

Committee Report

Development Management Report	
Application ID: LA04/2024/1036/F	Committee Date: 17 th June 2025
Proposal: Lagan Gateway Phase 2 – Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works	Location: Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA
Referral Route: Section 3.8.5 (c) of the Scheme of Delegation. Application made by the Council	
Recommendation: Approval subject to conditions and a satisfactory response from NIEA	
Applicant Name and Address: Ryan Riddell Belfast City Council 9 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Tony Sloan AECOM The Clarence West Building 2 Clarence Street West Belfast BT2 7GP
Date Valid: 10 th May 2024	
Target Date: 23 rd August 2024	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>The application relates to the Lagan Gateway Project which aims to enhance connectivity along the River Lagan. The Project has been broken down into two phases with phase 1 completed in 2022 approved under reference LA04/2016/0041/F. Phase 1 included a Link Bridge connecting Annadale Embankment and Lagan Meadows as well as a new boat lock at Stranmillis and a path linking Annadale embankment with Stranmillis.</p> <p>The site for phase 2 comprises of a section of land to the South of Phase 1 and will connect Lagan Meadows to Belvoir Forest Park. An associated certificate of Lawfulness application (LA04/2025/0083/CLOPUD) has been submitted to cover a section of the development to be completed under Permitted Development. The overall length of the proposed new Greenway will be approx. 1km. The greenway will consist of gravel paths, a timber boardwalk and associated landscaping and tree planting.</p> <p>The application follows Pre-Application Discussions with officers.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside • Layout, Scale, Massing and Design and Impact on the character and appearance of the area • Open Space • Impact on Natural Heritage 	

- Impact on the Archaeological Assets
- Flood Risk
- Climate change
- Proposed Access and Car Parking
- Community Infrastructure, and Health and Wellbeing

The site is located outside the development limits and within Lagan Valley Regional Park as designated within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).

The proposal is considered to enhance the area by improving connectivity to the existing greenway, and increasing the length of the greenway by approx. 1km. The proposal will include gravel paths, and elevated timber boardwalk and also provide additional landscaping and additional cycle stands.

The proposal is sympathetic to the rural character of the surrounding area and the proposed greenway will improve connectivity in the area and will contribute to enhancing the character of the area. The proposal is not considered to have significant impacts on the Lagan Valley Regional Park.

There is one outstanding consultation from NIEA. NIEA's Natural Environment Division requested further information which has been submitted and have been reconsulted. There was a significant delay in NIEA's initial response with the consultation issued on the 5th July 2024 and response not received until the 11th March 2025 despite a previous PAD. Given the time funding pressures associated with the application and the delays in the initial response from DAERA, delegated authority is requested to deal with the outstanding consultation provided it raises no substantive issues.

The application was neighbour notified and advertised in the local press, 3 letters of support and 3 letters of objection have been received. The matters raised in the letters of objection have been addressed in the main section of the report.

