

Development Management Report

Summary	
Committee Date: 16 th June 2026	
Application ID: LA04/2024/1195/F	
Proposal: Proposed residential development comprising 20 no. dwelling units, including 8 no. semi-detached 2 storey dwellings, 1 no. detached 2 storey dwelling, 2 no. 3-bed apartments (2 storey building) and 9 no. 2-bed apartments (3 storey building) with associated car parking, landscaping and associated works.	Location: Lands south of nos. 7-14 Wolfhill Manor, east of no.42 Mill Avenue and west and northwest of 100 Mill Avenue, Ligoniel, Belfast, BT14 8EL
Referral Route: Scheme is for over 12 units and objections received which conflict with officer recommendation to approve	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Braidwater Land Ltd 25f Longfield Road Eglinton BT47 3PY	Agent Name and Address: Gemma Jobling, JPE Planning Unit 1a Ledcom Business Park 100 Bank Road, Larne
Date Valid: 4 th July 2024	
Target Date: 17 th October 2024	
Contact Officer: Lisa Walshe, Principal Planner (Development Management)	
Executive Summary: <p>The application proposes a residential development comprising 20 no. dwelling units, including 8 no. semi-detached 2 storey dwellings, 1 no. detached 2-storey dwelling, 2 no. 3-bed apartments (2 storey building) and 9 no. 2-bed apartments (3 storey building) with associated car parking, landscaping and associated works.</p> <p>The proposal is for 100% social housing.</p> <p>The scheme also includes in-curtilage parking, private and communal amenity provision and landscaping. The site transverses across Mill Avenue with the 3-storey apartment building on the northern side (units 12-20), and remaining proposed units (1-11) on the southern side. The northern portion of the site is relatively flat whereas the southern side falls steeply towards to the rear. There are 37 car parking spaces (2 of which are for disabled user parking at plots 5 and 6) within the site.</p>	

The key issues for consideration of the application are set out below.

- Principle of housing in this location
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Design and Placemaking
- Impact on amenity
- Impact on built heritage
- Flood risk and drainage
- Waste-water infrastructure
- Climate change
- Access and transport
- Health impacts
- Environmental protection
- Natural heritage
- Trees and landscaping
- Waste management
- Section 76 planning agreement

In the Belfast Urban Area Plan 2001 (BUAP 2001), the site is un-zoned “white land”. In the draft Belfast Metropolitan Area Plan 2015 (dBMAP) (versions 2004 and 2014), the site is also located within un-zoned “white land”.

The site benefits from extant planning permission for residential development as part of a larger overall scheme assessed under Z/2003/0475/O, Z/2004/0427/O and Z/2010/1315/RM.

The site is considered a suitable and sustainable location for housing; the proposal would make effective use of previously developed land in an accessible location.

The provision of 20 social housing units that respond to local housing need is welcomed.

Following negotiations and amendments, the design of the scheme is considered to be of good quality and appropriate to its context, with no negative impact on neighbouring residential amenity.

The proposed access and parking arrangements are acceptable.

NIHE is supportive of the on-site social housing proposals. No objections have been received from statutory consultations, subject to conditions, informatives and Section 76 planning agreement.

There are no objections from non-statutory consultees, however a response is outstanding from BCC Waste Management.

Following advertisement in the local press as well as neighbour notification, objections have been received from 88 local residents (including a petition), raising issues which are detailed in the main report. 1 comment (neither supporting nor objecting) was also received from The Belfast Hills Partnership.

The Section 76 planning agreement required to secure the development as 100% social housing has been agreed in principle.

