

Development Management Report	
Committee Date: 15 th April 2025	
Application ID: LA04/2024/0675/F	
Proposal: Change of Use of first and second floor to 39 No. apartments; extension to second floor for 6 No. apartments and erection of new third floor for 19 No. apartments (all social housing dwellings, 64 No. in total), and ancillary/associated works. Solar panels on roof.	Location: The Arches Centre 11-13 Bloomfield Avenue, Belfast, BT5 5AA
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Linette Developments Ltd 11 Bloomfield Avenue Belfast BT5 5AA	Agent Name and Address: Gravis Planning 1 Pavilions Office Park Kinnegar Drive Holywood
Date Valid: 13 th May 2024	
Target Date: 9 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: The application seeks full planning permission for change of use of first and second floors from Class B1 offices to 39 No. apartments; extension to second floor for 6 No. apartments and erection of new third floor for 19 No. apartments (all social housing dwellings, 64 No. in total). The proposal also includes ancillary/associated works and solar panels on the roof. The key issues for consideration of the application are set out below. <ul style="list-style-type: none"> • Principle of residential 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 • Impact on trees • Access and transport • Health impacts • Environmental protection 	

- Flood risk and drainage
- Natural heritage
- Section 76 planning agreement
- Pre-application Community Consultation

In the Belfast Urban Area Plan 2001, the site is zoned as an area of business development potential. The site is located within the development limit of the city and within a District Centre in the most recent version of the draft Belfast Metropolitan Area Plan 2015 (v2014). It adjoins but is not within an Area of Townscape Character.

The ground floor is to be retained as retail and as such there will be no impact on the role of the District Centre as a place for retail / commercial activity. The proposal makes good use of vacant upper floors. The site is a sustainable and suitable location for new housing.

The height, scale and massing of the proposed extensions are in keeping with the surrounding area. The character and appearance of the area would be safeguarded.

The proposal includes limited dedicated in-curtilage and off-street parking, however, the applicant has demonstrated sufficient on-street parking within the area. The site is in a highly sustainable location with access to public transport and the low level of in-curtilage parking is acceptable.

NIHE is supportive of the social housing proposals. Other than NI Water, statutory and non-statutory consultees do not raise objections to the proposal. NI Water object to the application on grounds of insufficient waste-water infrastructure; this issue is dealt with in the main report.

No third-party objections have been received.

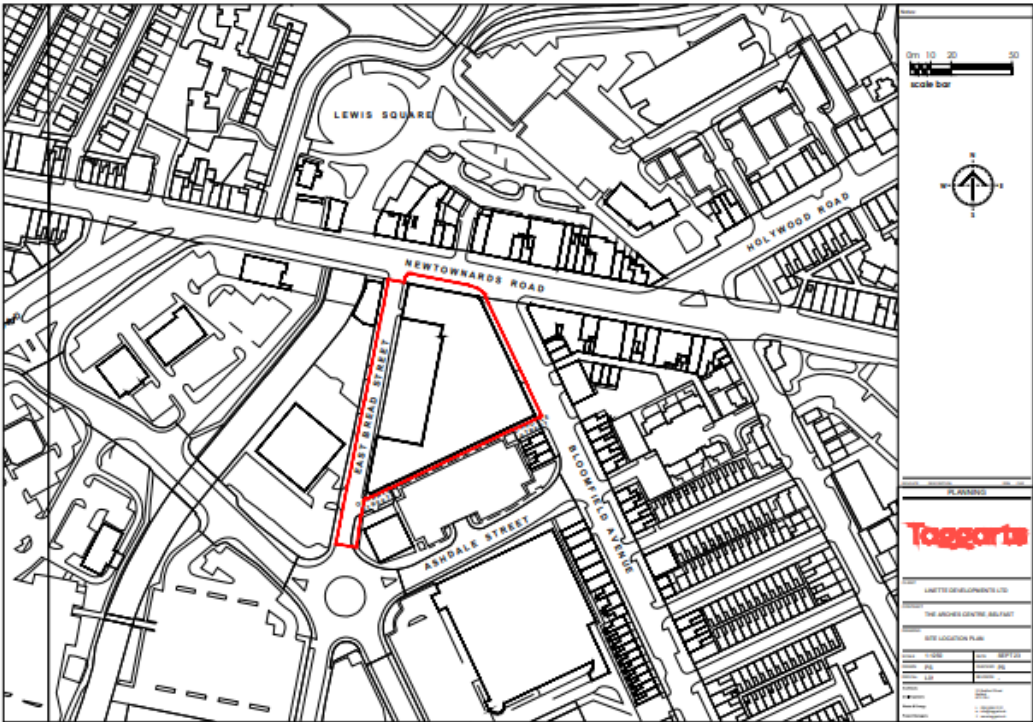
Recommendation

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.