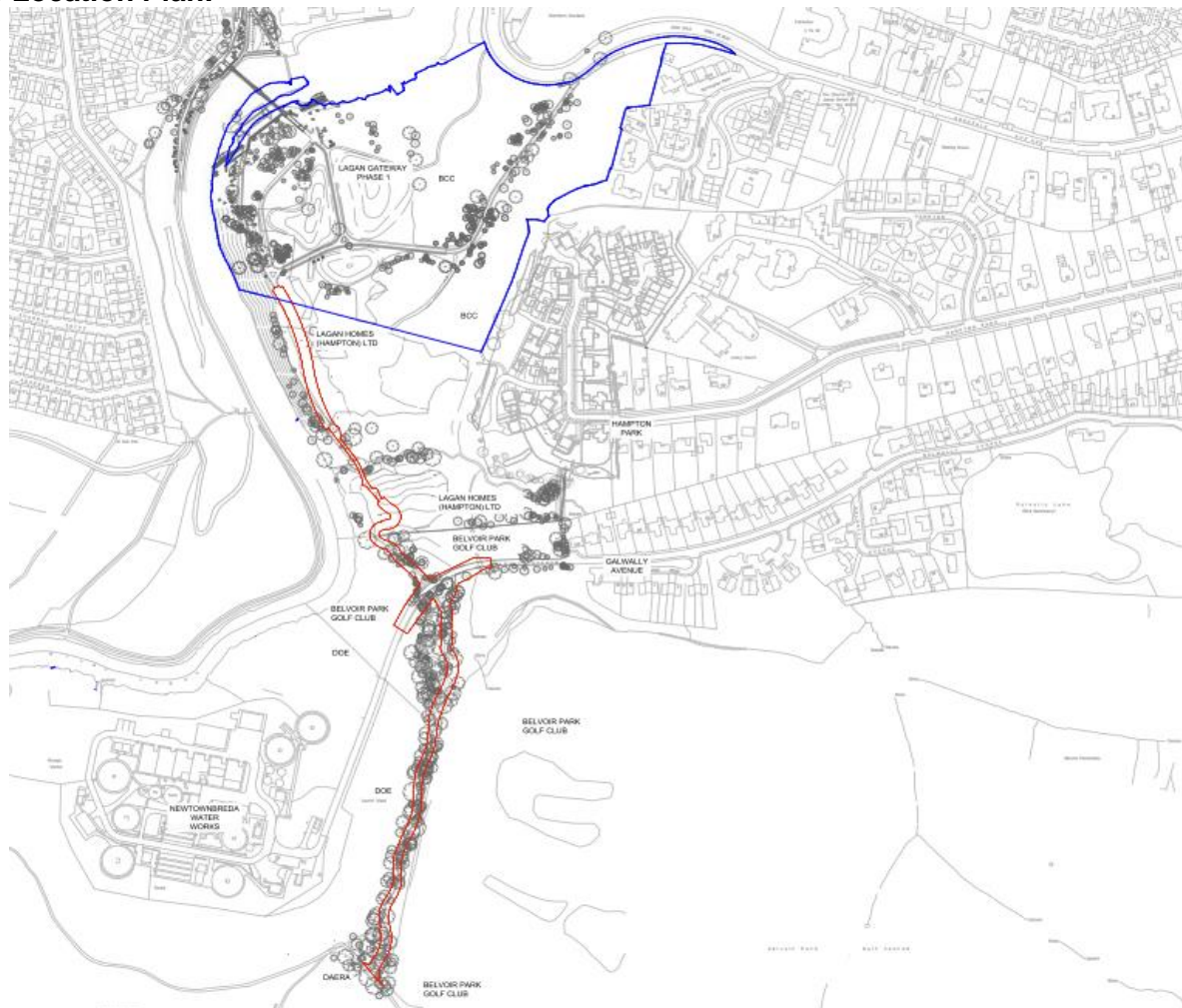
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

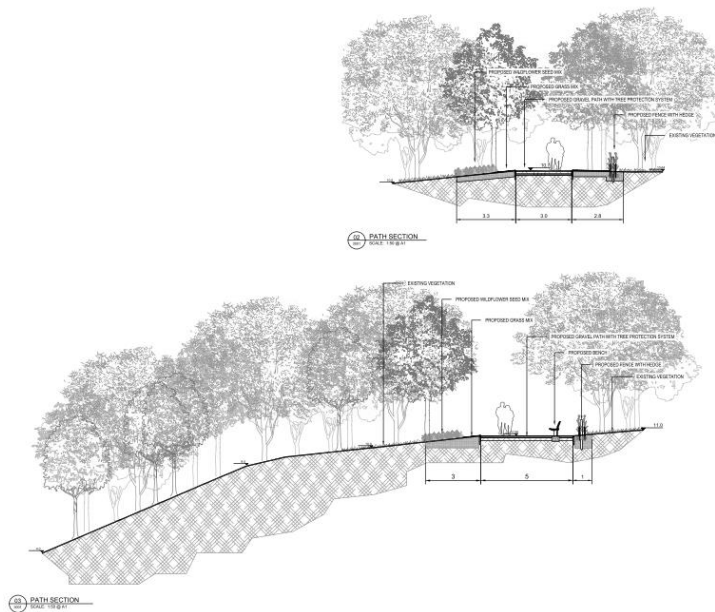
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding NIEA consultation response provided that no substantive matters are raised.

