

# Development Management Report

<b>Summary</b>	
<b>Committee Date:</b> 16 <sup>th</sup> June 2026	
<b>Application ID:</b> LA04/2025/2013/F & LA04/2025/2015/LBC	
<b>Proposal:</b> Change of use of Netherleigh House and existing office blocks (Class B1) to provide residential and nursing care facilities (Class C3 (a) and (b)). Extensions to existing office block including a fourth storey floor, eastern and western gable extension and two front projections from the northern elevation. Erection of 36 no. assisted living apartments over two four storey blocks. Site parking, landscaped amenity areas, woodland trails and all associated site works.	<b>Location:</b> Netherleigh House, 1 Massey Avenue, Belfast, BT4 2JP
<b>Referral Route:</b> Major Planning Application	
<b>Recommendation:</b> Approval subject to conditions	
<b>Applicant Name and Address:</b> Y3 Care Ltd 1-6 St. Helens Business Park Holywood BT18 9HQ	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<b>Date Valid:</b> 18 <sup>th</sup> November 2025	
<b>Target Date:</b> 16 <sup>th</sup> June 2026	
<b>Contact Officer:</b> Lisa Walshe, Principal Planner (Development Management)	
<b>Executive Summary:</b>  The application proposes the change of use of Netherleigh House which is a grade B1 Listed Building and existing office blocks to provide residential and nursing care facilities. Extensions to the existing linear office block are proposed including a fourth storey floor, eastern and western gable extensions and two front projections from the northern elevation. The erection of 36 no. assisted living apartments over 2 no four-storey blocks are also proposed.  The key issues for consideration of the application are set out below. <ul style="list-style-type: none"> <li>• Principle of development at this location</li> <li>• Design and Placemaking</li> <li>• Impact on the architectural and historic qualities of the Listed Building</li> <li>• Impact on amenity</li> <li>• Trees and landscaping</li> </ul>	

- Environmental protection
- Access, movement and transport
- Natural heritage
- Flood risk and drainage
- Waste-water infrastructure
- Health impacts
- Climate change
- Pre-Application Community Consultation
- Waste management
- Employability and Skills

In the Belfast Urban Area Plan 2001 (BUAP 2001), the site is un-zoned “white land”.

In the draft Belfast Metropolitan Area Plan 2015 (v2004) the site is zoned as an area of white land and located within Local Landscape Policy Area (LLPA) Campbell / Ormiston. In dBMAP 2015 (v2014) the site is also zoned as whiteland within an LLPA with the western portion of the application site designated as a site of Local Nature Conservation Importance (SLNCI).

The proposal would regenerate a vacant site and heritage asset and HED have no objection to the proposal.

NI Water objects to the proposal on grounds of insufficient network capacity. BCC Urban Design officer has some concerns which have been addressed in the report. A final NIEA: NED response, SES response and BCC Economic unit response are outstanding at the time of writing. No objections have been received from other consultees, subject to conditions and informatives.

Following advertisement in the local press as well as neighbour notification, 1 objection has been received, 4 representations with queries and 1 letter of support which are detailed in the main report.

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### **Recommendation**

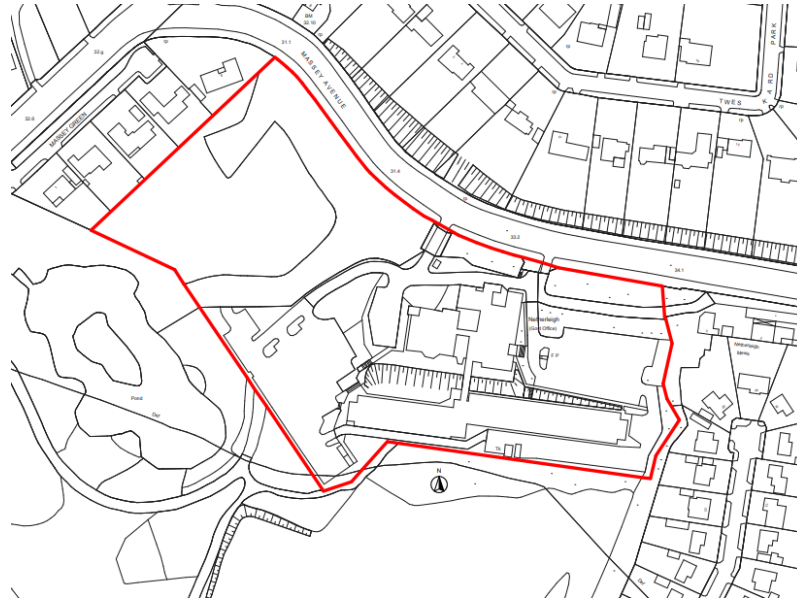
Having regard to the Development Plan and all other material considerations, it is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise including resolving final responses from NIEA: NED, SES and BCC Economic Unit provided that they are not substantive.