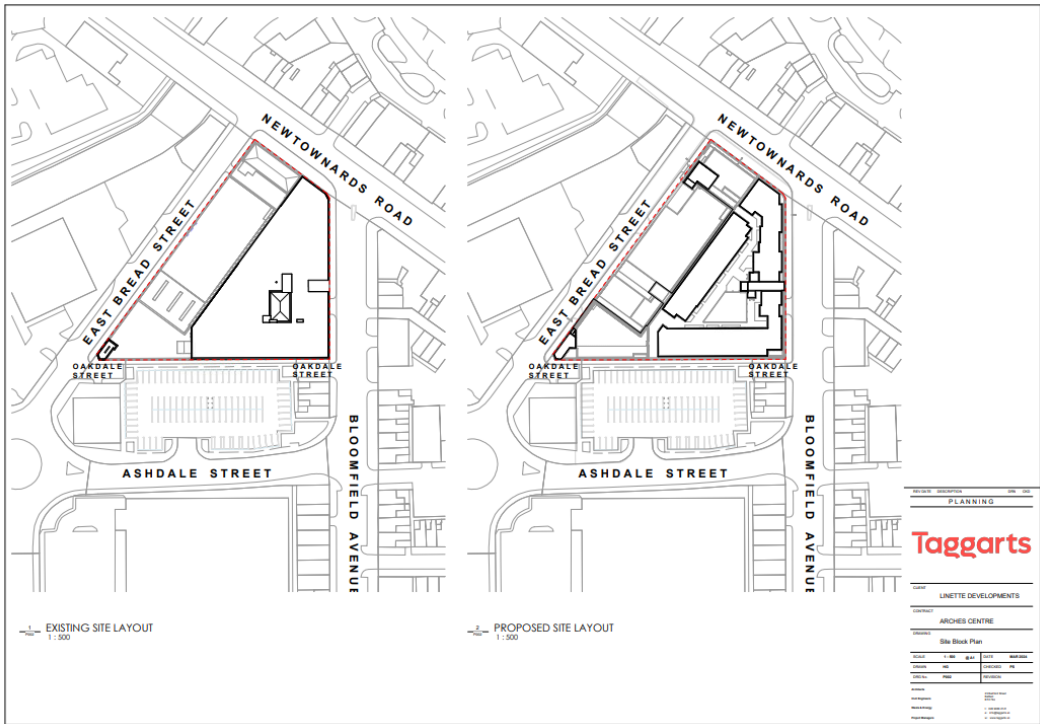
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the outstanding details that demonstrate sufficient wheelchair units and consultation response from Environmental Health, along with any other issues that arise, provided the issues are not substantive.

DRAWINGS AND IMAGERY

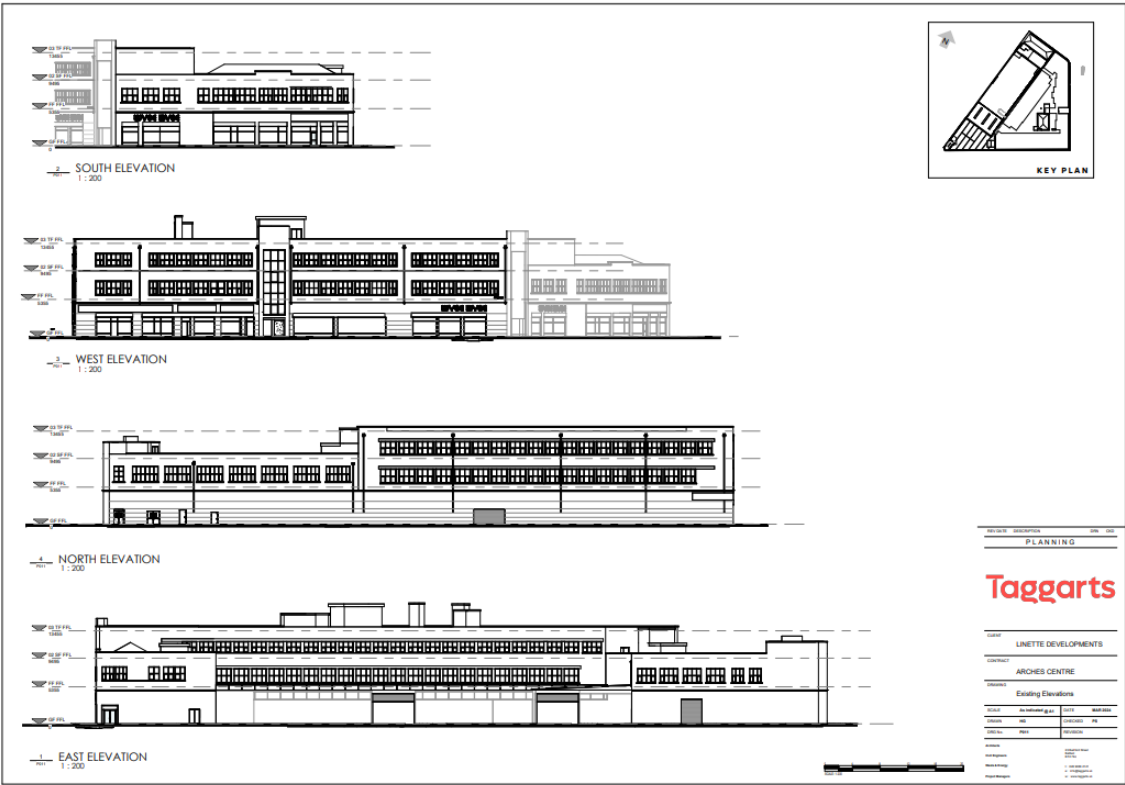
Site Location Plan:



Proposed site layout:



Existing elevations:

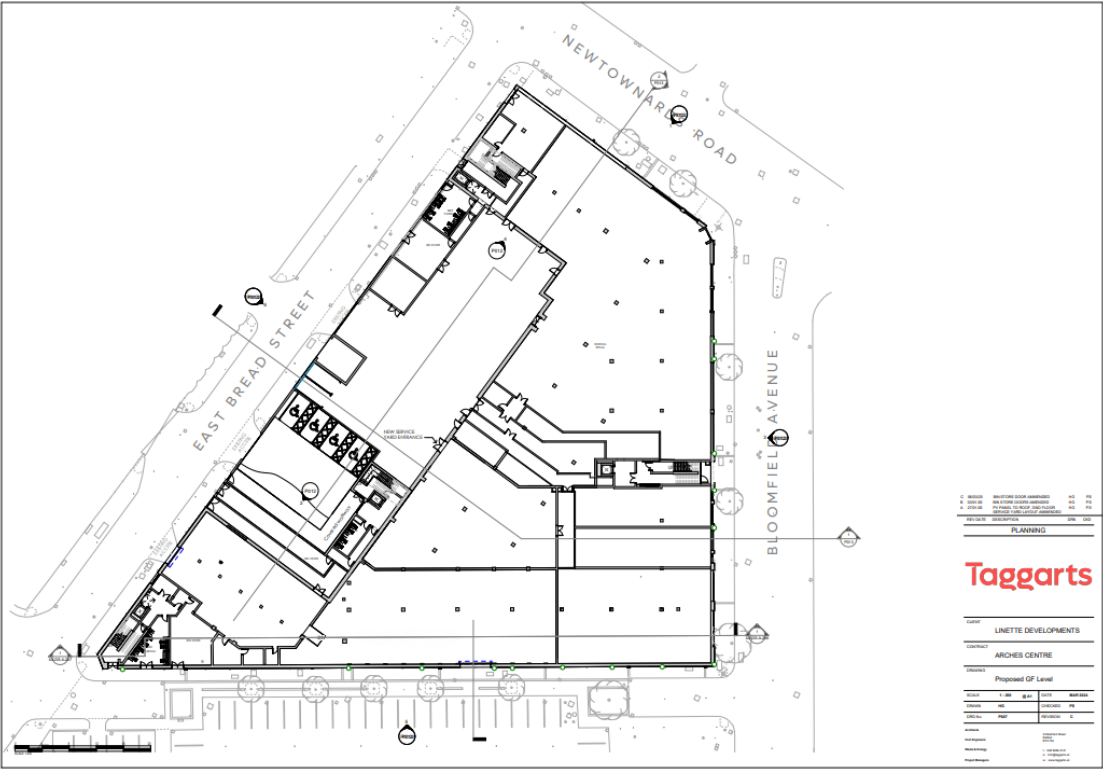


Proposed elevations:

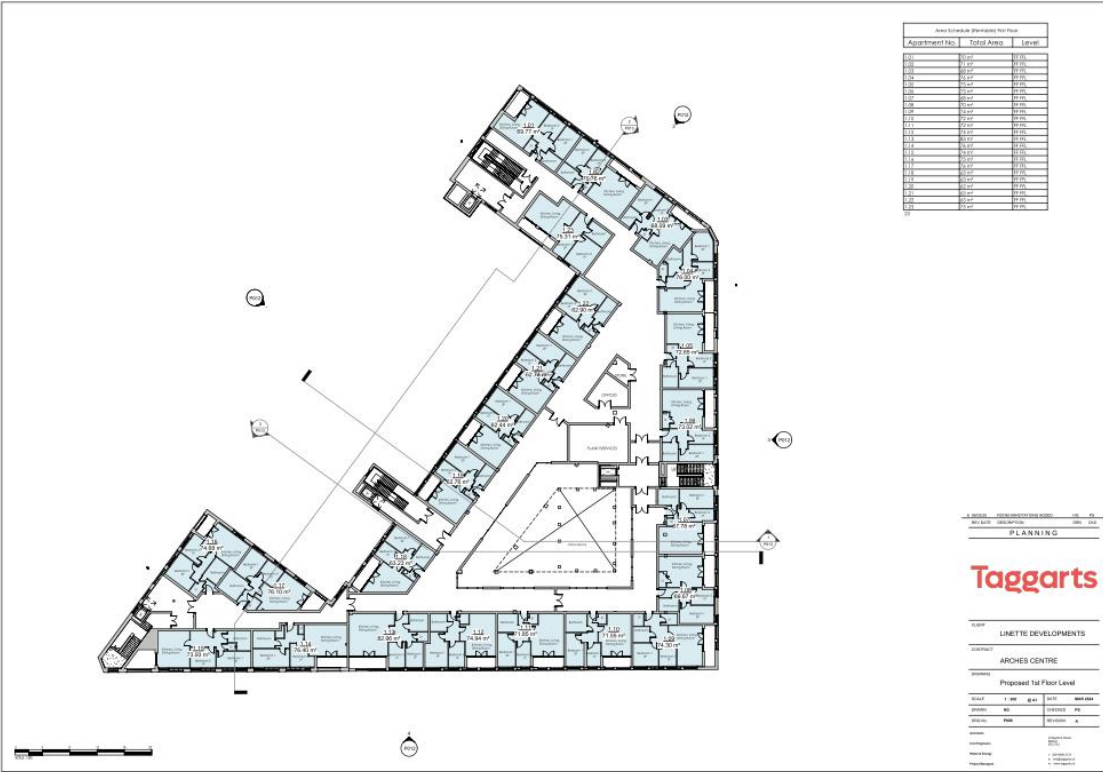


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Proposed Ground Floor Plan:



Proposed First Floor Plan:



[illegible]

Proposed Third Floor Plan:

1.0	Characteristics of the Site and Area
1.1	The site is occupied by a four-storey red brick building with a flat roof and a central courtyard. The ground floor is in use as retail (Wyse Byse) and the upper floors were last used as Class B1 offices but are currently vacant. The central courtyard is accessed via East Bread Street, which encloses the site to its northwest side. The site abuts the Newtownards Road on its northeast side; Bloomfield Avenue on its east side; and Ashdale Street car park to the south.
1.2	The surrounding area is characterised by commercial and residential uses in buildings of eclectic styles and sizes.
	Description of Proposed Development
1.3	The application seeks full planning permission for a change of use of first and second floors from Class B1 offices to 39 No. apartments; extension to second floor for 6 No. apartments and erection of new third floor for 19 No. apartments (all social housing dwellings, 64 No. in total). The proposal also includes ancillary/associated works and solar panels on the roof.
2.0	PLANNING HISTORY
2.1	<p>The site has no relevant planning history, however, the proposal was subject to Pre-Application Discussion (PAD) with officers and Proposal of Application Notice (PAN):</p> <p>LA04/2020/0666/PAD - Change of use/refurbishment and extension of an existing commercial building in East Belfast. The draft proposal is to retain approx. 3380sqm of retail on the ground floor, convert the existing approx.. 5800sqm of commercial office space on the first and second floors into residential apartments and the erection of a new third storey /level for residential apartments. The initial scheme proposes to retain approx. 3380sqm and provide approximately 73 apartments units with 47 associated car parking spaces and landscaping.</p> <p>LA04/2023/4475/PAN - Change of use of first and second floor of The Arches Centre into 44 No. apartments and erection of additional storey (new 3rd floor) to provide 21 No. apartments and associated and ancillary development.</p>
3.0	PLANNING POLICY
	Development Plan – Plan Strategy
3.1	<p><u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></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</p>

	<p><i>Operational Policies:</i></p> <p>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</p> <p>Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy RD3 – Conversion or sub-division of existing buildings for residential use Policy CI1 – Community Infrastructure 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 – Natural Heritage</p>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p>
3.3	<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>
3.4	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>

4.0	CONSULTATIONS AND REPRESENTATIONS <u>Statutory Consultees</u> 4.1 DFI Roads – No objection, subject to conditions. DFI Rivers – No objection in principle. NI Water – Objection but may change subject to approval of a waste-water impact assessment. The applicant is currently working on finalising this for submission. NIHE – Supports the proposal for social housing. <u>Non-Statutory Consultees</u> 4.2 Environmental Health – No response. BCC LDP Housing – No comment. BCC LDP Environment – No objection. BCC Trees and Landscape – No objection. <u>Representations</u> 4.3 The application has been advertised in the press and neighbours notified. No representations have been received.
5.0	PLANNING ASSESSMENT Development Plan Context 5.1 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise. 5.2 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations. 5.3 The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted. <u>Operational Policies</u> 5.4 The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1.