DRAWINGS AND IMAGERY

Site Location Plan:



Path Sections:







1.0	Characteristics of the Site and Area
1.1	<p>The site is located along River Lagan on the Eastern side of the river. The site is primarily open space within an expanse of land between the Lagan Gateway Phase 1 project beginning at Annadale Embankment and Belvoir Forest Park. The side extends beyond the West of Galwally Avenue with the southern portion of the site running to the West of Belvoir Golf Club and East of Newtownbreda Water Works.</p> <p>The proposed development is located within a number of designated sites as per the most recent version of draft BMAP. These include the Lagan Valley Regional park, the Lagan Valley AONB and a Site of Local Nature Conservation Importance.</p>
1.2	Description of Proposed Development
1.3	<p>The application seeks full planning permission for a Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works</p>
1.4	<p>The application follows Pre-Application Discussions with officers.</p>

<p>2.0</p> <p>2.1</p> <p>2.2</p>	<p>RELEVANT PLANNING HISTORY</p> <ul style="list-style-type: none"> LA04/2016/0041/F - Site located at the weir at Stranmillis near Belfast Boat Club BT9 5FJ. Lagan gateway project includes: the provision of a new boat lock at Stranmillis to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis and paths to Belvoir Park. Works involve working in the river Lagan near an existing weir and fish pass and constructing a footbridge near a scheduled monument area. PERMISSION GRANTED LA04/2025/0083/CLOPUD - Lands to the east of the River Lagan and to the south of Lagan Gateway Phase 1, located approximately 150 m south west of 7 Mornington and 250m north west of 109 Galwally Ave, Belfast BT8 7AJ. Proposed 2 metre wide compacted gravel path with associated drainage and landscaping enhancements, to include planting of 37no. new trees along with grass, wildflower, and woodland seed planting UNDER CONSIDERATION
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy <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 SP8 – Green and Blue Infrastructure Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy BH5 – Archaeology Policy HC1 – Promoting Healthy Communities Policy CI1 – Community Infrastructure Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN 5 – New Transport Schemes Policy TRAN 6 – 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 OS1 – Protection of Open Space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources Policy DC1- All Countryside Proposals- General Policy Principles Policy DC13 – Other Development in the Countryside Policy LC1- Landscape</p>

<p>3.2</p> <p>3.3</p> <p>3.4</p>	<p>Policy LC1A – AONB's Policy LC2 – Lagan Valley Regional Park</p> <p><u>Supplementary Planning Guidance</u> Placemaking and Urban Design Sustainable Urban Drainage Systems Planning and Flood Risk</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></p> <p>Historic Environment Division – No objection subject to conditions DfI Roads – No objections NIEA – Initial response requested further information for Natural Environment Division. This information has been submitted and NIEA have been reconsulted. DFI Rivers- No objections subject to conditions</p> <p><u>Non-Statutory Consultees</u></p> <p>BCC Tree Officer- No objections Environmental Health – No objections subject to conditions Shared Environmental Services (SES) – No objections NI Water - No objections</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified. A total of 3 letters of support and 3 letters of objection have been received. The letters of support referenced better connectivity in the area for cyclists and a safer environment for cycling.</p> <p>The objections raise concerns regarding; DfI Roads concerns relating to visibility splays, and surface finishes, land ownership issues, liability issues, health and safety concerns, anti-social behaviour, increase in vehicular traffic, administrative fairness.</p> <p>Following the receipt of amended drawings, showing the visibility splay at the junction with Galwally Avenue, DfI Roads are now content with the proposal in terms of road safety and surface finishes.</p> <p>Land ownership this is a civil matter that falls outside the remit of Planning. The applicant has completed Certificate C on the application form to serve notice on Belvoir Park Golf Club regarding the application. Further to this any potential liability issues fall outside the planning process remit.</p>