# Case Officer Report

## DRAWINGS AND IMAGERY

### Site Location Plan:



### Proposed Site Plan:



## Unit B Nursing care facilities - Elevations



## Unit A1 Assisted Living Apartment Elevations



## Unit A2 Assisted Living Apartment Elevations



unit A2 - Front Elevation

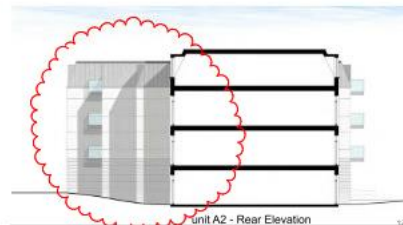


unit A2 - Side Elevation 1

A2



unit A2 - Side Elevation 2

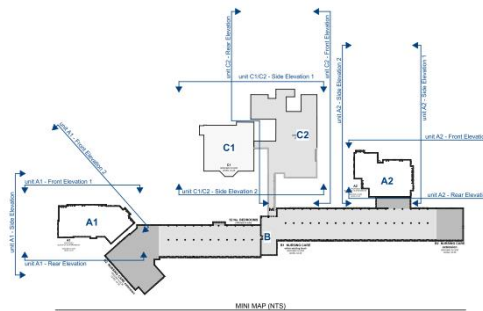


unit A2 - Rear Elevation

OVERALL HEIGHT REDUCED BY 1M WITH MANSARD TYPE ROOF AND DORMERED OPENINGS TO TOP FLOOR

STEPPED ELEVATION TO IMPROVE OUTLOOK FROM DAY ROOM

### Unit C1 Netherleigh House & Unit C2 (nursing care facilities)



## 1.0 Characteristics of the Site and Area

- 1.1 The application site extends to approximately 2.6Ha and comprises Netherleigh House, which is a Grade B1 listed building and two modern office blocks to the south and east of Netherleigh House, interconnected by link corridors, which were previously occupied by the Department for the Economy (DfE). The site also contains areas of hardstanding and a large woodland area to the northwest.
- 1.2 The northeastern boundary of the site runs parallel to Massey Avenue and is defined by a close boarded timber fence with mature woodland vegetation behind. The remaining site boundaries are also defined by mature vegetation with the eastern and western boundaries abutting residential developments. The site is accessed directly via two existing vehicular access points from Massey Avenue. A singular lane system connects the two vehicular access points and follows a one-way system around the periphery of the built form within the site. A private laneway also exists within the confines of the application, which provides access to a number of adjacent dwellings located within Netherleigh Mews. The topography across the land is relatively flat with a fall in levels in a southern direction from 32.5m to 28.5m from the rear of the Listed Building to the rear boundary of the site. The surrounding context is largely residential in nature, characterised by predominately medium to low density 2-storey dwellings and educational and recreational facilities such as Campbell College which is located directly south of the site.

<p>1.3</p> <p>1.4</p> <p>1.5</p> <p>1.6</p>	<p><b>Description of Proposed Development</b></p> <p>The application seeks full planning permission and Listed Building Consent for the change of use of Netherleigh House and existing office blocks (Class B1) to provide residential and nursing care facilities (Class C3 (a) and (b)). Extensions to existing office block including a fourth storey floor, eastern and western gable extension and two front projections from the northern elevation. Erection of 36 no. assisted living apartments over two four storey blocks. 143 car parking spaces are proposed which is a reduction from the current 200 spaces. Landscaped amenity areas and a woodland trail is also proposed totalling to 3035m<sup>2</sup> communal open space.</p> <p>The proposed development is split into various elements to cater for various healthcare needs . The operator, Healthcare Ireland, primarily focuses on providing the following various healthcare services:</p> <ul style="list-style-type: none"> <li>• Learning Disability Services;</li> <li>• Physical Disability Services;</li> <li>• Mental Health Services;</li> <li>• General Nursing Services;</li> <li>• Residential Services;</li> <li>• Dementia Residential Services; and</li> <li>• Dementia Nursing Services.</li> </ul> <p>The proposed development overall provides 209 no. 1-bed residential units and 36 no. assisted living apartments. Assisted living apartments are designed for individuals who require some element of daily help but can continue to maintain some level of independence. These apartments offer private living spaces combined with access to onsite supportive services.</p>
<p>2.0</p> <p>2.1</p>	<p><b>Relevant Planning History</b></p> <p><b>LA04/2025/1088/PAN</b> Proposed extension and conversion of existing office block (formerly Department for the Economy HQ) and conversion of Netherleigh House to provide residential and nursing care facility including the erection of 2no. assisted living blocks, and associated site parking, landscaped amenity areas, woodland trail and all associated works. Decided 17<sup>th</sup> July 2025.</p>
<p>3.0</p> <p>3.1</p>	<p><b>PLANNING POLICY</b></p> <p><b>Development Plan – local development plan</b></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 HOU8 – Specialised residential accommodation  Policy HOU5 - Affordable housing  Policy BH1 – Listed Buildings  Policy DES2 – Masterplanning approach for Major development  Policy DES1: Principles of urban design  Policy RD1: New residential developments  Policy TRAN1: Active travel – walking and cycling  Policy TRAN 2: Creating an accessible environment  Policy TRAN6: Access to public roads  Policy TRAN3: Transport assessment  Policy TRAN4: Travel plan  Policy TRAN8: Car parking and servicing arrangements</p> <p>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)</p> <p>Policy HC1: Promoting healthy communities  Policy LC1: Landscape  Policy OS1: Protection of open space  Policy OS3: Ancillary open space  Policy TRE1: Trees  Policy NH1: Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Residential Design  Placemaking &amp; Urban Design  Sustainable Urban Drainage Systems  Transportation  Planning and Flood Risk  Masterplanning approach for Major developments</p> <p>3.2 <b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) BUAP  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>3.3 <b>Regional Planning Policy</b>  Regional Development Strategy 2035 (RDS)  Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>3.4 <b>Other Material Considerations</b>  Belfast Agenda (Community Plan)</p>
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4.0	<b>CONSULTATIONS AND REPRESENTATIONS</b>
4.1	<p><b>Statutory Consultees</b></p> <p>DfI Roads - No objection subject to conditions  Historic Environment Division (HED) – No objection subject to conditions  NI Water – Water objects to the application on grounds of network drainage capacity concerns.  DfI Rivers – No objection  NIEA: NED – Requests further information  NIEA: Ground Regulation Unit - No objection subject to conditions  NIEA: Water Catchment Unit - Objection</p>
4.2	<p><b>Non-Statutory Consultees</b></p> <p>Environmental Health – No objection subject to conditions.  BCC Landscape – No objection  BCC: Tree Officer – No objection subject to conditions.  BCC Housing Team – No objection  BCC: Waste Management – No objection  BCC: Urban Design –concerns regarding the overall façade composition of the alterations to the rear block. This is further discussed in the main body of the report.  Shared Environmental Services – Outstanding  BCC Economic Unit - Outstanding</p>
4.3	<p><b>Representations</b></p> <p>The application has been advertised in the newspaper and neighbours notified.  1 objection has been received, 4 representations with queries and 1 letter of support were received. They are summarised below:</p> <ul style="list-style-type: none"> <li>a) Level of traffic on Massey Avenue and road safety</li> <li>b) Security lighting</li> <li>c) Access and vegetation maintenance</li> <li>d) Access throughout the site</li> <li>e) Contamination</li> <li>f) Sewage connections</li> <li>g) Ease pressure on NHS by creation of a much-needed facility</li> <li>h) Regeneration of a vacant site and heritage asset</li> <li>i) Deliver significant economic benefits to East Belfast</li> <li>j) Jobs for local people</li> </ul> <p>Issue a) will be considered within the main assessment below.</p> <p>Regarding issues (b-f), the agent has provided a response letter dated April 2026 to address the queries. For issue b), they state that here is no intention currently to change the existing external lighting arrangements currently on site. However, any changes to security lighting will be designed in accordance with best practice guidance, to ensure minimal light spill and no adverse impact on natural heritage or neighbouring residential amenity.</p> <p>For issue c), the letter states that the planning application is supported by a Landscape Maintenance and Management Plan, which covers the entirety of the lands within the red line application site, including the access laneway serving Netherleigh Mews and mature vegetation defining the northern boundary. The Applicant is committed to the ongoing upkeep of the access laneway, including regular maintenance of hedgerows and vegetation,</p>