Recommendation

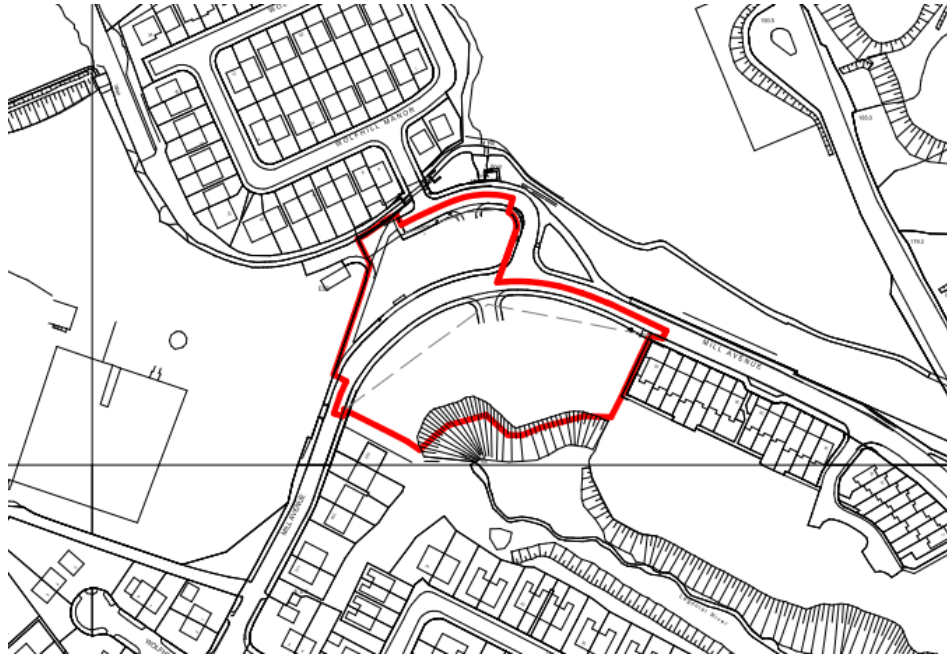
Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

Delegated authority is sought for the Director of Planning and Building Control to resolve a final response from the BCC Waste Management team and Shared Environmental Services, finalise the wording of the conditions and Section 76 planning agreement, and deal with any other matters that arise, provided that they are not substantive.

Case Officer Report

DRAWINGS AND IMAGERY

Site Location Plan:



Landscaping proposals:

- Indicates 1.8m Timber Close Boarded Fence.
 - Indicates 900mm & 1100mm High Metal Railings
 - Indicates Private Amenity Area.
 - Indicates Existing Hedges
 - Indicates Existing Planting/ Trees to be retained
 - Indicates Proposed Specimen Tree Planting (a mixture of Acer, Sorbus, Prunus & Betula)
 - Indicates Amenity Shrub Planting
 - Indicates Proposed Open Space, Grass Seeded Areas.
 - Indicates Native Wild Flower Mix Planting Area.
 - Indicates Entrance
 - Indicates Shared Private Driveway
 - Indicates Concrete Path
 - 900mm wide = Private,
 - 1200mm wide = communal (max 2 dwellings to share)
- All Service Strips to be clear of Shrub Planting etc.
Specimen trees/ planting to be clear of service strips and any underground cables etc.



- Blackthorn
 - Spindle Elm
 - Guelder Rose
 - Holly
 - Ilex
 - Hazel
 - Coryl
 - Alder
 - Alnus
- Proposed S
- Silver Birch
 - Downy Birch
 - Rowan
 - Sorbus
 - Pedunculata
 - Wild Cherry

Streetscape (southern portion of the site facing Mill Avenue):



Elevation (northern portion of the site facing Mill Avenue):



1.0	Characteristics of the Site and Area
1.1	The site crosses Mill Avenue forming two areas. It can be accessed directly on the south from Mill Avenue, and to the north via the existing roadway to Wolfhill Manor, an existing residential development north of the site. The site slopes downwards slightly downwards and then steeply to the most southern boundary. The site is defined by a mix of trees and mature vegetation.
1.2	The surrounding area is residential. Dwellings are mainly a mix of semi-detached and bungalows.
Description of Proposed Development	
1.3	The application seeks full planning permission for a residential development comprising 20 no. dwelling units, including 8 no. semi-detached 2 storey dwellings, 1 no. detached 2 storey dwelling, 2 no. 3-bed apartments (2 storey building) and 9 no. 2-bed apartments (3 storey building) with associated car parking, landscaping and associated works. The proposal is for 100% social housing.
1.4	The scheme also includes private and communal amenity provision and landscaping, 37 car parking spaces (2 of which are for disabled user parking at plots 5 and 6) within the site.
2.0	Relevant Planning History

