

Development Management Committee Report

Summary	
Application ID: LA04/2023/4215/F	Committee Date: 27 June 2024
Proposal: Proposed 3no. residential apartment blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping.	Location: 141-147 Upper Dunmurry Lane, Dunmurry, Belfast, BT17 0EY
Referral Route: Application for more than 12 units with objections	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Farlstone Developments (Dunmurry) Ltd. and Connswater Homes Ltd. 105 Derrynoose Road Keady Armagh BT60 3EZ	Agent Name and Address: Collins Rolston Architects 8th Floor, Causeway Tower 9-11 James Street South Belfast BT2 8DN
<p>Executive Summary:</p> <p>This application relates Lands at 141-147 Upper Dunmurry Lane, Dunmurry, Belfast, BT17 0EY. The application seeks full planning permission for 3no. residential apartment blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping.</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 • Section 76 planning agreement 	

The site is within the settlement limits and un-zoned “white land” within the BUAP and within the draft Belfast Metropolitan Area Plan 2015 (v2004) and within the dBMAP (2014v)

The site is a suitable location for housing; the proposal would make effective use of previously developed land support social housing provision.

The height, scale and massing of the proposed dwellings is considered in keeping with the wider character of the area. The topography of the site is lower than the plots of the adjacent housing and Dunmurry Lane ensuring that the reading of the site from these points two-façade are shown.

The proposal would provide dedicated parking, in the form of parking lay-bays and in-curtilage parking at a rate of one space per unit. This is considered acceptable given the highly sustainable location of the site.

The proposal is for 21 apartments, 100% to be provided as Category 1 social housing. NIHE are supportive of the scheme and the proposed housing mix. It is acknowledged that the proposal does not create a mix of apartment sizes, however this is considered acceptable given the prevailing housing need in the area. The proposal includes 2 wheelchair accessible units (9.5%) out of the overall provision of 21 apartments. It is acknowledged that the percentage of wheelchair accessible apartments falls marginally below the 10% as stipulated in the policy, however it is considered acceptable given the support for the scheme by NIHE.

This proposal provides 240 sq m of communal open space, therefore above the minimum standards. The overall provision of amenity space (including landscaped areas) within the site measures approx. 650 sq m. Officers consider that the proposal provides adequate open space.

The proposal includes the removal of 23 trees from the site to facilitate development, including provision of the vehicular access. It is noted that the previous fall back approval LA04/2019/1423/F also included the removal of these trees to facilitate development. The proposal includes the planting of 32 trees within and along the boundaries of the site, representing a net gain of 9 trees. In the event of approval, full landscaping details should be provided prior to commencement of development.

An updated Noise impact assessment was submitted and BCC Environmental Health have been reconsulted. The consultation response is still outstanding, however it is anticipated that the proposal has potential to comply with ENV1, in terms of noise impact.

Planning Service has received 14 third party objections or letters expressing concerns discussed within report below.

Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is 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, resolve the outstanding transport issues.

DRAWINGS AND IMAGERY

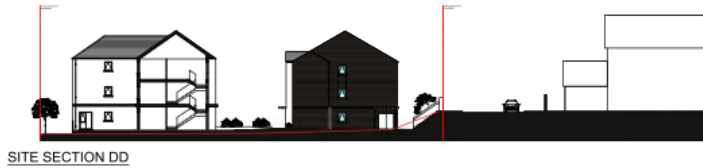
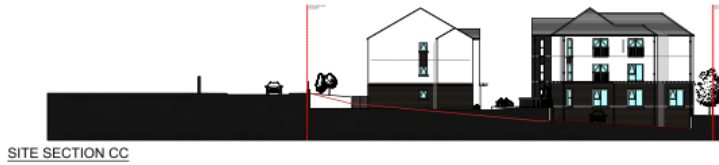
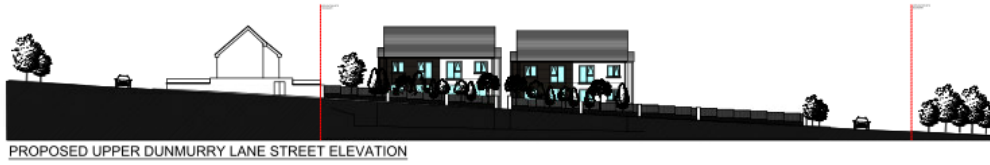
Site Location Plan:



Site layout



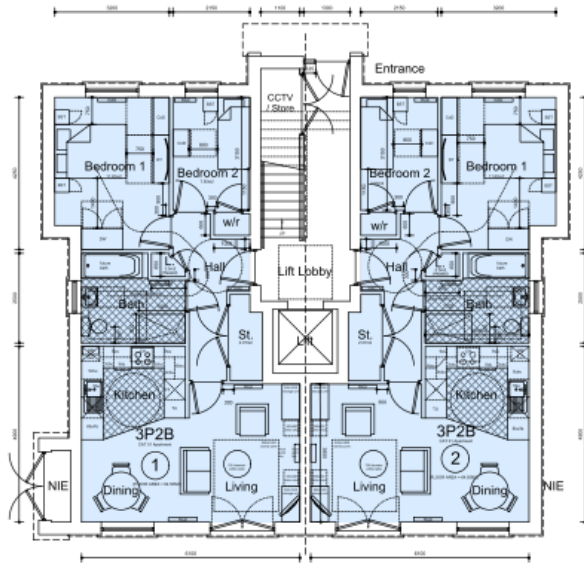
Site sections



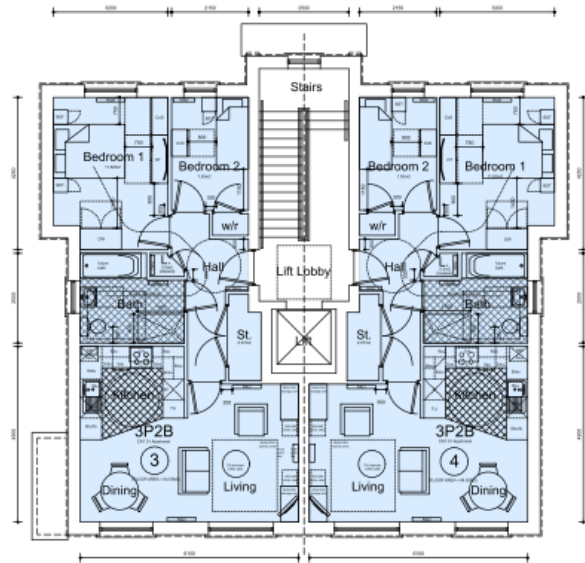
Blocks 1 & 2 Elevations



Ground and first floor plans Block 1 & 2

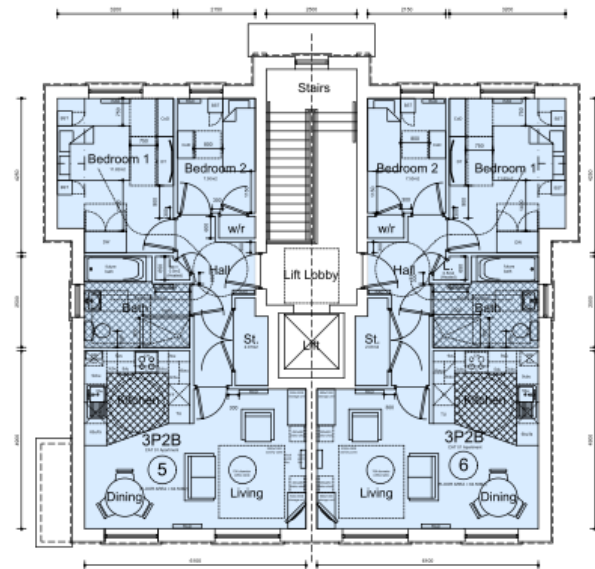


GROUND FLOOR PLAN

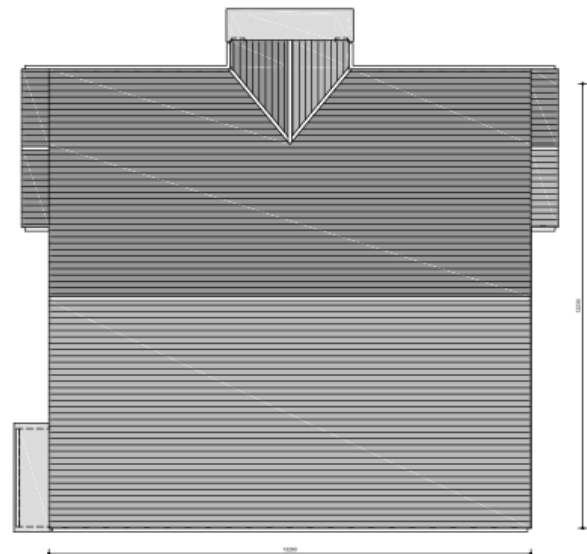


FIRST FLOOR PLAN

Second floor & roof plan Block 1 & 2



SECOND FLOOR PLAN



ROOF PLAN

Proposed front and rear elevation Block 3

PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

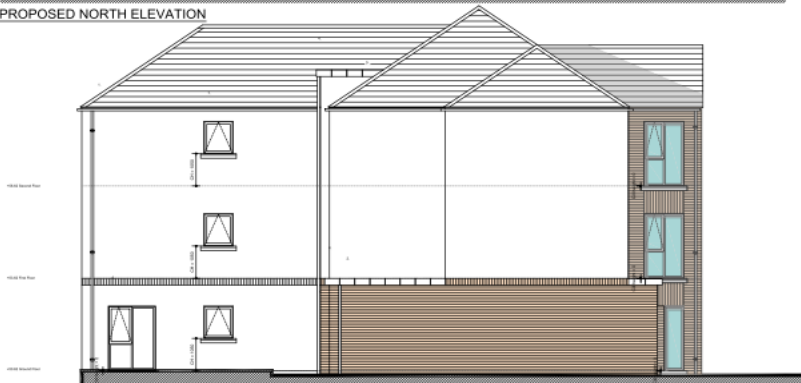


Side elevations Block 3

PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION



<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>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 DES1 – Principles of urban design Policy RD1 – New residential developments 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</p> <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 <i>Belfast Agenda</i> (Community Plan)</p>

<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u> DfI Roads – final response awaited. NI Water – Concerns raised about the availability of waste water infrastructure, which are addressed in the main assessment. DfI Rivers – No objection with condition</p> <p><u>Non-Statutory Consultees</u> Environmental Health – waiting final response</p> <p><u>Representations</u> The application has been advertised in the newspaper and neighbours notified.</p> <p>Fourteen objections (3 comments posted on Planning portal and 11 petition letters) have been received, raising concerns about the following:</p> <ul style="list-style-type: none"> • Landownership – agent confirmed applicant controls all land within the application site. • Overdevelopment of the area • Loss of light • Loss of privacy • Air pollution – caused during the construction phase. • Noise pollution – caused during the construction phase. • Intensification of traffic – deterioration of road, air pollution • Displacement of wildlife – development impacting on habitat • De-valuation of property – not a planning consideration
<p>5.0</p> <p>5.1</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to 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 • 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 • Section 76 planning agreement • Pre-application Community Consultation