	<p>periodic sweeping, and appropriate management of surface conditions as detailed within this report.</p> <p>Issue d) refers to access throughout the site, the proposed development intends to retain the existing access arrangements by providing a one-way vehicular access movement pattern through the site by utilising a separate entry and exit point.</p> <p>Issues e) and f) will be discussed in the main assessment below. Points (g-j) refer to the letter of support received from East Belfast Community Development Agency. They support the application stating that <i>'We believe it will have a positive and lasting impact on East Belfast through increased employment opportunities, improved care provision and increased economic growth'</i>.</p>
<p><b>5.0</b></p> <p>5.1</p> <p>5.2</p> <p>5.3</p> <p>5.4</p> <p>5.5</p>	<p><b>PLANNING ASSESSMENT</b></p> <p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are summarised below.</p> <ul style="list-style-type: none"> <li>• Principle of development at this location</li> <li>• Design and Placemaking</li> <li>• Impact on the architectural and historic qualities of the Listed Building</li> <li>• Impact on amenity</li> <li>• Trees and landscaping</li> <li>• Environmental protection</li> <li>• Access, movement and transport</li> <li>• Natural heritage</li> <li>• Flood risk and drainage</li> <li>• Waste-water infrastructure</li> <li>• Health impacts</li> <li>• Climate change</li> <li>• Pre-Application Community Consultation</li> <li>• Waste management</li> <li>• Employability and Skills</li> </ul> <p><b>Development Plan Context</b></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> <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> <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. Appendix A of the LDP also</p>

	<p>discusses Existing/draft Policy Designations including those designated by BMAP which are material considerations as confirmed by paragraph 11.1.4 of the LDP.</p>
5.6	<p><u>Operational Polices</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application:</p> <p>Policy HOU8 – Specialised residential accommodation  Policy HOU5 - Affordable housing  Policy BH1 – Listed Buildings  Policy DES2 – Masterplanning approach for Major development  Policy DES1: Principles of urban design  Policy RD1: New residential developments  Policy TRAN1: Active travel – walking and cycling  Policy TRAN 2: Creating an accessible environment  Policy TRAN6: Access to public roads  Policy TRAN3: Transport assessment  Policy TRAN4: Travel plan  Policy TRAN8: Car parking and servicing arrangements</p> <p>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)</p> <p>Policy HC1: Promoting healthy communities  Policy LC1: Landscape  Policy OS1: Protection of open space  Policy OS3: Ancillary open space  Policy TRE1: Trees  Policy NH1: Protection of natural heritage resources</p>
5.7	<p><u>Proposals Maps</u></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>
5.8	<p><b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “white land” within the development limit.</p>
5.9	<p><b>Draft Belfast Metropolitan Area Plan 2015 (2004 &amp; 2014)</b> in dBMAP 2015 (v2004) the site is zoned as an area of white land and located within Local Landscape Policy Area (LLPA) Campbell / Ormiston. In dBMAP 2015 (v2014) the site is also zoned as whiteland within an LLPA with the western portion of the application site designated as a site of Local Nature Conservation Importance (SLNCI).</p>
	<p><b><u>Principle of development</u></b></p>

5.10	<p>The site is located within the development limit in BUAP 2001 and both versions of dBMAP 2015. The current established use on the site is offices (Class B1) which have been vacant since 2023. The proposed use is for a nursing home (Class C3b) and assisted living apartments (Class C3a). The site is on undesignated whiteland and the economic policies within the LDP do not protect offices in out of centre location, it is therefore considered that the proposed use do not conflict with land use zonings. The site is within an site of local conservation importance (SLNCI) and Local landscape policy area (LLPA) and the principle of the proposed development is considered acceptable subject to detailed considerations of related policies as set out below.</p>
5.11	<p>Policy HOU8 of the Plan Strategy states that planning permission will be granted for Specialised Residential Accommodation including retirement villages and care-related facilities, where the following criteria are met:</p> <p><i>a. The homes and/or bed spaces to be provided meet community needs demonstrated through a statement of specialist housing need;</i></p>
5.12	<p>The applicant submitted a statement of specialist housing need in support of the application. The applicant has highlighted that 2021 census data demonstrates an ageing population and that demand for Specialist Residential Accommodation (SRA) will continue to increase. Recent research from the Alzheimer’s Society referenced, which notes that the need for residential dementia and nursing dementia services of the type that Netherleigh House will provide will also increase significantly over the coming years.</p>
5.13	<p>The Belfast Local Development Plan Strategy 2035 has stated a need for an additional 820 bed spaces in residential care homes during the plan period, and therefore a demonstrable need exists. This proposal will provide 209 bed spaces, approximately 25% of LDP requirements. The Council’s LDP Housing team are supportive of the proposal. Criterion a. of Policy HOU8 is satisfied.</p>
5.14	<p>Policy HOU8 of the Plan Strategy also states that planning permission will be granted for Specialised Residential Accommodation where:</p> <p><i>b. The proposals will deliver convenient access to relevant local services and facilities, including local shops, public transport routes and health facilities.</i></p>
5.15	<p>The application site is served by existing footways along Massey Avenue which connect to existing footways on Castlehill Road to the east and Belmont Road which is approximately 70m to the west and provide a range of local amenities. There are several bus stops located along Massey Avenue, with one located directly outside of the site. These bus stops are served by the Metro Bus Service. Additionally, the site is accessible by dedicated cycle provision, provided by ‘on road’ painted cycle routes along Belmont Road, Upper Newtownards Road and Stormont Estate. The site is also directly adjacent to the Community Greenway Odyssey/Stormont Community Greenway. Local services within Belmont and Ballyhackmore are within approximately 5 minute drivetime by private car.</p>
5.16	<p>Having regard to the above assessment, the proposal is considered to satisfy Policy HOU8 of the Plan Strategy.</p> <p><b>Affordable housing</b></p> <p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p>
5.17	<p><i>Assisted Living Units:</i></p>