<p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p>	<p>Z/2003/0475/O – Housing development with associated Roadways, landscaping - Land adjacent to Mill Avenue (site of former Wolfhill Flax Spinning Mill), Ligoniel, Belfast – Withdrawn 30/01/04</p> <p>Z/2004/0427/O - Housing development with associated roadways and landscaping (previous application Z/2003/0475/O) - Land adjacent to Mill Avenue (Site of former Wolfhill Flax Spinning Mill), Ligoniel, Belfast – Approved 27/09/07</p> <p>Z/2010/1315/RM - Construction of 102 no dwellings comprising of a mix of 21 no detached and 56 no semi-detached (all two storey), 7 no townhouses plus 18 no apartments (in two blocks) all three storey, with associated roads, garages, parking, drainage and landscaping. (Amended Proposal) - Land adjacent to Mill Avenue (site of former Wolfhill Flax Spinning Mill) Ligoniel, Belfast – Approved 10/06/13</p> <p>LA04/2020/1092/LDP - Proposed completion of dwellings on plots 16 and 17 as approved under Z/2010/1315/RM as development has begun before 10th June 2015 as stipulated by condition 1 thereof - Lands adjacent to Mill Avenue (site of former Wolfhill Flax Spinning Mill) Ligoniel – Certificate granted – 26/11/20</p>
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – local development plan</p> <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 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 BH5: Archaeology Policy TRAN1: Active travel – walking and cycling Policy TRAN2: Creating an accessible environment Policy TRAN4: Travel Plan Policy TRAN6: Access to public roads Policy TRAN8: Car parking and servicing arrangements</p> <p>Policy ENV1: Environmental quality</p>

	<p>Policy ENV2: Mitigating environmental change Policy ENV3: Adapting to environmental change Policy ENV4: Flood Risk Policy ENV5: Sustainable drainage systems (SuDS)</p> <p>Policy HC1: Promoting healthy communities Policy OS3: Ancillary open space Policy TRE1: Trees Policy NH1: Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing & Housing Mix Residential Design Placemaking & Urban Design Sustainable Urban Drainage Systems Transportation</p> <p>3.2 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>3.3 Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>3.4 Other Material Considerations Developer Contribution Framework (2020) Belfast Agenda (Community Plan)</p>
4.0	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p>4.1 Statutory Consultees</p> <p>DFI Roads – No objection subject to conditions DfC HED Historic Monuments – No objection subject to conditions NI Water – No objection DfI Rivers – No objection DAERA NED – No objection DAERA WMU – No objection subject to conditions DAERA RU – NO objection subject to conditions Northern Ireland Housing Executive – No objection</p> <p>4.2 Non-Statutory Consultees</p> <p>Environmental Health – No objection subject to conditions. BCC Landscape and Planning - No objection subject to conditions. BCC Waste Management – Awaiting response Shared Environmental Services – Awaiting response BCC Urban Design – Agree in principle, some reservations regarding public open space</p> <p>4.3 Representations</p>

4.4	<p>The application has been advertised in the newspaper and neighbours notified. Objections were received from 88 local residents (including a petition), raising issues which are detailed in the main report raising the following issues below (summarised). 1 'comment', that is neither supporting nor objecting, was also received from Belfast Hills Partnership.</p> <ul style="list-style-type: none"> • More development in already overdeveloped area • No public consultation carried out • Lack of open space around apartments • Potential for anti-social behaviour • Increase in already congested traffic, especially with proposed new primary school • Houses vacant in the area so no need • Impact on infrastructure and services • Risk of flooding • Lack of parking • Environmental impact • Loss of open space and potential area for children's play area • Loss of privacy and overlooking from apartments • Bungalows should be built • Hard surfacing therefore increased surface run off • No neighbour notification • Area needs green spaces and shops • Public transport inadequate • Impact on property values • Design is out of keeping with the established area • Noise pollution due to additional residents • Disruption from the build • Difficulty for people born in the area to secure school places nearby • Car and building insurance costs will increase • Impact on quality of life for existing residents • Roads safety • Unsure of who will be living there • Loss of light • Community views not taken into account (amended plans) <p>A number of representations simply stated that they objected to the proposal but did not outline reasons why.</p>
4.5	All relevant planning issues will be considered within the main assessment below.
4.6	A number of the issues raised are not planning considerations however and are therefore outside the remit of planning legislation and guidance. These include alleged impact on
4.7	property prices; current house vacancies in the area and car and building insurance costs.
4.8	<p>The proposal development does not fall under the category of Major development and therefore the applicant is not under statutory duty to consult with the public prior to making any application. Neighbour notification and advertisement was carried out in accordance with relevant legislation and guidance.</p>
5.0	Planning Assessment
5.1	The main issues relevant to consideration of the application are summarised below.