	<p><u>Proposals Maps</u></p>
5.5	<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 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>
5.6	<p>Belfast Urban Area Plan 2001 – the site is zoned as an area of business development potential.</p>
5.7	<p>Belfast Metropolitan Area Plan 2015 (v2004) – the site is zoned as a District Centre within the settlement limits.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is zoned as a District Centre within the settlement limits.</p>
	<p><u>Environmental Impact Assessment</u></p>
5.9	<p>The proposed development falls within Category 10(b) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 and therefore the Council is required under Regulation 12(1) to make a determination as to whether the proposal is EIA development. The Planning Service has determined that the proposal is unlikely to have any significant environmental effects in the context of the regulations and is not EIA development. Therefore, the application does not require to be accompanied by an Environmental Statement.</p>
	<p>Main Issues</p>
5.10	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing and community facility 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 • Impact on trees • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Section 76 planning agreement • Pre-application Community Consultation

	<u>Principle of housing in this location</u>
5.11	The Plan Strategy does not preclude non-commercial uses such as housing within District Centres in principle. The ground floor is being retained as retail and as such there will be no impact on the role of the District Centre as a place for retail / commercial activity. The proposal would make good use of vacant upper floors.
5.12	Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the 'rest of Belfast city' and 2,000 windfall homes. The proposal is located within a previously developed site (windfall) within 'rest of Belfast city'.
5.13	<p>Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> • The site is suitable for housing – the site is a sustainable location and considered suitable in principle for housing. • The location is accessible and convenient to public transport and walking cycle infrastructure – the site is on the Glider route and close to cycling / walking routes and is highly accessible to shops, services, amenities and public transport. • Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place to support the proposal.
5.14	The proposal is for social housing in the form of apartments. The proposal will provide quality housing that will add to the variety of housing stock offered in this location.
5.15	The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.
	<u>Housing density</u>
5.16	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.17	The proposal is for 64 dwelling units in a location where the average density should be 75-150 dwellings per hectare (ha). The site area is 0.7 ha therefore the proposed development equates to a density of 105 dwellings per ha, compliant with Policy HOU4.
	<u>Affordable housing</u>
5.18	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.
5.19	The proposal is for all 64 residential units to be provided as social housing, therefore, meeting the minimum requirement.
5.20	However, this also means that the proposal would provide "mono-tenure" housing. The Affordable Housing and Housing Mix Supplementary Planning Guidance (SPG) seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.12 of the SPG states that larger mono-tenure schemes may be considered having regard to the following considerations:

	<ul style="list-style-type: none"> • The level of social housing need in the vicinity of the site and the availability of land to address such needs; • The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; • Whether a scheme is proposed as 'shared housing
5.21	<p>Dealing with the first criterion, NIHE supports the application, stating the <i>proposed development is located 'within Inner East Belfast Housing Need Area which has an unmet need of 359 social housing units for the 2023-28 period. At June 2024 there were 730 households in Housing Stress.'</i> Whilst recognising that the proposal involves mono-tenure, NIHE supports 100% social housing here in view of its historic commitments to the site, which pre-date adoption of the Plan Strategy and publication of the SPG in May 2023. NIHE states that it has been aware of a proposal here since 2021 and has been in discussions with a Housing Association since 2022.</p>
5.22	<p>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. Nevertheless, regard is had to the significant level of unmet social housing need in the area, the support for the proposal from NIHE as Housing Authority and the largely supportive response from the local community for affordable housing during the pre-application community process. Having regard to the above considerations, on balance, the proposal for mono-tenure housing here is acceptable.</p> <p><u>Housing mix</u></p>
5.23	<p>Whilst Policy HOU6 does not require a mix of housing types for single apartment developments, it does require a varied mix of unit sizes. All 64 no. units will be 3-person 2-bed units with floorspace sizes between 60sq/m and 83sq/m with an average of 71sq/m. This is not considered to meet the requirements of the policy in terms of variety. However, regard is had to NIHE's support for the scheme and need for social housing units in the area. Moreover, Policy HOU6 states that provision should particularly be made for smaller homes and the proposal is consistent with this aim. On balance, the proposed tenure mix is considered acceptable.</p> <p><u>Adaptable and accessible accommodation</u></p>
5.24	<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.</p>
5.25	<p>The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f.</p>
5.26	<p>The proposal includes 10 units that are to be designed to be wheelchair adaptable / accessible units. Final details of these are still to be submitted and delegated authority is sought to deal with this outstanding issue. The only in-curtilage car parking that is provided for the entire scheme are four parking space and these are designed for disabled users and DfI Roads is content. These disabled parking spaces are close to the rear entrance and a covered walkway. Criterion i. states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. The proposed amenity areas with associated hard surfaces are considered to</p>