5.18	<p>HOU8 states that as specialist residential accommodation does not meet the needs of the general population, it is therefore exempt from affordable housing obligations. As such HOU5 is not applicable to the proposed up to 36no. assisted living units. However, if planning permission were to be granted, the developer could benefit from permitted development rights to convert these units into Class C1 housing units once the permission has been implemented. Therefore, it is necessary to include a condition that removes such permitted development rights. This would mean that if there was a future proposal to use some or all of the assisting living units as standard housing (Class C1) then affordable housing would be expected to be provided under Policy HOU5.</p>
5.19	<p><b><u>Design &amp; placemaking</u></b></p> <p>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.).</p>
5.20	<p><i>Block B – Nursing care facilities</i></p> <p>The proposed development retains the built form of the existing 3 storey linear office block building to the rear of the site but proposes a full redesign of all external facades. The proposal includes various extensions to the existing linear office block including a fourth storey extension to the existing building, an extension to the eastern &amp; western gable and two front projections from the northern elevation. This building will be 14.05m high after the additional floor is added. To mitigate the bulk and mass of the additional floor, the roof profile has been sensitively designed to enable a number of rooms to be set within the roof and served by extended dormer style windows, providing a subservient back drop to the listed building. The existing red brick is to be replaced with smooth render in off white/light grey with bronze panels interspersed throughout, the upper storey is finished in grey zinc cladding panels.</p>
5.21	<p>BCC Urban Design state that <i>‘The revised material palette and introduction of bronze detailing assist in breaking up the building mass. The incorporation of roof terraces is welcomed and contributes positively to reducing visual bulk while respecting the listed building. The addition of dormer elements across the upper floor introduces articulation and reflects earlier PAD iterations, which is also supported’</i>. They however go on to state <i>‘concerns remain regarding the overall façade composition, the northern elevation exhibits limited rhythm and coherence in fenestration’</i>.</p>
5.22	<p>It is considered that cues have been taken from existing windows and bays of the listed building in the proposed design. The linear block has a clear ‘top-middle-base- approach with the top defined by a mansard style roof profile with projecting dormers, the middle if off white render and the base a contrasting white lined render. Public views of the proposal will also be limited due to the extensive screening around the site boundaries which are sought for retention. The refurbished block presents an improvement to current architectural form and design and is considered in keeping and sympathetic to the listed Netherleigh House and is therefore on balance, acceptable.</p> <p><i>Block A1 &amp; A2 – Assisted Living Apartments</i></p> <p>The proposal includes the erection of 2 no. 4-storey apartment blocks to accommodate 36 no. assisted living apartments. Assisted living apartments allow residents to partake in the amenities and social environment provided while having trained staff available 24/7 for safety</p>

5.23	<p>and support. Assisted living aims to provide a balance between independence and care, allowing residents to live comfortably and securely without the more intensive medical supervision found in nursing homes. Block A1 is located to the southwestern part of the application site, within an existing area of hardstanding to the west of the existing office linear block. It comprises 20 no. apartments and measures 12.8m to ridge and has been designed to correspond with the elevational changes to the main linear block. The second assisted living apartment block A2 is located to the east of the application site and is also located within an existing area of hardstanding. It comprises 16no. apartments and measures approximately 12m to ridge. Block A2 is linked to the existing linear building via one of the proposed front projections, however, , there is no internal access between buildings. Following HED comments to reduce the height of block A2, it has been reduced by 1m and the roof changed to a Mansard style, reducing the potential visual impact on the listed building when viewed from the west. HED are content with the changes. Both blocks are situated in appropriate locations within the site and will be sufficiently screened from public views. It is considered that both blocks are an appropriate height, scale and massing.</p>
5.24	<p><i>Block C2 – Nursing Care facilities</i></p> <p>The development proposes to render the existing service block to match with the design interventions proposed to the main linear block. The service block will continue to provide a mostly ancillary purpose to the nursing care facility through the retention of the existing canteen and kitchen. The first floor of the existing will be changed to provide an additional 5 no. 1 bed residential units. The built form and overall footprint of the block is to remain as existing; however the material finishes proposed to the external elevations will mitigate the massing of this building adjacent to the listed building.</p>
5.25	<p><i>Block C1 (Netherleigh House) – Nursing Care facilities</i></p> <p>The proposal includes the change of use of Netherleigh House from offices to provide a nursing care facility comprising office rooms, nurse stations, dining rooms and day rooms. Details of the proposed changes to Netherleigh House are discussed below in the ‘Impact on the architectural and historic qualities of the Listed Building’ section.</p> <p>Overall, it is considered that on balance, the scale, massing and design of the proposal are appropriate to the site and surrounding buildings, the site is considered to absorb the additional development without having a detrimental impact on any built or natural heritage and the proposal accords with RD1 and DES1 of the Plan Strategy.</p>
5.26	<p><b>Impact on the architectural and historic qualities of the Listed Building</b></p> <p>The proposed development includes the change of use of Grade B1 listed Netherleigh House (HB26/13/012). Section 91 (2) of the Planning Act (Northern Ireland) 2011 applies which states ‘the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’</p> <p>Policy BH1 of the Plan Strategy provides policy for the Change of use, new development affecting the setting of listed buildings and alterations of a listed building.</p>
5.27	<p>The existing listed building currently provides office spaces across 2 stories along with a basement level. The proposed development intends to utilise the existing formal layout of the building to provide nursing stations/office, day rooms and a dining room. However, to facilitate accessibility across the building for residents, staff and visitors the proposal includes minor internal alterations including the provision of a lift and removal of a wall to provide a disabled accessible bathroom. Criteria f-l of Policy BH1 states that Planning permission will be granted for the alteration and extension of a listed building where all the following criteria are met:</p>