	<ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and Placemaking • Impact on amenity • Impact on built heritage • Flood risk and drainage • Waste-water infrastructure • Climate change • Access and transport • Health impacts • Environmental protection • Natural heritage • Trees and landscaping • Waste management • Section 76 planning agreement
5.2	<p>Development Plan Context</p>
	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
5.5	<p>Operational Polices</p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.</p>
5.6	<p>Proposals Maps</p> <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>

5.11	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations. The application site is located within Outer Belfast, with Policy HOU4 recommending a target density band of 25-125 dph in this area.</p> <p>With a site area of approximately 0.8 hectares, the proposed density equates to 25 dwellings per hectare (dph). This is within the recommended density for the Outer City Area. The proposal is less than the extant permission which this site area permitted the construction of 13 no. dwelling houses and a block of 9 no. apartments, therefore a density of 27.5 dph. Having regard to these considerations, the density is considered acceptable.</p>
	<p>Affordable housing</p>
5.12	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing. The proposed scheme is for 100% social housing with a partner Housing Association in place. NIHE has confirmed it is supportive of the mono tenure scheme in line with Policy HOU5, SPG and the SPPS. It considers that there are exceptional circumstances that support a single tenure scheme, in that there is acute housing need in this area of North Belfast and lack of available housing sites.</p>
5.13	<p>The provision of affordable housing would be secured by way of a Section 76 Planning Agreement.</p> <p>The proposal accords with Policy HOU5.</p>
5.14	<p>Housing mix</p>
5.15	<p>Policy HOU6 requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis. The scheme proposes a range of units consisting of 8 no. semi-detached 2 storey dwellings, 1 no. detached 2 storey dwelling, 2 no. 3-bed apartments and 9 no. 2-bed apartments.</p>
5.16	<p>The proposed mix is considered to provide a satisfactory range of size and type and is targeted to meet social housing need. The proposed housing mix is considered acceptable having regard to Policy HOU6.</p>
	<p>Adaptable & accessible accommodation</p>
5.17	<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. With the scheme proposing 20 no. units, 10% would equate to 2 accessible units, which the proposal provides at plots 5 and 6, two semi-detached dwellings.</p>
5.18	<p>'Lifetime homes' standards are a nationally recognised set of criteria to make new dwellings adaptable enough to accommodate a household's changing lifetime needs and enable them to be lived in and visited by a wide range of people. All units have been designed with flexibility in mind for various stages of life. Criteria (a) to (f) of Policy HOU7 has been met in that all parking spaces are on a firm hardstanding surface which is either level or gently sloping. All main entrances display overhead shelter and all living, dining and kitchen space, as well as a WC, are proposed at entrance level. There is clear outlook from the main living</p>

	spaces and an accessible bathroom is proposed on the same floor as the principle bedroom for each unit. Each wheelchair accessible unit is then designed to comply with criteria (g) to (o) of Policy HOU7 also.
	Design & placemaking
5.19	The proposal has been assessed against Policies SP5, DES1, and RD1 of the Plan Strategy, the SPPS and Creating Places. 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 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.).
5.20	As proposed, the scheme consists of 20 no. dwelling units, including 8 no. semi-detached 2 storey dwellings, 1 no. detached 2 storey dwelling, 2 no. 3-bed apartments (2 storey building) and 9 no. 2-bed apartments (3 storey building) with associated car parking, landscaping and associated works.
5.21	The main apartment block consisting of 9no 2 bed apartments, to the north of the site, south of Wolfhill Manor is 3 storeys in height, with a hipped roof and finished in red brick. The front elevation and main entrance faces north, towards the Wolfhill Manor development. The rear elevation faces onto Mill Avenue with first and second floor apartments containing balconies. Proposed parking is to the eastern side of the building. Plans show soft landscaping and open space throughout the site which is discussed in more detail in paragraphs 5.28 – 5.33.
5.22	The proposed height of the building responds to the topography of the site with a slight decline towards Mill Avenue, and contextually, the height of the block is considered sympathetic in its wider context and would provide an appropriate addition to the streetscape.
5.23	The proposed semi-detached dwellings, single detached dwelling and block with 2 apartments are all sited on the southern side of the site and set back from the road. They all display front and rear gardens with incurtilage parking.
5.24	The orientation of fenestration and separation distances are acceptable and this is explored in more detail when assessing the impact on neighbouring amenity.
5.25	The proposed external materials include red brick and flat black tiles, and some dwellings with feature white render which are all acceptable for the site and surrounding area.
5.26	BCC Urban Design Officer initially raised concern in relation to the proposed layout in that there was a dominance of hard standing on the southern side of the site. Their comments referenced the extant approval layout in that incurtilage parking was preferable. Amendments were submitted to reflect that however this resulted in the removal of shared spaces. The private amenity spaces for each dwelling on the southern portion are well within that recommended and therefore on balance this is considered acceptable. Whilst the Urban Design response welcomes the amendments, it highlights that the amended layout has inadvertently created a pinch point when accessing plots 8 and 9 that detract from the quality of the residential environment. The amended layout is considered, on balance acceptable.
	It is considered that the scale, massing and design of the building are appropriate to the site and surrounding buildings and the proposal accords with RD1 and DES1 of the Plan Strategy.