	be able to accommodate wheelchairs. All surfaces are level or gently sloping. Private amenity space is level and consists of hard surfacing.
5.27	<p>Criteria h., i. and o. of Policy HOU7 have been satisfied. Criteria g. and j. to n. will be assessed when final floor plans have been submitted.</p> <p><u>Design and placemaking</u></p>
5.28	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2, RD1, and RD3 of the LDP: Plan Strategy (PS). 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 development.
5.29	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 is comprised of two key components: a change of use of levels 1 and 2 of an existing building whilst retaining the commercial use at ground floor; and an extension at roof level to create an additional storey. This will be slightly set back from the facades of the original building. The proposal has been designed so that the new fourth storey appears as an add-on to the original to ensure that the visual three-dimensional hierarchy of the main building is retained. The surrounding area is eclectic in character with buildings ranging from 2 storeys to 4 storeys. Any changes to the building at street level will have minimal impact on its character. The main works will be to the roof which will be mostly viewable from a distance which in the context of Connswater shopping centre and a multistorey car park to the south and commercial units adjacent to the west of the site at East Bread Street, will not have any detrimental impact on the overall existing character of the area. The Area of Townscape Character to the east of the site will not be impacted to any greater degree than it currently is by Connswater Shopping Centre and the retail park buildings
5.30	The dark coloured finished materials are completely different to the red brick of the original walls. This helps gives the impression that the additional storey is an attic. The design is therefore considered to comply with criterion a. and b. of Policy DES1 as it responds positively to the local context and character and reinforces a sense of place.
5.31	Criterion f. of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. This diversity is achieved by the reuse of the upper floors for residential whilst retaining commercial at ground floor. This will also ensure the existing active frontage along the Newtownards Road is not impacted.
5.32	<p>The proposal is considered to satisfy the relevant criteria in Policies DES1, DES2, RD1, and RD3 of the Plan Strategy.</p> <p><u>Climate change</u></p>
5.33	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
5.34	The proposal retains the existing building consistent with the aim of Policy ENV2 which seeks to avoid demolition where feasible.

5.35	The applicant has provided details on the various sustainable design features which will be incorporated into the development. However, they caveat these by stating that the proposal is for a change of use of an existing building and therefore it is difficult to retrofit the entire building so that fully complies with Policies ENV2, ENV3 and ENV5. It is noted that these policies state that climate change measures shall be incorporated where feasible or where appropriate.
5.36	The policy also sets out measures to maximise opportunities to incorporate sustainable design features. One of these is the provision of 'green roofs', which is included in this proposal. A further opportunity includes improvements to energy efficiency and this proposal will involve improvements to the building fabric to enhance its energy efficiency with the provision of new building insulation throughout. The proposal also includes solar panels to the roof to incorporate and maximise the use of renewable energy sources. These sustainable measures shall be secured by condition. This is compliant with Policies ENV2 and ENV3.
5.37	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. As a largely change of use application, it is proposed to retain, re-use and adapt the current drainage network on site for residential use. The applicant has stated that it not sustainable nor cost-effective to remove and replace the entire existing drainage network on site with a totally new drainage network. The applicant's Flood Risk and Drainage Assessment includes a section on surface water drainage and proposed attenuation, including SuDS measures (see section 7.5 and 7.6). The proposal includes measures to assist with the drainage system to make it more sustainable. This includes elements of a green roof and proposed landscaping. These SuDS measures are considered acceptable.
5.38	The proposal is considered acceptable having regard to Policy ENV5. <u>Residential quality and impact on amenity</u>
5.40	Policies 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. <i>Impact on neighbour amenity:</i>
5.41	The only other residential property directly adjacent to the application site is to the south of the site at No. 23 Bloomfield Avenue, which is a first and second floor flat. The site faces onto the gable side of this property and there will be limited impact on its existing amenity in terms of overlooking, overshadowing or over-dominance. <i>Open space and amenity provision:</i>
5.42	Policy OS3 requires that all new development proposals make 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. The normal expectation for open space provision is at least 10% of the total site area. Furthermore, 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. 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.
5.43	In this case, the proposed ancillary open space proposed (roof garden) is approximately 400 sqm which is approx. 5.7% of the site. However, the applicant's supporting statement addresses this deficiency by pointing out that the site is within close proximity to existing public open space areas. In particular, CS Lewis Square is less than 50m from the application site and access to both the Connswater and Comber Greenways are also a similar distance from the site, which go on to connect to larger public open space areas such as Victoria Park and Orangefield Park. Therefore, future residents will be within easy walking distance to existing public open space areas.
5.44	Policy OS3 states that where on-site provision at a rate of less than 10% of the total site area may be acceptable where the residential development is close to and would benefit from ease of access to areas of existing public open space. Given the proximity of the site to public open space and the size constraints that come with a change of use of an existing building within an inner-city area, this is deemed to be acceptable. The proposal is considered compliant with Policy OS3.
5.45	Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. The justification and amplification of this policy outlines that this may take the form of recessed balconies and roof terraces. <i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit. This is accepted in the form of private communal open space in the form of landscaped areas, courtyards or roof gardens. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally, developments in inner urban locations and other high-density areas will tend towards the lower figure. Each apartment will have its own private balcony ranging from 4.7sq/m to 10sq/m, while one unit would have 22sq/m. The average size of individual balconies will be 7.3sq/m. In addition to this, the proposed roof garden will provide an additional 400sq/m approx. of open space, bringing the average amenity space per apartment up to 13.8sq/m per unit. This is greater than the minimum standard of 10sq/m as per the guidance.
5.46	Each apartment would enjoy an acceptable outlook. The proposal is considered compliant with Policy RD1 (d). <i>Space standards:</i>
5.47	The proposed 3-person / 2-bedroom apartments would have an average internal space provision of 71 sqm, exceeding the minimum 60 sqm space standards set out in Appendix C of the Plan Strategy, compliant with Policy RD1 criterion f. <u>Waste Management</u>
5.48	Policy RD1 criterion I. states that planning permission will only be granted if provision is made for the disposal and storage of waste. Policy RD3 criterion b. specifically relates to conversion / sub-division of existing buildings for residential use.
5.49	The proposed bins stores are all located within the curtilage of the site and can be accessed internally within the site. They are also appropriately screened from both public and private view and will not impede rear access and will not result in the loss of any in-curtilage car parking spaces. It has also been demonstrated that there is sufficient space to accommodate the number of bins within a waste management plan