5.28	<p>f. The works preserve, restore and complement the building's features of special architectural or historical importance to ensure the existing building remains intact and unimpaired;</p> <p>g. The design respects the essential character of the existing building and/or setting;</p> <p>h. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building and/or setting;</p> <p>and i. In the case of extensions, they shall be subservient to the existing building with regard to height, scale, massing, form and alignment;</p>
5.29	<p>The external elevations of Netherleigh House will remain unaffected by the proposed development with the exception of part of a front wall which currently defines part of the entrance porch to the existing building to provide a proposed accessibility ramp. The ramp will have a glass balustrade which is considered an acceptable design feature and complement the building. HED have been consulted and are content with the alterations to the Listed Building On this basis, the proposal is considered to safeguard key features and character of the historic asset.</p> <p>Policy BH1 states that Planning permission will be granted for the change of use of a listed building where this secures its upkeep and survival and the character and architectural or historic interest of the building would be preserved or enhanced. The new use of residential and nursing care is considered an appropriate for Netherleigh House and will bring the vacant building back into use which ensures that the architectural and historic interest of the building is preserved.</p>
5.30	<p>Although the proposal does not include any extension to Netherleigh House itself, it includes various extensions and alterations to the existing built form on site which is attached to the listed building along with two new build assisted living units and are consequently subject to the same level of statutory protection. Criteria a-e of Policy BH1 states that Planning permission will be granted for new development affecting the setting of listed buildings where the following criteria are met:</p>
5.31	<p>a. The development is sympathetic to the essential characteristic, scale, height, massing and alignment of the listed building by way of its scale, form, materials and detailing;</p> <p>b. The development does not result in the significant loss of key views of the listed building;</p> <p>c. The nature of the use proposed respects the character of the setting of the building;</p> <p>d. The development does not have a detrimental impact on the setting of the listed building;</p> <p>and</p> <p>e. The development has regard to relevant supplementary planning guidance.</p>
5.32	<p>HED requested further information and amendments to elements of the scheme which have resulted in assisted living block A2 being reduced in height by 1m and roof changed to a Mansard style, reducing the potential visual impact on the listed building when viewed from the west. Elevational changes to block B (Nursing home) are proposed including simplified dormer detail, a lowered roof over stair tower and a mansard roof to day room. A section of the proposed fourth storey extension has been reduced to provide a roof terrace which has considered a key view when facing the listed building from the north as it is read with the backdrop of the linear building. Materials of the existing service block( Block C2 have been changed from red brick to render which is considered sympathetic to the Listed Building. HED were reconsulted and are now content that the new development will not adversely impact upon the setting of the listed building.</p> <p>Overall, it is concluded that the development is sympathetic to the essential characteristics, scale, height, massing and alignment of the listed building and complies with Policy BH1. There is currently no supplementary planning guidance related to listed buildings. Associated conditions are necessary to protect historic features and protect character.</p>

	<p><b><u>Impact on amenity</u></b></p> <p><i>Open space and amenity space:</i></p> <p>5.33 Policy OS1 supports the retention and improvement of existing open space throughout the district area. The lands within the application site are not designated as formal open space, however it is acknowledged that parts of the application site, particularly the woodland area to the northwest provide amenity and biodiversity benefits associated with open space. However, this area has been identified for a woodland trail which will provide useable space that is not currently provided for. It will provide a safe, accessible route to accommodate users of all mobility levels. Overall, the proposal does not result in the loss of designated open space and therefore is compliant with Policy OS1</p> <p>5.34 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 and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p> <p>5.35 The proposed development provides pockets of courtyards spaces throughout the site by providing bench seating and picnic tables across various areas which equates to 3,035m<sup>2</sup>. These areas are located adjacent to block A1 and to the north of Block B. All ground floor apartments have been allocated external amenity spaces which is enclosed. The woodland walk which is subject to detailed design as discussed above equates to 9,102m<sup>2</sup>. The proposed assisted living apartment blocks are also served individually by balconies, providing an element of associated private amenity which equates to 701m<sup>2</sup> (19.47m<sup>2</sup> each).. A rooftop terrace is also included as part of the new fourth floor storey extension to the main linear block which will provide an amenity setting for residents of the care facility. The proposal is considered to comply with Policy OS3 and the 10% expectation of open space is met. Associated conditions for the delivery and management of open space are necessary to ensure the provision of acceptable measures.</p> <p>5.36</p> <p><i>Impact on neighbouring amenity:</i></p> <p>The surrounding area is characterised largely by existing residential development to the north, east and west, with the southern boundary abutting a large playing field and school grounds associated with Campbell College. The new eastern gable extension to the linear block and the associated fourth floor extension will result in the built form shifting closer to the properties located along Netherleigh Park. It is however considered that there is a sufficient separation distance of approximately 20m with an extensive mature tree boundary defining the eastern boundary of the site that will add screening to the neighbouring properties. The residential properties to the north and west are located a sufficient separation distance away to mitigate impacts of the proposal.</p> <p>The roof terrace proposed to the linear block will not overlook any of the assisted living units as it will look have an outlook towards the open spaced areas behind Netherleigh House, the location of it is therefore acceptable and will not therefore impact privacy of existing residents</p>
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5.37	<p>Additionally, the site aspect is an important consideration as the proposed development is located to the west of the properties along Netherleigh Park. The proposed development, particularly the additional fourth storey extension, would not create any significant overshadowing or loss of light to the rear of the adjacent neighbouring properties due to the site orientation. There are no habitable room windows proposed to the gable end of the proposed eastern elevation, therefore the proposal will not result in overlooking or loss of privacy.</p>
5.38	<p>Under Policy HOU8 – Specialist residential accommodation, residential policies do not apply to this specific type of accommodation as it does not meet the needs of the general population as stated within policy HOU8. Space standards therefore do not apply however it is noted that the assisted living apartments meet these requirements. The assisted living apartments all have adequate outlook from bedroom and living area windows. Each nursing home bedroom also has a window for outlook to adjoining external communal areas.</p>
5.39	<p>The proposal is therefore considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.</p>
	<p><b>Trees and landscaping</b></p>
5.40	<p>In accordance with Policy TRE1 the council will seek to protect existing trees from new development, particularly those that are of visual, biodiversity or amenity quality and significance, and there will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity. All proposals for new built development should seek to provide for additional tree planting appropriate to the nature, scale and location of the development.</p>
	<p>The application site is defined on all boundaries by mature trees and comprises a dense woodland to the northwest.</p>
5.41	<p>The trees within the application site are not protected by a Tree Preservation Order (TPO), however, the trees located beyond the southern boundary and all of the trees within the grounds of adjacent Campbell College are all protected by (TPO/2005/0107). 75no. trees within the site were surveyed including a mix of pinus sylvestris, Amelanchier x grandiflora, acer campestre, sorbus aria and Betula jacquemontii. 8no. trees are proposed to be removed due to their condition and to facilitate the proposed development. All these trees</p>
5.42	<p>are located to the rear of the site and therefore do not offer public visual amenity due to restricted views. The large majority of trees within the site (over 95%) will be retained and form part of the proposal, therefore will help contribute with aspects of screen, integration and continue to provide opportunities for local wildlife. The proposed development includes the erection of new built form within existing areas of hardstanding and any areas of additional hardstanding which impose onto any RPAs have been considered in the associated Method Statement.</p>
5.43	<p>63 trees are proposed in various locations throughout the site including car parking areas, within site boundaries and grassed area open spaces. The tree species include scots pine,</p>
5.44	<p>whitebeam, birch, acer and junberry planted at heights between 2.5m – 5m. BCC Tree Officer has been consulted on the proposal and offers no objections subject to conditions. The proposed planting scheme would secure a net gain in trees as part of the application, complying with policy TRE1. Associated conditions to secure the protection and management of retained trees and proposed vegetation is necessary.</p>
	<p>As the application site is within Campbell/Ormiston Local Landscape Policy Area (LLPA) policy LC1, specifically LC1c is applicable. A Landscape Design Statement and Landscape</p>