	<p>With regard to health and safety, DFI Roads are content with the proposal. The proposal is considered to provide a safe and accessible environment. Concern has been raised regarding health and safety in the surrounding area. This relates to health and safety issues that fall outside the red line of the application and again falls outside the remit of planning.</p> <p>Concerns regarding potential anti-social behaviour would be a matter for the PSNI. The design and layout of the proposal will provide a safe and accessible environment that is not considered to encourage anti-social behaviour in the area.</p> <p>Concerns regarding an increase in vehicular traffic to the area have been considered. DFI Roads are content with the proposal. It is not considered that the development will result in a significant increase in vehicular traffic to Galwally Avenue. Due to the nature of the proposal it is considered most users of the greenway will arrive as a pedestrian or bicycle.</p> <p>Another concern raised in the objection refers to the proposal not complying with Policy CI1 (Community Infrastructure) in that it is not suitable for all in terms of those with mobility impairment. Policy CI1 states that;</p> <p><i>Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of any proposals. All proposals shall ensure that there is no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements are provided for access for all, including for pedestrians, cyclists and public transport.</i></p> <p>The proposal is considered to meet this policy in that provides new community infrastructure whilst also linking to phase 1 of the Lagan gateway project and therefore improving the existing offering. The proposal is suitable for both pedestrians of all mobility, and cyclists. The proposal links to phase 1 which can be accessed via Annadale Embankment and therefore accessible by public transport.</p> <p>The objection references LTN1/20 in terms of gradients and how the proposal is not suitable for all. LTN 1/20 is a 'Local Transport Note' produced by DFI relating to cycle infrastructure. This is not planning policy or legislation therefore not a material consideration.</p> <p>Another issue raised was administrative fairness with regard to the proposed surface not being in accordance with LTN 1/20 whilst DFI Roads have insisted other cycle infrastructure complies with this guidance. DFI Roads are a statutory consultee and are content with the proposal regarding design and road safety.</p>
5.0	PLANNING ASSESSMENT
5.1	<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 development in the Countryside/ Lagan Valley Regional Park • Layout, Scale and Design and Impact on the character and appearance of the area • Open Space • Impact on Natural Heritage

	<ul style="list-style-type: none"> • Impact on the Archaeological Assets • Flood Risk • Climate change • Proposed Access and Car Parking • Community Infrastructure, and Health and Wellbeing
5.2	Development Plan Context
5.3	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.
5.4	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.
5.5	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.
5.6	<u>Operational Policies</u>
5.7	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.
5.8	<u>Proposals Maps</u>
5.9	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.
5.10	Belfast Urban Area Plan 2001 – the site is located within Lagan Valley Regional Park.
5.11	Belfast Metropolitan Area Plan 2015 (2004) – the site is located outside the development limits and within Lagan Valley Regional Park
5.12	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located outside the development limits and within Lagan Valley Regional Park
5.13	<p><u>Principle of Development in the Countryside/ Lagan Valley Regional Park</u></p> <p>Policy DC1 provides general policy principles for all countryside development and states that all proposals should be supported by a justification of rural locational need</p>