	Impact on amenity
5.27	<i>Open space and amenity space:</i>
5.28	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.
5.29	The supporting information notes that the proposal is less than 25 units outlined in Policy OS3 and as such 10% open space requirement is to be assessed on its individual merits. The Urban Design Officer notes however that for a quality residential environment a normal expectation is at least 10% of the total site area and it should form an integral part of the development which is accessible, clearly defined and benefit from passive surveillance. Following the submission of amendments this has not been met, the overall provision falls below this requirement with open space abutting the road and adjacent to areas of vegetation, as well as surrounding the large area of hardstanding to the south. The site is however located adjacent to large swathes of open space which residents can readily access.
5.30	The Urban Design Officer noted the general planform of the dwellings as acceptable along with the provision for private amenity space. The use of private balconies on the upper floors of the apartment block was welcomed however no private amenity/defensible space and means of enclosure had been provided to ground floor apartments. Amendments were received showing a concrete path around the building with amenity shrub planting.
5.31	In addition, the apartments facing Mill Avenue now benefit from 900mm high metal railings to provide a means of enclosure for their private space. These railings have been provided along the boundary of this upper section of the site and continued to the rear. This along with 1.8m closed boarded timber fencing help to delineate between private and shared space and assist in ensuring the privacy and security of the residents.
5.32	The site plan provides for 126 sqm of private communal open space within a communal garden at the NE of the site, also serving 9 units (14 sqm per apartment). Creating Places, published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm. The individual units all however benefit from private amenity to the rear ranging from 60-114 sqm on the south of the site. It is acknowledged the site declines in level here so not all of this will be usable however, the proposed amenity provision is considered generous.
5.33	It is considered the requirements of Policy OS3 are met.
5.34	<i>We just got an Impact on neighbouring amenity:</i> The Council's SPG 'Residential Design' states that suitable separation is required between properties to ensure all residents benefit from adequate daylight and sunlight, and to achieve sufficient outlook and privacy. It recommends that a minimum of 20m should be maintained between facing windows of habitable rooms and 10m between blank gable walls or non-habitable rooms.
5.33 5.34	In this instance, the point of the proposed apartments to the nearest existing neighbouring dwelling at Wolfhill Manor will achieve a minimum separation distance of approximately 26.5m. This distance is considered sufficient to prevent impact on neighbours and in line with the guidance.

5.35	<p>The proposed separation distance between the gable wall of plot 1 and and No 42 Mill Avenue is approximately 5m at its closest point. Due to the orientation of the proposed dwelling however this is considered acceptable.</p>
5.36	<p>Due to the orientation, separation distances and fenestration there will be no impact on residential amenity due to overlooking. The proposal would not cause an unacceptable degree of overshadowing to neighbouring dwellings, unacceptable loss of outlook, overbearing or other harmful impacts on amenity.</p>
5.37	<p>In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.</p>
5.37	<p>Impact on built heritage</p>
5.38	<p>The site is located close proximity to the Wolfhill Mill complex, IHR 10309:002, (Wolfhill Flax Spinning Mill) and IHR 10309:003 (Wolfhill Mill). This complex represents some of the earlier industrial era mill sites in the Belfast area. Accordingly, an Archaeological Baseline Assessment was submitted and comments were invited from HED (Historic Monuments).</p>
5.39	<p>They responded with no objections to the proposal subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works, which may require an Industrial Archaeology survey and a mitigation strategy focussing on the industrial archaeological remains of the site. This is to identify and record any industrial archaeological remains in advance of new construction, or to provide for their preservation in situ. Therefore, the proposal complies with Policy BH5 of the Plan Strategy.</p>
5.40	<p>Flood risk and drainage</p>
5.40	<p>DfI Rivers has reviewed the Drainage Assessment, correspondence from the Rivers Directorate Area Office dated 7th December 2024 which states they are satisfied with the proposed working strip for the culverts traversing the site; Schedule 6 consent from the Area Office in relation to constructing a retaining wall over the line of the culvert traversing the site; and Proposed Drainage Layout Plan, and accepting the applicant's logic and has no reason to disagree with the conclusions. Accordingly, it offers no objection to the proposal.</p>
5.41	<p>The proposal complies with Policy ENV4 and relevant provisions of the SPPS.</p>
5.42	<p>Waste-water infrastructure</p>
5.42	<p>Policy SP1A requires that necessary infrastructure is in place to support new development. NI Water has no objection to the application on grounds of network drainage capacity concerns.</p>
5.42	<p>Climate change</p>
5.42	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission</p>
5.43	<p>will be granted for development that incorporates measures to adapt to environmental change.</p>