5.45	<p>Management and Maintenance Plan accompany the application. The layout of the proposal carefully integrates car parking for both the assisted living apartments and nursing home elements, with soft landscaping including shrub planting and hedging used to break up hard surfaces. The hard surfacing used for access arrangements will be finished in asphalt. Existing pedestrian routes connects key areas of the site, promoting accessibility and encouraging movement. Amenity landscape areas is an important aspect of the proposal to ensure residents can relax, interact and enjoy outdoor amenity, they are positioned between Netherleigh House and the apartments and comprise open lawns, seating, picnic benches and ornamental planting. A 1.5m high brick retaining wall to match existing is proposed to the rear of the Listed Building which bounds an area of open space. A 1.2m high estate black railing is also proposed to private patio areas/defensible space. Both boundary treatments are considered appropriate. BCC Landscape Team have been consulted and are content with the proposed. Overall, the proposal maintains existing landscape features as part of the development and will not therefore significantly alter existing natural heritage assets. The development is therefore considered to comply with policy LC1.</p>
5.46	<p><b><u>Environmental Protection</u></b></p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health and NIEA: Ground and Regulation Unit in terms of contaminated land, air quality, lighting, odour and noise.</p> <p><i>Contaminated land</i></p> <p>The proposal is accompanied by a Preliminary Risk Assessment (PRA), Generic Quantitative Risk Assessment (GQRA) and a Remediation Strategy. BCC EHO offers no objections and a condition to ensure that any contamination within the site is appropriately resolved if encountered. NIEA: Ground and Regulation Unit state that there are no significant sources of previous potentially contaminating land uses identified on this application site or in the adjacent area. The proposed development is therefore considered likely to be a low risk to the water environment. They also recommend a condition in relation to unexpected contamination. It is considered that the proposal accords with Policy ENV1.</p>
5.47	<p><i>Air quality</i></p> <p>The submitted TAF indicates the proposed development will generate less vehicle trips than the existing development on site. Therefore, the proposal is not predicted to have any detrimental impact on air quality in the local area from associated vehicle movements.</p>
5.48	<p>BCC EHO notes that the proposed residential development is located in an area where the maximum radon potential is identified at 3-5%. They therefore a condition that in the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning &amp; Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority</p> <p>It is considered the proposal accords with Policy ENV1.</p> <p><i>Noise</i></p> <p>BCC EHO have no concerns regarding the impact of noise from the proposal. They recommend a condition stating that the development hereby permitted shall not be occupied</p>