	and site-specific need and must demonstrate that there is no significant detrimental impact on rural amenity and environmental quality.
5.14	<p>The submitted Planning Statement provides the aims of the proposal which are below:</p> <ul style="list-style-type: none"> • Aims to release pressure from the existing Lagan Towpath, creating a new greenway connection from the foot and cycle bridge at Stranmillis into Belvoir Forest Park. • Users will be able to join back onto the towpath from Belvoir Park, resulting in a new circular route. • This new connection also helps close the existing gap for cyclists commuting along the route from Cairnshill Park and Ride, Beechill Road and Belvoir Road.
5.15	<p>Policy LC2 (Lagan Valley Regional Park) states Planning permission will only be granted for development proposals outside the settlement boundaries in the Lagan Valley Regional Park which meet each of the following criteria and all other policy requirements of the LDP</p> <ul style="list-style-type: none"> • They are for a use appropriate to the character of the park and to the locality. • They conserve or enhance the landscape quality and features of the LVRP • They are of a scale & design that integrates with the sensitive landscape of the Park.
5.16	<p>The proposals are to enhance the existing offering on the site by connecting with Belvoir Forest Park with Phase one of the Lagan Gateway project approved under LA04/2016/0041/F. Given the proposals are to enhance and lengthen the existing greenway and overall connectivity in the area, it is considered development within the countryside and LVRP in this instance is acceptable in principle provided there is no significant detrimental impact on rural amenity, environmental quality or loss or erosion of rural character. Each of these issues are assessed further in this report.</p>
5.17	<p><u>Layout, Scale and Design and Impact on the character and appearance of the area</u></p>
5.18	<p>The site is located within Lagan Valley Regional Park and Lagan Valley Area of Outstanding Natural Beauty, and is currently an area of woodland and a grassland field. The proposal is sensitively designed with a mixture of compacted gravel paths, an elevated timber board walk, additional landscaping and street furniture in the form of cycle stands, benches, and bollards. Due to the topography of the site the raised boardwalk is required to maintain the route and link two high points of the site and will be sited within a wooded area. A mixture of the existing and proposed landscaping ensures the development is located sensitively within the rural character of LVRP and will not have a significant adverse effect on the character of the park. It is of appropriate scale and high quality design with appropriate use of materials, the area of open space is enhanced and it will make a positive contribution to the parks recreational function thus complying with Policy LC2 (LVRP) and Policy OS1 (Protection of Open Space).</p>
5.19	<p>Policy LC2 refers to the need for all proposals to conserve or enhance the landscape quality and features of LVRP; and are of a scale & design that integrates with the sensitive landscape of the Park</p>
5.20	<p>The development will conserve and enhance the landscape quality due to improving connectivity, usability and recreational enjoyment of this section of LVRP. The proposal is sensitively sited and will increase connectivity and active travel in the surrounding area.</p>

	The proposed site layout integrates with the surrounding landscape within the wider site and utilises the natural features of the area to provide a safe and well-connected greenway that will not harm the rural character of the area.
5.21	The proposed signage, furniture, bollards and tactile paving will enhance the visitor experience and accessibility without harming the character of the rural area.
5.22	The proposal is compliant with Policy CI1 in that will improve the existing offering of community infrastructure by connecting Belvoir Forest Park and Phase 1 of the Lagan Gateway Project. The proposal is in an accessible location, whilst having no impact on neighbouring amenity or built heritage. Suitable arrangements are provided for access for all, including for pedestrians, cyclists and public transport.
5.23	The proposed site is located within an AONB. Policies LC1 (Landscape) and LC1A (AONB's), provide criteria to be met to ensure that proposals will not have a significant adverse impact on the landscape character. For the reasons previously stated it is considered that the proposal will protect and enhance the landscape and visual character by enhancing the connectivity and recreational value of the area and integrating the proposed board walk, gravel paths and associated street furniture sensitively within the site.
5.24	The proposals are considered to enhance the existing landscape and surrounding area, improving accessibility and improving the visitor experience.
5.25	<u>Impact on Natural Heritage</u>
5.26	The proposed site is in a highly sensitive location designated as Lagan Valley Regional Park. Policy NH1 states the Council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international heritage resources, including designated sites, protected species and other important interests of biodiversity and geodiversity.
5.27	The applicant has submitted a number of documents in order to support that the application will protect heritage resources including Tree Surveys/Protection Plans, a Habitats Regulation Assessment, Geo-technical and geo- environmental interpretive report, an Ecological appraisal, Habitat Regulations Assessment, Invasive Species Management Plan, Outline Construction Environmental Management Plan and an EIA Screening.
5.28	NIEA were consulted on the 5 th July 2024 on the submitted information and responded on the 11 th March 2025 requesting additional information including; <ul style="list-style-type: none"> • Details of the appointment of an Ecological Clerk of Works • A bat roost survey for all mature trees • An updated badger survey and otter survey • Updated tree constraints plan • Clarification on Tree Protection Order trees • An amended Construction Environmental Management Plan • An amended Invasive Species Management Plan. • A light plan if lighting is proposed.
5.29	The additional information has been submitted and is now under consideration by NIEA. Due to funding pressures a decision is required prior to the next Committee meeting that will be held in August 2025. Given the delay in NIEA's response the application is