5.44	<p>Water butts are to be fitted in all properties to make use of roof water run-off for external use in the garden areas. All units will however incorporate solar panels on the rooftops which will feed into the internal heating system of the property to reduce energy use and costs. All dwellings have south-facing rear gardens with the 3-storey apartments having south-facing balconies to maximise solar gain.</p>
5.45	<p>All units will include a mix of the following features to comply with the Energy Efficiency standards:</p> <ul style="list-style-type: none"> • High-performance insulation, LED lighting, and energy-saving appliances. • Low carbon energy and heating solutions have been considered as part of the overall design and planning of the proposed development, including the provision of photovoltaic panels (PV) along the south facing roof • Prioritising the use of sustainable materials during construction, focusing on those with low embodied energy and a minimal carbon footprint sourced locally where possible.
5.46	<p>The proposed development shall be resilient from flood risk with the Drainage Assessment detailing the sustainable drainage, which will adapt to climate change, by limiting run off during times of heavy rainfall to limit the discharge to the hydrological regime.</p> <p>The proposal is considered to accord with Policies ENV2 and ENV3.</p>
5.47	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The application proposes SuDS features such as the provision of oversized pipes and hydro breaks to delay discharge; smart water butts, and some additional tree planting. These measures should be secured by condition. The proposals are considered to satisfy Policy ENV5.</p>
5.48	<p>Access and transport</p>
5.49	<p>The proposal is in an accessible location adjacent to a bus stop, with good access to public transport. Secure covered bike storage is proposed. The site is accessible and provides good opportunities for active travel, including walking and cycling, through excellent linkages with the City Centre and its shops, services and amenities. Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The proposal contains 37 parking spaces including 2 disabled spaces (i.e. more than 1 space per residential unit), which is acceptable).</p>
5.50	<p>Road safety and traffic are concerns raised by objectors. DfI Roads Service are the authoritative body to advise on road safety and traffic and they responded to consultation with no objection subject to conditions should approval be granted.</p> <p>The access to public roads would not prejudice road safety or significantly inconvenience the flow of road users in accordance with Policy TRAN 6.</p> <p>A Travel Plan has been submitted and found to be acceptable by DfI Roads; it will further promote alternatives to the private car. The Travel Plan includes the provision of Travel Cards for a period of three years and this will be secured via the Section 76 Planning Agreement.</p>
5.51	<p>The scale of development and transport implications of the proposal were assessed by DfI Roads and considered to be acceptable. The proposal is considered acceptable having</p>

	regard to Policies TRAN1, TRAN2, TRAN6, and TRAN 8, and relevant provisions of the SPPS
5.52	Health impacts
5.53	Policy SP3 requires new development to maximise opportunities to improve health and wellbeing. Policy HC1 seeks to ensure that all new development 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
5.54	facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.55	The site is a sustainable location with good access to public transport. The proposed buildings are considered to be of a high-quality design with good quality hard and soft landscaping. This will provide a pleasant and attractive environment for prospective occupants of the building and people in housing need. The proposal would promote green travel. It is considered compliant with Policy HC1 and SP3.
	Environmental protection
	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 contaminated land, air quality, lighting, odour and noise.
5.56	The contaminated land reports provided with the application conclude that remediation is required. Environmental Health therefore advises conditions relating to the submission of a Verification Report detailing the remediation measures. Additionally, should the developer discover any new contamination risks work shall cease immediately and a further Remediation Strategy submitted to the Council for consideration.
5.57	In relation to noise and air quality, Environmental Health had no concerns. The conditions advised by Environmental Health and DAERA Regulation Unit are recommended. The proposal is considered to accord with Policy ENV1, and relevant provisions of the SPPS.
	Natural heritage
5.58	DAERA Water Management Unit cited concerns over the potential impact on sewage loading to the Belfast waste-water treatment works. However, NI Water has confirmed that there is available capacity and as such there is no issue in this regard.
5.59	DAERA NED noted the application site is hydrologically connected to Belfast Lough Ramsar site / Special Protection Area (SPA) and Belfast Inner Lough Area of Special Scientific Interest (ASSI) which are of international and national importance and are protected by the Habitats Regulations and the Environment (Northern Ireland) Order 2002. There are watercourses outside of the site boundary along with mature trees.
5.60	The watercourses have been noted as being within 50m of the site. These watercourses are hydrologically connected to the designated sites. NED requested updated plans to show the distance between the watercourses and the proposed development, and highlighted that if a 10m buffer was not achievable and any works are to be carried out within 10m of the watercourses a Construction Method Statement (CMS) should be submitted.