5.49	<p>until any necessary sound mitigation measures are installed so that the below internal noise levels are not exceeded within habitable rooms. Policy ENV1 is therefore met.</p>
5.50	<p><i>Light</i> The external lighting arrangements on site are not proposed to be changed, Environmental Health therefore did not comment on this and no conditions are recommended on this issue.</p> <p>The proposal is considered to accord with Policy ENV1, and relevant provisions of the SPPS.</p>
	<p><b><u>Access, Movement and Transport</u></b></p>
5.51	<p>The application site is served by existing footways along Massey Avenue which connect to existing footways on Castlehill Road to the east and Bemont Road to the west. There are several bus stops located along Massey Avenue, with one located directly outside of the site. These bus stops are served by the Metro Bus Service. Additionally, the site is accessible by dedicated cycle provision, provided by 'on road' painted cycle routes along Belmont Road, Upper Newtownards Road and Stormont Estate. The site is also directly adjacent to the Community Greenway Odyssey/Stormont Community Greenway. The proposal includes 3 separate covered cycle bays across the site, providing a total of 21 no. cycle parking within the grounds of the application site to encourage sustainable travel to the site. The proposal is considered to take account the needs of walkers and cyclists in a safe, accessible and convenient way, therefore the proposal is considered complaint with TRAN1.</p>
5.52	<p>To ensure that the proposed development is accessible for not only future residents with general mobility issues navigating the site but also visitors and staff attending, the site comprises various ramps across the site to ensure accessibility between car parks and pockets of open space. A drop off point is located at the main entrance to the nursing care home, with a ramp access to the door. A ramp access is also provided to the front door of Netherleigh House. Pathways can accommodate a wheelchair and have a firm surface with level or a gently sloping gradient. A lift is provided within the nursing care home, the assisted living apartment blocks and Netherleigh House. Due to level differences across the site, a platform lift is also provided at the rear of apartment block A1. The design of the buildings, external areas and associated car parking sufficiently allows for ease of movement throughout the site and ensures inclusivity. It is therefore concluded that the proposal aligns with the requirements of Policy TRAN 2.</p>
5.53	<p>Policy TRAN3 requires a Transport Assessment (TA) to evaluate any transport implications which a development proposal may have, especially in scenarios where there is likely to have significant travel generating uses. The findings from the TS confirm that the proposed development generates less trips than the previous / extant use and therefore there is a nil net change in terms of traffic generation between the previous and proposed uses on the development site. The proposal is therefore in accordance with Policy TRAN 4</p>
5.54	<p>The application site is accessed via two access points along the northern boundary from Massey Avenue. The proposed development intends to retain the existing access arrangements by providing a one – way vehicular access protocol through the site by utilising a separate entry and exit point. Massey Avenue is not a Protected Route and therefore it is considered that the proposed development would not generate an intensification of an existing access nor would it prejudice or significantly inconvenience the flow of road users in compliance with Policy TRAN 6.</p>
5.55	<p>Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The proposal contains 143 parking spaces including 7 disabled spaces.</p>

	<p>Road safety and traffic were raised as a concern in a representation. DfI Roads Service was consulted and have raised no objection subject to conditions relating to access and road safety, adequate parking provision and traffic circulation, adequate cycle parking and alternative modes of transport.</p>
5.56	<p><b><u>Natural heritage</u></b></p>
	<p>Policy NH1 relates to the protection of natural heritage resources.</p>
5.57	<p>A Ecological Impact Assessment, Preliminary Ecological Appraisal, Preliminary Roost Assessment, Bat Survey and Badgers Survey were submitted as part of the application. NIEA: NED responded stating that the reports do not include adequate details of qualifications or relevant experience of the authors. New reports have since been submitted and NIEA:NED reconsulted. Delegated authority is sought to deal with this.</p>
	<p>Shared Environmental Services were consulted in order to ensure the proposal would not impact negatively on protected sites. Their response remains outstanding.</p>
5.58	<p>Given the nature and location of the development and limited interventions proposed to natural heritage assets within the site, it is not anticipated that any fundamental policy concerns are likely based on associated supporting information. Adequate mitigation can be secured by appropriate planning condition if necessary. Delegated authority is requested to resolve associated issues, subject to no substantive issues being identified by the relevant consultees. Protected species are also afforded protection by the Wildlife Order regardless of the outcome of the application,</p>
5.59	
	<p><b><u>Flood risk and drainage</u></b></p>
5.60	<p>DfI Rivers has reviewed the Drainage Assessment which indicates that management of flood risk to and from the development will include using SuDS.</p>
	<p>Commenting on the efficacy of the proposed SuDS is outside Rivers Directorate's area of knowledge and expertise. Consequently, Rivers Directorate cannot advise that the potential flood risk to the development, and from the development to elsewhere, has been satisfactorily addressed, or that the proposal is acceptable as required under policy.</p>
5.61	<p>Rivers Directorate advises that if the proposal is to discharge storm water into a watercourse, then an application should be made to the local Rivers Directorate office for consent to discharge storm water under Schedule 6 of the Drainage (NI) Order 1973. If it is proposed to discharge storm water into an NI Water system, a Pre-Development Enquiry should be made, and if a simple solution cannot be identified, a Network Capacity Check should be</p>
5.62	<p>carried out.</p> <p>Notwithstanding the responses from consultees on this issue, the site and lawful use benefit from existing connections to drainage infrastructure. The proposal would result in a slight reduction and/or replacement in the extent/area of existing hardsurfaced areas, therefore associated impacts are not likely to be significant.</p>
	<p>Associated conditions to secure appropriate mitigation can be attached to any grant of permission. On this basis, the proposal is considered to comply with Policy ENV4 and relevant provisions of the SPPS.</p>

	<p><b><u>Waste-water infrastructure</u></b></p>
5.63	<p>Policy SP1A requires that necessary infrastructure is in place to support new development.</p>
5.64	<p>NI Water objects to the application due to network drainage capacity concerns. It advises that the downstream catchment is constrained by overloaded sewage infrastructure including one or more downstream “Unsatisfactory Intermittent Discharges “(UID's) which are causing a negative impact on the environment. These are located at (1) Parkway CSO; (2) Hollywood Road Tillysburn CSO; (3) Inverary Drive CSO; (4) Sydenham Park Avenue TPS. (1-2) Discharge to the Lagan. (3-4) Discharge to Belfast Harbour.</p>
5.65	<p>NIEA WMU also highlighted concerns with respect to sewage disposal and recommended a condition to be attached to any Approval requiring the means of sewage disposal to be agreed prior to commencement of development.</p>
	<p>Whilst NI Water has objected to the application, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. A condition is recommended to secure final details of the means of sewage disposal prior to commencement of development.</p>
5.66	
5.67	<p>For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p>
	<p><b><u>Climate change</u></b></p>
5.68	<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 will be granted for development that incorporates measures to adapt to environmental change.</p>
5.69	<p>Proposed measures include, energy efficient lightbulbs and appliances, double glazing insulating existing walls, replacing windows with new glazed units and upgrading the existing fabric throughout the residential and nursing care facility. Cumulatively these measures will increase the energy efficiency of the buildings and improve the permissible air permeability, thus making a positive climate contribution. This would provide a net benefit given the existing lawful use rights of the buildings on site to continue operating as an office development.</p>
5.70	<p>The proposal is considered to accord with Policies ENV2 and ENV3.</p>
	<p><i>SuDS:</i></p>
5.71	<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 upgraded surface materials and new planting to promote sustainable drainage and reduce surface water runoff. SuDS will be promoted through filter drains and waterwater gardens to provide both conveyance and water quality treatment of surface runoff.</p>

