Site 2). The proposal would provide quality house for people in housing stress and housing need.
5.75	The proposal is considered to satisfy the requirements of Policy HC1.
<u>Environmental protection</u>	
5.76	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.

	<u>Contaminated land</u>
5.77	Environmental Health (EH) has agreed that contamination risks can be dealt by way of conditions that ensure that prior to commencement of development, a remediation strategy is submitted to and approved by the council.
	<u>Air quality</u>
5.78	EH has not raised any concerns with regards to air quality and in this regard, the proposal is considered compliant with Policy ENV1.
	<u>Noise</u>
5.79	EH is currently considering further information provided by the applicant in respect of the compatibility of the proposed housing with two adjacent bars next to the site. EH's final comments will be reported to the Committee as a late item.
	<u>Flood risk and drainage</u>
5.80	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.
5.81	DfI Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. DfI Rivers, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. It offers no objection to the proposal and the proposal is therefore considered to meet the requirements of Policy ENV4.
	<u>Waste-water infrastructure</u>
5.82	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.
	<u>Natural heritage</u>
5.83	Policy NH1 relates to the protection of natural heritage resources.
5.84	Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate

	<p>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>
5.85	<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 the 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.</p>
5.86	<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. DAERA also offer no objection, recommending the equivalent condition. This condition is recommended.</p>
5.87	<p>Subject to this condition, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.</p>
	<p><u>Employability and Skills</u></p>
5.88	<p>The Developer Contribution Framework requires proposals for Major development to make a contribution towards Employability and Skills where necessary. The applicant has submitted an Employability and Skills Profile and a consultation response is awaited from the Council’s Economic Development Unit as to whether an Employability and Skills Developer Contribution is required. If this is considered necessary, it will be secured by way of a Section 76 planning agreement.</p>
	<p><u>Section 76 planning agreement</u></p>
5.89	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of the 14 social housing units; • Open space – the delivery of City Quays Gardens prior to occupation of any of the residential units; • Green travel measure – travel plan and green travel measures; and • Employability and Skills – should it be required by the Council’s Economic Development Unit

	<u>Pre-application Community Consultation</u>
5.90	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.
5.91	The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.
5.92	The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement: <ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Issued a press notice to highlight information about the proposals and provide notification of the public information event; • Placed social media adverts on Facebook which were visible to site neighbours; • Developed and managed a dedicated consultation website to host all proposal information digitally.
5.93	The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed, and considered.
5.94	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
6.0	Recommendation
6.1	The proposal would provide valuable social housing for which there is a significant unmet need in the city and would assist the further regeneration of the area. The design of the proposed housing is considered on balance acceptable. Sufficient parking would be provided and the proposal would not be detrimental to highway safety. Following amendments, the proposal would not give rise to harmful impacts on existing neighbouring properties. It is recommended that planning permission is granted.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from Environmental Health, and deal with any other matters that arise, provided that they are not substantive.
7.0	DRAFT CONDITIONS: <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No external brick, facing panels, or roofing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

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

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

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

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

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

4. None of the residential units hereby permitted shall be occupied until their respective amenity areas have been provided in accordance with the approved plans. These amenity areas shall permanently retained as such at all times.

Reason: To ensure that appropriate amenity space is provided for the wellbeing of occupants of the development.

5. The development hereby permitted shall be constructed to a minimum of Home Quality Mark 4.5 rating and shall not be occupied until certification that verifies this has been submitted to and approved in writing by the Council.

Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.

6. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the bedroom window in [Plot X] shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the privacy of adjacent properties.

7. The development hereby permitted shall not be occupied until the approved sustainability measures have been constructed and installed and independent written verification of such as been submitted to and approved in writing by the Council.

Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.

8. The hard surfacing parking and turning areas within Site 1 shall be constructed from porous material.

Reason: To promote SuDS, having regard to Policy ENV5 of the Belfast Local Development Plan Strategy 2035.

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

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

10. The development hereby permitted shall not be occupied until the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.

11. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.

Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.

12. The vehicular accesses shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.

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

13. The development hereby permitted shall not be occupied until all existing redundant accesses have been closed off in accordance with the approved plans.

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

14. The development hereby permitted shall operate in accordance with the approved Servicing Management Plan.

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