	<p><u>Development Plan Context</u></p> <p>5.2 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>5.3 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>5.4 The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p> <p>5.5 The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p> <p><u>Proposals Maps</u></p> <p>5.6 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.</p> <p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p> <p>Belfast Metropolitan Area Plan 2015 (2004) – unzoned white land</p> <p>Belfast Metropolitan Area Plan 2015 (v2014) – unzoned white land</p> <p><u>Principle of housing in this location</u></p> <p>5.7 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 states that there is a presumption that new housing should be delivered on previously developed land within the existing urban footprint, such as the application site. Policy HOU2 states that such proposals should satisfy three criteria discussed below:</p> <p>a. <i>The site is suitable for housing</i> – the site is a sustainable location within the Outer City and considered suitable in principle for housing. Moreover, the previous use of the site was for housing and an extant approval for apartments remains on site.</p>
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5.8	<p>b. <i>The location is accessible and convenient to public transport and walking cycle infrastructure</i> – The site is highly accessible to shops, services, amenities and public transport.</p> <p>c. <i>Provision is made for any additional infrastructure required as a result of the development</i> – Suitable infrastructure is in place.</p> <p>The proposal is for the construction of 21 dwelling units, made up of 100% social housing and aimed at the over 55s. The re-use of a brownfield site to provide additional housing within the city is a sustainable form of development. The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in this location is acceptable.</p> <p><u>Housing density</u></p>																
5.9	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>																
5.10	<p>The proposed is sited on land designated within the Outer City. Policy HOU4 states the average density for Outer city centre should be 25 to 125 dwellings per hectare (ha). The site area is approx. 0.3 ha with 21 dwellings proposed, equating to a density of approx. 70 dwellings per hectare. The proposed density of dwellings proposed complies with the policy.</p> <p><u>Affordable housing</u></p>																
5.11	<p>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.</p>																
5.12	<p>In this case, the application is seeking to address the requirements of Policy HOU5 by providing all 21 units for social housing. Para 3.2.1 of the ‘Affordable Housing’ SPG indicates that small scale developments may be acceptable where they address an identified need. It is acknowledged that the proposed development is medium scale, however NIHE have confirmed their support for the scheme and the proposed housing mix.</p> <p><u>Housing mix</u></p>																
5.13	<p>Policy HOU6 applies. It requires that provision should be made for 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:</p> <ul style="list-style-type: none"> 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. 																
5.14	<p>The proposed housing mix is shown in the table below.</p> <table border="1" data-bbox="300 1787 1461 2031"> <thead> <tr> <th>Accommodation type</th> <th>Size per unit (sqm)</th> <th>Number of units</th> <th>% units</th> </tr> </thead> <tbody> <tr> <td>Accommodation type</td> <td>Size per unit (sqm)</td> <td>Number of accessible units</td> <td>Tenure</td> </tr> <tr> <td>2 bedroom 3 person apartments</td> <td>60 - 65</td> <td>19</td> <td>Social rented</td> </tr> <tr> <td>2 bedroom 3 person wheelchair accessible</td> <td>80 - 85</td> <td>2</td> <td>Social rented</td> </tr> </tbody> </table>	Accommodation type	Size per unit (sqm)	Number of units	% units	Accommodation type	Size per unit (sqm)	Number of accessible units	Tenure	2 bedroom 3 person apartments	60 - 65	19	Social rented	2 bedroom 3 person wheelchair accessible	80 - 85	2	Social rented
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5.15	<p>NIHE have supported the social housing provision to meet the specific need for over 55s. Although it is acknowledged that the proposal does not create a mix of apartment sizes, the proposal is considered acceptable given the prevailing housing need in the area. Furthermore, as the proposal relates to Category 1 social housing, the demand / requirement for larger 3 bed units is likely to be low.</p> <p><u>Adaptable and accessible accommodation</u></p>
5.16	<p>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 policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g) to (o) which these units must meet. The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria (a) to (f). The development will provide parking provision of a firm surface, the entrances to the apartments are sheltered, the living rooms, WCs, kitchens and dining space are provided at entrance level as is the bedrooms and bathrooms each of the main living spaces are provided with an outlook.</p>
5.17	<p>The proposal includes 2 wheelchair accessible units (9.5%) designed in accordance with the space standards of Appendix C of the Plan Strategy and DfC wheelchair housing standards. Criteria (h) stipulates that in-curtilage or designated car parking meets disabled parking standards. The proposal provides car parking at a ratio of one space per dwelling, with 3 spaces dedicated to disabled parking. Criterion (i) states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. The development has pathways and public footpaths wide enough to accommodate wheelchairs. All surfaces are level or gently sloping. It is acknowledged that the percentage of wheelchair accessible apartments falls marginally below the 10% as stipulated in the policy, however it is considered acceptable given the support for the scheme by NIHE. Furthermore, it is noted that none of the apartments approved within the established fall back would be wheelchair accessible, in accordance with HOU7.</p> <p><u>Design and placemaking</u></p>
5.18	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1 and RD1 of the Plan Strategy. 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.</p> <p><u>Scale, height and massing:</u></p>
5.19	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, (a) to (k). The proposed development comprises three apartment blocks. The height of the blocks is three storey, the topography of the site results in the apartments sitting below the road level and the neighbouring residential plots. When read from the road and surrounding public realm, the residential blocks will be seen as two storey, reflective of much of the surrounding area. The blocks are sufficiently spaced, separated by shared amenity areas ensuring that the overall massing of the scheme is acceptable. The scale of the buildings, the massing of the overall build form sits comfortably with the overall character of this area. The proposal satisfies policy DES1.</p>

Residential amenity:

- 5.20 Policy RD1 states that planning permission will be granted for new residential development where it is in accordance with the general urban design policies and where it is demonstrated that the proposal meets the key criteria (a) to (h)
- 5.21 The proposed residential use will not conflict with the surrounding land uses, remaining in conformity with the character of the established residential area. Officers are content that the proposal will not conflict with neighbouring land uses, it being residential in character in a mainly residential area.
- 5.22 The properties having a two-storey relationship with the adjacent neighbouring properties, due to site topography, the separation distances between the rear of the existing dwellings and the gable of the proposed apartment blocks are 12m and 13.5m therefore above the minimum distance of 10m. The use of the 45-degree angle test shows the proposed apartment blocks sit below this angle therefore the proposal will not significantly impact on day light or overshadowing to the neighbouring properties. The apartments will have small windows to the gable facing the neighbouring properties, these are to serve bathrooms therefore are fitted with obscured glazing. Given it is a non-habitable room with obscure glazing there will be no impact of neighbouring privacy. The separation distance and the vegetation of the boundary between the apartment blocks and neighbouring dwellings prevent significant dominance.
- 5.23 The policy expects there to be provision for accessibility and convenience to public transport, the site is conveniently located to the Glider route and Dunmurry train halt. The adjacent road and pathways allow for convenience for cycling.
- 5.24 The proposed properties will have sufficient open space that accords with Planning Guidance, Creating Places, which sets out that, apartments are expected to have a minimum of 10sq/m per unit. The proposal, overall, achieves the recommended amenity space for the proposed dwellings.
- 5.25 Policy RD1 requires the provision of appropriate open space for units and policy OS3 expected up to 10% of the site to be open space. This proposal provides shared open space for the apartments, guidance indicates the provision should be a minimum of 10sq m per unit. The usable open space provided is circa 240 sq m, therefore above the minimum standards. The overall provision of amenity space (including landscaped areas) within the site measures approx. 650 sq m. Officers consider that the proposal provides adequate open space.
- 5.26 The policy seeks to create quality and sustainable residential development and to this regard expects dwelling units to meet the space standards as set out in appendix C of the Plan Strategy. The space requirement as per appendix C and the space provided is demonstrated in the table below.

House type	Space standards requirement (sq/m)	Space provided (sq/m)
2 bedroom 3 person apartments	60	65
2 bedroom 3 person wheelchair accessible	80	85

5.27	<p>The policy seeks to ensure that the liveable rooms within a dwelling as access to natural light. The proposal provides living rooms, kitchens and bedrooms with natural light.</p> <p>Officers are content that the proposal satisfies the requirements of policy RD1.</p> <p><u>Trees / Landscaping</u></p>
5.28	<p>The proposal includes the removal of 23 trees from the site to facilitate development, including provision of the vehicular access. It is noted that the previous fall back approval LA04/2019/1423/F also included the removal of these trees to facilitate development. The proposal includes the planting of 32 trees within and along the boundaries of the site, representing a net gain of 9 trees. The proposed landscaping details do not include information in relation to species type, size etc, therefore it is considered that condition should be imposed requiring details to be submitted prior to the commencement of development.</p> <p><u>Climate change</u></p>
5.29	<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. The policy also expects that demolition is kept to a minimum and encourages, where feasible for existing buildings to be included within the development.</p>
5.30	<p>The demolition of the existing dwellings on site is unavoidable, the design, size and orientation of the new apartments prevents the retention and use of these buildings in the design. The applicant has provided details on the various sustainable design features which will be incorporated in the development. These include using the Housing Association Guide requirements of fabric-first approach which seeks energy efficiency through increased insulation. The proposal is acceptable having regard to Policy ENV2.</p>
5.31	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet to meet criteria (b) in that the proposal incorporates various hard and soft landscaping elements including provision of grassed amenity areas and planting of trees.</p>
5.32	<p>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 advised that the introduction of grassed and planted areas will provide SuDS measures, however it considered that the site has potential for additional SuDS measures. Officers recommend that a negative condition is imposed in the event of permission being granted.</p> <p><u>Access and transport</u></p>
5.33	<p>The site is a highly accessible location within the city. It is within short walking and cycling distance of shops, services, leisure and employment opportunities. The site has very good public transport links through access to buses and rail. The proposal accords with Policy TRAN1.</p>