	being presented to committee members and delegated authority is sought to deal with the further outstanding NIEA response. Given the information requested has been provided officers are satisfied that Policy NH1 can be adhered to and that the proposal will protect on site habitats, species, ecosystems and networks. However delegated authority is requested to deal with any matters arising from the final NIEA response so long as they are not substantive.
5.30	A Habitats Regulations Assessment has been carried out by the applicant that concludes that the possibility of likely significant water quality and habitat deterioration effects can be discounted for Belfast Lough SPA, Belfast Lough Ramsar Site, East Coast Marine Proposed SPA and the Maidens SAC without further evaluation and analysis. HRA report identifies and recommends mitigation measures including an Outline Construction Environmental Management Plan (oCEMP) and an Invasive Species Management Plan (ISMP), both of which have been submitted with the application. Shared Environmental Services were consulted on the proposal, and specifically the Habitats Regulations Assessment and offered no objection.
5.31	In regards to trees on the site overall there will be a net gain as required by Policy TRE1. Trees felled as a result of the proposed development will be mitigated through the provision of a significant net gain for tree planting, native hedging, woodland seed, and wildflower planting across the application site. This is considered to greatly improve the biodiversity and amenity quality on the site. BCC Tree Officer was consulted and offered no objections with conditions. The proposal is considered compliant with Policy TRE1.
5.32	<u>Impact on the Archaeological Assets</u>
5.33	Policy BH5 states that the Council will seek to conserve and protect and where possible enhance archaeological assets.
5.34	An Archaeological Impact Assessment was submitted with the application. DfC Historic Environment Division were consulted and had no objections to the proposal subject to a number of conditions including the submission of a programme of works to ensure that any archaeological remains within the application site are properly identified, and protected or appropriately recorded.
5.35	The proposal therefore satisfies Policy BH5.
5.36	<u>Flood Risk and Proposed Drainage</u>
5.37	The proposal includes a Flood Risk Assessment and DFI Rivers were consulted. The Flood Maps (NI) indicates that a portion of the site lies within the 1 in 100 year climate change fluvial flood plain.
5.38	Within the Planning and Flood Risk Supplementary Planning Guidance Table1 details a list of exceptions as to when development within an undefended flood plain may be acceptable. Exception 'U4' refers to the use of land for sport and outdoor recreation, amenity open space or for nature conservation purposes. The proposed development is considered to provide an amenity for open space therefore meets the above criteria.
5.39	DFI Rivers acknowledge the submitted Flood Risk Assessment and have no reason to disagree with its findings.
5.40	Water Management Unit within NIEA have been consulted and offer no objection to the proposal.

5.41	<u>Transport, Access and Road Safety</u>
5.42	The proposal meets the criteria of TRAN1 (Active Travel) and TRAN2 (Creating an accessible Environment) in that it provides a safe and convenient walking and cycle route with cycle parking whilst also providing a safe, accessible and convenient walking and cycle links. The proposal also provides tactile paving and prioritises pedestrians in its design. The proposal is in accordance with HC1 in that it is supporting active travel options, improving accessibility, reducing the use of private car travel, provides adequate provision of public open space, leisure and recreation facilities.
5.43	The proposal involves a crossing at Galwally Avenue. DFI Roads were consulted and raised concerns regarding visibility splays from this crossing. Following amended drawings and additional information DFI Roads are now content with the proposal subject to conditions relating to visibility splays, hard surfacing and cycle provision on the site.
5.44	The proposal by way of design, siting and layout as well as the proposed access in terms of road safety is considered to comply with Policies TRAN1, TRAN 2, TRAN5, TRAN 6, TRAN8.
5.45	<u>Climate change</u>
5.46	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. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.47	The proposal complies with policy ENV 2 in that the development will encourage active modes of transport, therefore reducing Greenhouse Gas emissions. The development seeks to improve connectivity in the area and provide a safe an accessible environment to encourage more active travel and less reliance on the private car. Associated landscaping, including wild meadows, hedging and additional trees provided within the overall development will maximise the use of sustainable design features.
5.48	The proposal enhances the green and blue infrastructure network within the city, whilst also enhancing the biodiversity offering and SUD's in the surrounding area through additional planting of wildflowers and woodland seed. This ensures the proposal is compliant with Policy ENV 3.
5.49	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 site is located within an existing wooded area and grassland field therefore there is considered to be significant SUD's in the surrounding area. Additional SUD's will be provided in the form additional tree planting and wildflower planting. The slatted timber boardwalk will ensure there will be no significant surface water runoff from the development. Any small potential runoff will aid the biodiversity and nature conservation in the surrounding area.
5.50	The proposal therefore complies with Policies ENV2, ENV3 and ENV5.