that has been submitted in support of the proposal. There are 3 no. bin stores with the following combined capacity:

Waste Type	Bin Size in Litres	Number of bins	Totals
General	1100	4	4,400
General	660	5	3,300
			7,700
Dry Recyclables	1100	8	8,800
Dry Recyclables	660	5	3,300
			12,100
Organic Waste	140	16	2,240
			2,240
All		38	Total: 22,200

5.50 The waste storage proposals accord with the standards required by the SPG which is calculated as follows: the weekly waste calculation for residential is 70L+30L per bedroom. Therefore, the weekly requirement for a 2-bed apartment is 140L+30L. So, for 64 x 2-bed units this will be $64 \times (140+30) = 10,880$. Collection is biweekly so this will be $10,880 \times 2 = 21,760L$. This leaves an excess of 440L for the existing commercial use at ground floor level.

5.51 This is further broken down into categories: 10% organic waste; 55% dry waste; and 35% general waste. The figures in the table above add up to these percentages.

5.52 The proposal is therefore considered to comply with the above criteria.

Impact on trees

5.53 The Tree Officer has been consulted and is content subject to conditions. One of their recommended conditions relates to protective fencing around street trees. These are outside the boundary of the site and as such are on lands outside the control of the applicant. As such it is recommended this condition is omitted in lieu of an informative. The proposal is compliant with Policy TRE1.

Access and transport

5.54 The site is a highly accessible location within the city having direct access to the road network and public transport including Glider. It is within short walking and cycling distance of shops, services, leisure and employment opportunities. Provision is made for sheltered and secure cycle parking within the site. The proposal accords with Policy TRAN1.

5.55 The green travel plan provided with the application will further promote active and sustainable travel. Belfast Bikes membership will be offered to each resident. Travel cards will be also offered to each residential unit for three years. The developer will also provide the tenants with promotional material advising of sustainable travel measures. These measures, together with the travel plan, would need to be secured by means of a Section 76 planning agreement.

5.56	<p>In regard to on-site parking, the proposal includes four disabled parking spaces within the courtyard. The rest of the apartments will not be afforded parking spaces. This is below the Department's parking standards. However, a parking survey found that there is sufficient on-street parking nearby that can facilitate any parking demand created by the proposal. Regard is also had to the highly sustainable location of the site with good access to shops, services and public transport, including Glider.</p> <p>DfI Roads have no objection to the parking and travel arrangement for the proposed development, subject to conditions. It has provided a condition for all existing redundant accesses to be closed off. However, no accesses are proposed to be closed off and as such it is recommended that this condition is omitted.</p>
5.57	<p>Subject to securing the green travel measures via a Section 76 planning agreement, the proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN 8.</p> <p><u>Health impacts</u></p>
5.58	<p>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.</p>
5.59	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure amenities, playing pitches and a public park. An outdoor gym is proposed to provide further opportunities for exercise and fitness. The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><u>Environmental protection</u></p>
5.60	<p>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.</p>
5.61	<p>Environmental Health is still finalising its formal consultation response. However, it has indicated that it is generally satisfied in respect of contaminated land, noise and odour, subject to negative conditions. It is still to provide feedback on air quality. Delegated authority is sought to deal with any issues that may be raised by Environmental Health in their final response.</p> <p><u>Flood risk and drainage</u></p>
5.62	<p>Flood Maps (NI) indicates that the site lies within the 1 in 100 year defended climate change fluvial flood plain. Policy ENV4 prohibits new development in a floodplain unless in exceptional circumstances.</p>