5.34	Policy TRAN2 states that planning permission will be granted for development that is open to the public where it is designed to provide suitable access for all. The proposal provides acceptable vehicle and pedestrian access to the site.
5.35	Policy TRAN6 relates to access to public roads. The policy advises that planning permission will be granted for a development that involves direct access or intensification of an existing access. The proposal results in an intensification of an existing access to Upper Dunmurry Lane. DfI Roads were consulted and offered no objection to the proposal subject to the inclusion of conditions. Officers accept that the proposed access arrangement is satisfactory to meet the needs of the development and will not inconvenience other road users.
5.36	Policy TRAN8 relates to the provision of adequate parking and servicing arrangements for a development. The proposal will have a car parking space at a rate of one space per unit. The development is designed to be used by older members of society it is therefore unlikely that there will be multiple car ownership among the residents. The Travel Plan for accompanying the application is designed to reduce the reliance on the car and support the use of sustainable travel.
5.37	The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN6 and TRAN8.
	<u>Health impacts</u>
5.38	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.
5.39	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages to shops, services and outdoor activities.
	<u>Environmental protection</u>
5.40	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. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.
	<u>Contaminated land</u>
5.41	Environmental Health (EH) has reviewed the information within the Preliminary Risk Assessment. EH recommends conditions in the event that planning permission is granted. The proposal is therefore considered to accord with Policy ENV1.
	<u>Air quality</u>
5.42	EH has reviewed the Air Quality Impact Assessment and the clarification report and find that both sufficiently demonstrate that future occupants of the development will not be exposed to air quality concentrations exceeding UK air quality objectives. EH is also

	<p>satisfied in relation to potential dust impacts during construction subject to implementation of the proposed dust management measures. The proposal is therefore considered to accord with Policy ENV1.</p> <p><u>Noise and vibration</u></p> <p>5.43 EH have reviewed the initial Noise impact assessment (NIA), however identified some discrepancies with the submitted noise levels. EH requested clarification from the noise consultants; an updated NIA was submitted and EH were reconsulted. The consultation response is still outstanding, however it is anticipated that the proposal has potential to comply with ENV1, in terms of noise impact.</p> <p><u>Flood risk and drainage</u></p> <p>5.44 A drainage assessment was submitted with the application in accordance with policy ENV4. DFI Rivers reviewed the DA, advising of no objections however recommended the inclusion of a planning condition for the safe management of out of sewer flooding.</p> <p><u>Waste-water infrastructure</u></p> <p>5.45 Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has no objection to the proposal the existing wastewater infrastructure is sufficient to meets the requirements of the development.</p> <p><u>Green Travel Measures</u></p> <p>5.46 The applicant has indicated, within the submitted travel plan, that public transport travel cards will be issued to the occupants at time of occupation and will be maintained for a period of 3 years. This travel measure will be secured by appropriate planning condition.</p> <p><u>Section 76 planning agreement</u></p> <p>5.47 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 social housing provision. <p>A draft Section 76 planning agreement has been provided with the application and will be finalised before any planning permission is granted.</p>
<p>6.0</p> <p>6.1</p> <p>6.2</p>	<p>Recommendation</p> <p>The proposal would provide 21 new Category 1 Social homes in a highly sustainable location, making effective use of previously developed land. The scale, height, massing and design of the building are considered appropriate to the site’s context and there are no detrimental impacts on residential amenity.</p> <p>However, as noted above, there are some concerns in relation to housing mix, wheelchair accessibility, loss of trees, proposed landscaping and SuDS measures. It is considered that the NIHE support for the scheme addresses the concerns in relation to</p>

<p>6.3</p> <p>6.4</p>	<p>housing mix and wheelchair accessibility. With regard to the loss of trees, the proposal is similar to the fall back planning approval and the proposal provides a net gain in tree numbers. Suggested conditions in relation to landscaping details and SuDS measures alleviate those concerns.</p> <p>On balance, it is considered that the proposal is acceptable and therefore recommended that planning permission is granted.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including those raised in the final consultation response from BCC Environmental Health, provided that the issues are not substantive.</p>
<p>7.0</p>	<p>DRAFT CONDITIONS</p> <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 dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans. Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car. 3. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained. Reason: To ensure acceptable parking facilities on the site. 4. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. 5. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure. Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users. 6. Pedestrian crossing points including tactile paving shall be provided at all road junctions in accordance with the DETR / Scottish Office publication "Guidance on the use of Tactile Paving Surfaces". Reason: In the interests of pedestrian safety.

7. The vehicular access, including visibility splays and any forward sight distance, 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.

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

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

9. The development shall operate in accordance with the approved Travel Plan.

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

10. Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with 4.8 and Appendix E of SPG, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, in a 1 in 100-year event, including an allowance for climate change (10%) and urban creep (10%). If the Drainage Assessment is being offered for adoption, then further assessment of the drainage network will be made by NIW, and Rivers Directorate will require the inclusion of the authorised 161 Agreement, stamped drawings, and the corresponding Micro Drainage/Causeway Output.

Reason – In order to safeguard against surface water flood risk.

11. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

12. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard

surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and/or 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 and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

13. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.

Reason: In the interests of amenity.