	<p>In addition to this they requested an amended Landscape Plan to provide the details of the tree, shrub, and grass species to be planted on site. They recommended inclusion of native and/or pollinator-friendly species to help compensate for the loss of native species on site at present.</p>
5.61	<p>Following the submission of an Outline Construction Environmental Management Plan (oCEMP), and updated landscape drawing numbers PA-06 and 003. Upon assessment of the methodology and pollution prevention measures detailed within the oCEMP, NED are content with the mitigation proposed. NED notes that section 4.6 of the oCEMP states that in river channel works will be required and that further details on the methodology should be provided within a final CEMP (which shall be conditioned). NED agrees with this recommendation and advises that provided works comply with GPP5: Works and Maintenance in or near water, the proposal is unlikely to significantly impact NIPH or designated sites. Having assessed the updated Landscape Plan they welcome the native species planting to be provided on site.</p>
5.62	<p>A letter was received from Belfast Hills Partnership making comment stating they do not wish to object but highlight a number of concerns relating to impact on natural heritage. DAERA NED are the authoritative and advisory body on these matters and accordingly offer no objection to the proposal. Alongside all other technical information submitted a Biodiversity Checklist was submitted and forward to NED for review. Shared Environmental Services have been consulted in order to undertake a Habitats Regulation Assessment on behalf of the Council. Delegated authority is requested to resolve a final response. The proposal is considered compliant with Policy NH1 and the relevant provisions of the SPPS.</p>
5.63	<p>Trees and landscaping</p> <p>To help comply with Policy TRE1 and secure a net gain in tree cover within the site for future years, a proposed detailed landscaping has been submitted as part of the application. 11 x existing trees are to be retained.</p> <p>Proposed landscaping includes a native wildflower garden and a mix of acer, sorbus, prunus and betual trees to be planted. A total of 21 are proposed throughout the site which will contribute to site amenity value, biodiversity and species resilience within the site should the trees establish in a natural manner.</p> <p>The Council's Landscape team were consulted and welcomed the proposal. They requested the submission of a Landscape Management Plan be conditioned, including design objectives, management responsibilities and maintenance schedules for all landscape works. The proposal is considered compliant with TRE1 of the Plan Strategy.</p> <p>Waste management</p>
5.64	
5.65	<p>In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. Bin storage is shown to the side of the main apartment building and rear of all others. The bin storage allocation should be in line with the Local Government Waste Storage Guide for NI 2010 and BS 5905:(2005).</p>
5.66	<p>The application is supported by a Waste Management Plan (WMP) which outlines the operational waste management measures, and the council has consulted with BCC's City & Neighbour Services Department, but at the time of writing comments are outstanding.</p>
5.67	<p>Section 76 Planning Agreement</p>

<p>5.68</p> <p>5.69</p> <p>5.70</p> <p>5.71</p>	<p>A draft Section 76 planning agreement to secure the following planning obligations has been agreed in principle with Legal Services. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social rented housing – all 100% of the residential units constructed at the property shall be occupied as Social Housing Units; • Green travel measure – secure implementation of Travel Plan and green travel measures (travel co-ordinator and travel cards). <p>The Section 76 planning agreement has been agreed in principle.</p>
<p>6.0</p> <p>6.1</p> <p>6.2</p>	<p>6.0 Recommendation</p> <p>6.1 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>6.2 Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other matters that arise including the further consultation responses from BCC Waste Management and Shared Environmental Services, provided that they are not substantive.</p>
<p>7.0</p>	<p>7.0 Draft Conditions</p> <p>Time:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

Climate change:

2. The development hereby approved shall not be occupied unless the climate change measures described in the application have been implemented. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

3. The development here permitted shall not be occupied unless the SuDS measures [described in the application] have been implemented. The SuDS measures shall thereafter be retained and maintained.

Reason: In the interests of minimising impact on climate change.

Trees and landscaping:

4. All landscaping works shall be carried out in accordance with approved details. The works shall be carried out prior to the completion of the development 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.

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

5. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

6. Prior to any work commencing, protective barriers (fencing) and ground protection shall be erected and 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. The protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.

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.

7. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence unless a Landscape Management Plan has been submitted to and agreed in writing with the Council. The Management Plan shall include all design objectives, management responsibilities and maintenance schedules for all landscape works. Thereafter, the Landscape Management Plan shall be implemented and permanently adhered to in accordance with the approved details.