5.63	The SPPS and Policy ENV4 state 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). 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.
5.64	The proposal falls into Exclusion 5 of the list of exclusions outlined in the Planning and Flood Risk SPG. This states that proposals involving significant intensification of use will be considered on their merits and will be informed by Flood Risk Assessment. Given that this is a change of use of upper floors of an existing building DfI Rivers accepted the applicant's assertion that this is an exception and is content with the submitted Flood Risk Assessment.
5.65	The applicant submitted a Flood Risk Assessment as required by the policy. DfI Rivers has reviewed this and advised that it has no reason to disagree with its conclusions.
5.66	The proposal is considered compliant with Policy ENV4. <u>Waste-water infrastructure</u>
5.67	NI Water has objected to the proposal on the grounds of insufficient waste-water infrastructure. It has sought a Wastewater Impact Assessment (WWIA) from the applicant, which the applicant has indicated that they will submit.
5.68	Policy SP1a requires that necessary infrastructure is in place to support new development. Whilst NI Water has objected to the application, 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. A condition is recommended to secure final details of foul and surface water drainage prior to commencement of development.
5.69	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy. <u>Natural Heritage</u>
5.70	The site is located within a densely built-up urban area; the existing building is in part use and not derelict. An informative is recommended to remind the developer of their legislative responsibilities with regard to the protection of wildlife.
5.71	There is an adjacent watercourse (Connswater river) that is hydrologically linked to Belfast Lough which is a designated Special Protected Area (SPA). The final details of foul and surface water drainage should be required by condition prior to commencement of development to ensure no pollution of the river and Lough.
5.72	It is considered that the proposal is in compliance with Policy NH1.

	<u>Section 76 planning agreement</u>
5.73	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:
5.74	<ul style="list-style-type: none"> • Social housing – to ensure delivery of the 64 residential units as social rented housing; • Green travel measures – travel plan; a travel card for each apartment for 3 years; Belfast Bikes membership for each apartment for 3 years; and car club membership for 3 years; • Employability and Skills – the Council's Economic Development Unit has advised that a Construction Employability and Skills Plan is required to promote inclusive growth, consistent with the Developer Contribution Framework.
5.75	A draft Section 76 planning agreement has been agreed in principle between the applicant and Planning Service.
	<u>Pre-application Community Consultation</u>
5.76	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.
5.77	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.
5.78	<p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Published a notice in the press 10 days prior to the public event to highlight information about the proposals and provide notification of the public information event; • A leaflet containing details of the public consultation event (Appendix 6) was designed and distributed to all properties within a 200m radius of the site, over one week in advance of the public event with a total of 737 neighbours receiving a leaflet; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Online consultation was undertaken to provide an opportunity for the local community to view plans of the proposed development digitally, and provide feedback. This consultation ran between Monday 29th January and Friday 23rd February 2024, on a webpage within the Gravis Planning website. • Feedback from stakeholders was generally positive with no objections to the principle of the proposal.
5.79	The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.
5.80	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.

<p>6.0</p> <p>6.1</p> <p>6.2</p>	<p>Recommendation</p> <p>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.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the outstanding details that demonstrate sufficient wheelchair units and consultation response from Environmental Health, along with any other issues that arise, provided the issues are not substantive.</p>
<p>6.0</p>	<p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. No external facing or roofing materials shall be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>3 The development hereby approved shall not be occupied unless the measures to mitigate climate change have been implemented in accordance with section 6.0 of the Planning, Design & Access Statement (Addendum), dated October 2024. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p> <p>4. The development hereby approved shall not be occupied until all communal and private open space areas, including roof terraces and balconies have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times.</p> <p>Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</p> <p>5. 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 foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p>

6. The development hereby approved shall not be occupied unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage

7. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site.

8. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan uploaded to the Planning Portal on 14 October 2024.

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

9. All landscaping works to the roof garden areas shall be carried out in accordance with details on the approved Landscape Proposals, published to the Planning Portal on 2 September 2024. The works shall be carried out prior to the occupation of the development unless otherwise agreed in writing by the Council. Any plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of residential amenity and to assist with mitigating climate change.

10. 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.

DRAFT INFORMATIVES

1. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations: Employability and Skills; Green Travel Measures; and Social Housing.
2. The developer has a responsibility to ensure no damage will be caused to any street trees during the construction phase.

	<p>3. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>4. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>5. The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.</p> <p>6. The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:</p> <ul style="list-style-type: none"> a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat; b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. <p>If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.</p>
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