5.51	<p><u>Community Infrastructure and Health and Wellbeing</u></p> <p>Policy CI1 states planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations subject to consideration of nature and location of the proposal.</p>
5.52	<p>The proposal is compliant with Policy CI1 in that it will improve the existing offering of community infrastructure by connecting Belvoir Forest Park and Phase 1 of the Lagan Gateway Project. The proposal is in an accessible location in that it is located within Lagan Valley Regional Park, whilst having no impact on neighbouring amenity or built heritage. Suitable arrangements are provided for access for all, including for pedestrians, cyclists and public transport.</p>
5.53	<p>The improved community infrastructure in the form of a community greenway will improve the health and wellbeing of the local residents and those in the surrounding areas, therefore complying with the following policies.</p>
5.54	<p>The improved community infrastructure will encourage active travel in line with policy TRAN1. The development makes an overall positive contribution and enhances the area of open space and ensures it is a more usable connected space. This complies with both policy GB1 and OS1.</p>
5.55	<p>The net gain of trees and additional landscaping on the site will improve the visual amenity offering of the site and in turn improves the biodiversity quality of the area. This in turn improves the health and wellbeing of surrounding residents and complies with Policy HC1</p>
5.56	<p><u>Environmental Impact Assessment</u></p> <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>
6.0	<p>Recommendation</p>
6.1	<p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p>
6.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding NIEA consultation response provided that no substantive matters are raised.</p>
7.0	<p>DRAFT CONDITIONS</p>
7.1	<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>
7.2	<p>2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast</p>

	<p>City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <p>The identification and evaluation of archaeological remains within the site; Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and Preparation of the digital, documentary and material archive for deposition.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
7.3	<p>3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 2.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
7.4	<p>4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 2. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>
7.5	<p>5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.</p> <p>In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>

7.6	<p>6. Prior to commencement of the hereby approved development, including site clearance or site preparation, a Final Construction Environmental Management Plan (FCEMP) shall be produced by the appointed contractor and be submitted to the planning authority for review and approval in writing. The CEMP shall include measures to control noise, dust and vibration during the construction phase, demonstrating the use of 'best practicable means' (BPM). The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for construction hours of work, noise and vibration control measures on construction and open sites, and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 12.1', dated August 2023. The Final CEMP shall include arrangements for communication and liaison with nearby sensitive receptors throughout the construction phase.</p> <p>Reason: Protection against adverse impact on amenity during construction.</p>
7.7	<p>7. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan.</p> <p>Reason: To ensure that adequate provision has been made for pedestrian circulation within the site.</p>
7.8	<p>8. The pedestrian access, including visibility splays, shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users</p>
7.9	<p>9. The development shall not be occupied until secure cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
7.10	<p>10. All soft landscaping works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
7.11	<p>11. Details specified within the submitted Tree Survey Report – Andy Boe – date 4th May 2023 and proposed site plan submitted in support of the application shall be adhered to in full, subject to site supervision as specified within the report, by a suitably qualified tree specialist.</p>

7.12	<p>Reason: Required to safeguard and enhance the character and amenity of the streetscape and to avoid any irreversible damage to retained trees.</p> <p>12. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.</p>
7.13	<p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p>
7.14	<p>Reason: To avoid compaction within the RPA.</p> <p>NIEA Conditions to be included.</p>
7.15	<p>INFORMATIVES</p> <p>Compliance with planning permission 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 the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>Discharge of condition(s) 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>Non-planning requirements 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>Protected Species 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> <ol style="list-style-type: none"> Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;

	<ul style="list-style-type: none"> 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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