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.

8. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Area of trees within the site and adjacent lands during the construction period.

Reason: To safeguard trees of amenity and biodiversity value.

Contamination

9. Prior to the occupation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RSK Environment Ltd report titled 'BW Homes and Construction Limited, Preliminary Risk Assessment and updated Generic Quantitative Risk Assessment, Mill Avenue, Ligoniel, Belfast, 604704-R3(01), LA04/2024/1195/F, May 2025' have been implemented.

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 residential with plant uptake. It must demonstrate that the identified human health contaminant linkages are effectively broken.

The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance C733 Asbestos in Soil and Made Ground: A Guide to Understanding and Managing Risks, and British Standards. In particular, the Verification Report must demonstrate that:

- a) The final site layout is as per Figures 3 and 4 of the submitted report 604704-R3 (01), which outlines the areas of capping and hardstanding.
- b) excavations to a proven depth of 600mm bgl in communal areas and 800mm bgl in private gardens
- c) a minimum 600mm capping system has been emplaced in all communal landscaped areas and 800mm in residential gardens, formed from material that is demonstrably suitable for use (residential with plant uptake) at a sample rate of 1 per 100m³ of imported soil.
- d) The placement of a membrane barrier in all areas of capping and excavation. The selected membrane is water permeable, rot-proof and chemically resistant and has a high tensile strength, applied across the total surface and extend beyond the boundary and laid in parallel layers either suitably secured together or overlapped by at least 20 cm.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health

10. 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.

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.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

11. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent 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 in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

12. After completing all required monitoring and remediation works, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the Remediation Strategy/GQRA Report have been implemented.

- The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be prepared in accordance with up-to-date Environment Agency, British Standards and CIRIA industry guidance. In particular, the Verification Report must:
- Include all identified potential source-pathway-receptor contaminant linkages and the remedial measures required to break them;
- Contaminating activity removal/treatment (if required) e.g. all fuel storage tanks, and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27) (or any standard that reproduces or replaces this standard).
- Soil source removal or treatment (if required). All remaining soils (or base and side-walls of all excavations) to be proven suitable for the proposed end-use.
- Pathway interruption methods (if required).
- Gas protection measures (if required) as per BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard), which must include (level of detail required may depend on Characteristic Situation).
- Gas protection measures must be verified in line with the requirements of CIRIA C735 (or any standard that reproduces or replaces this standard). VOC vapour protection measures shall be installed and verified in accordance with the requirements of CIRIA C748 (or any standard that reproduces or replaces this standard).

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

Natural heritage

13. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Environmental Construction Management Plan has been submitted to and approved in writing by the Council. The Final Environmental Construction Management Plan shall include measures to control noise, dust, vibration and other nuisance during the demolition/construction phase. The CEMP shall contain all the appropriate environmental mitigation as detailed in the DAERA NED response dated 01/05/25 and oCEMP by O Sullivan Macfarlane Environmental Consulting dated 2nd December 2024.

No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Final Environmental Construction Management Plan.

Reason: To safeguard the amenities of the area. Approval is required upfront because construction works have the potential to harm the amenities of the area.

Transport:

14. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.007 Rev.A uploaded to the Planning Portal 16th February 2026, prior to the commencement of any other works or other development hereby permitted

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

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

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

16. Any existing street furniture or landscaping within the visibility splays as conditioned above shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

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

17. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No.007 Rev.A bearing the Department for Infrastructure Determination date stamp 25th March 2026.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

18. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course. The final wearing course shall be applied on the completion of each phase of the development.

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

19. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.007 Rev.A uploaded to the Planning Portal 16th February 2026 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure adequate provision has been made for parking within the site.

20. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with Private Streets Determination drawing No.007 Rev.A uploaded to the Planning Portal 16th February 2026.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

21. The development hereby permitted shall operate in accordance with the Residential Travel Plan uploaded to the Planning Portal 16th February 2026.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

22. The development hereby permitted shall not be occupied until any retaining structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG300 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with CG300 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.

Archaeology

23. 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 City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- 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. Historic Environment Division
Causeway Exchange

1-7 Bedford Street
Town Parks
BELFAST BT2 7EG
Email: HEDPlanning.Consultation@communities-ni.gov.uk
Planning ref: xxx
Date of response: xxx

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

24. No site works of any nature, or development shall take place other than in accordance with the programme of archaeological work approved under condition 23

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

25. 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 23.

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.

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.