5.72	The proposals are considered to satisfy Policies ENV5 and a condition is included to secure these measures.
	<p><b><u>Health impacts</u></b></p>
5.73	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 facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.74	In this regard, the site is a sustainably located with good access to public transport, pedestrian walkways and cycle paths. The proposed buildings and associated alterations are acceptable design and incorporates modern urban fabric which is capable of achieving high levels of sustainability standards. The scheme has fully considered good quality hard and soft landscaping and will provide a pleasant and attractive environment for any future staff,
5.75	resident or visitor attending the site, including a new woodland walkway (subject to detailed design) encouraging an active lifestyle for residents. Overall, the proposal is considered compliant with Policy HC1.
	<p><b><u>Waste Management</u></b></p>
5.76	A waste management plan has been submitted. The application includes various areas identified for bin stores which have been designed to the appropriate size to accommodate the estimated waste generation across the application site. The enclosed bin stores have been sensitively designed and incorporated into the proposed layout to limit any negative impact or unnecessary clutter. The Council's Waste Management team has been consulted and are content with the proposal. A condition is included to secure adequate provision of refuse and recycling storage in the interests of the amenities of the area. The proposals
5.77	waste measures are considered acceptable.
	<p><b><u>Employability and Skills</u></b></p>
5.78	It is argued that the proposal is a total investment of £42.8 million with a construction cost of £34 million over 18 months. and will support the local construction sector by creating 90-120 construction jobs. BCC Economic Unit have been consulted and are outstanding. In the event that Economic Unit consider that employability and skills contributions are necessary this can be dealt with by planning condition and it is requested that this issue is resolved under delegated authority, subject to no substantive issues being identified.
	<p><b><u>Pre-application Community Consultation</u></b></p>
5.79	The application was preceded by a statutory Proposal of Application Notice (PAN) under reference LA04/2025/1088/PAN which set out the applicant's proposals for pre-application community consultation.
	The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive preapplication consultation undertaken by the applicant.
	The applicant states that they actively sought the views of the public and stakeholders by utilising the following methods of engagement:

5.80	<ul style="list-style-type: none"> <li>- Informing Local Councillors, MLAs, and the Constituency MP of the PAN submission by email.</li> <li>- A public notice advertising the community consultation was placed in the local newspaper 'Belfast Telegraph', on Thursday 7th August 2025.</li> <li>- A leaflet drop was carried out to local businesses and residents' addresses close to the application site week commencing 11th August 2025.</li> <li>- A second advertisement was published in the 'Belfast Telegraph' on Monday 11th August 2025 which extended the date for feedback in accordance with newly adopted Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 legislation.</li> <li>- A drop-in public consultation event was held at Netherleigh House, 1 Massey Avenue, Belfast, BT4 2JT, on Thursday 21st August 2025 and was attended by members of the public</li> <li>- A website (<a href="http://www.Netherleigh.Consultation.co.uk">www.Netherleigh.Consultation.co.uk</a>) was also created and available to access from the 21st August - 18th September which allowed no less than 28 days for interested parties to view the material and provide feedback until the consultation period closed formally.</li> </ul>
5.81	
5.82	<p>The PACC report states that the majority of feedback to the public consultation was largely positive, although neighbouring residents did raise a variety of matters related to the proposal. Specific issues were raised and the agent provided the following responses to address them:</p>
5.83	<ul style="list-style-type: none"> <li>- Traffic impact and road safety: - The proposed development is accompanied by various technical reports including a Transport Statement and a Transport Assessment Form (TAF) prepared by RPS which details traffic measures related to the proposal.</li> <li>- Construction phase nuisance: - Any impact from construction is temporary and subject to planning permission being granted, conditions can be imposed on any forthcoming Decision Notice restricting hours of construction.</li> <li>- Access and landscape maintenance of private lane (Netherleigh Mews): - This application is supported by a Landscape Maintenance and Management Plan. This plan details how landscaping within the site will be future managed over an extended period of time. The existing access is not impacted by the proposed development and will continue to be maintained.</li> </ul>
5.84	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.</p>

5.85	
6.0	<p><b>Recommendation</b></p> <p>6.1 Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>6.2 Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other matters that arise including resolving final responses from NIEA:NED, SES and BCC Economic Unit provided that they are not substantive.</p>
7.0	<p><b>DRAFT CONDITIONS LA04/2025/2013/F</b></p> <p><b>Time:</b></p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p><b>HED:</b></p> <p>2. Notwithstanding the submitted details (Drawing Nos. 32, 33, 34, uploaded to the Planning Portal on 21<sup>st</sup> May 2026), the following internal features shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council.</p> <p>a. curtain wall cladding  b. window and matching panels  c. of metal screen  d. Zinc cladding</p> <p>The works shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>3. The following elements of the approved scheme shall be carried out in accordance with associated detail drawings and documents:</p> <p>a. Lift Installation – Drawing No. 19a, 31a, 35 uploaded to the Planning Portal on 21<sup>st</sup> May 2026.</p>

- b. Removal and reinstatement of portico lamp methodology – Architectural Heritage Impact Assessment & Interior Significance Record addendum uploaded to the Planning Portal on 1<sup>st</sup> June 2026.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

**Climate change:**

4. 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.

**Waste management:**

5. The development shall not be occupied until the refuse and recycling storage area have been provided in accordance with the approved plans and shall be retained as such at all times.

Reason: To ensure adequate provision of refuse and recycling storage in the interests of the amenities of the area.

**Trees & Landscaping:**

6. All hard and soft landscaping works shall be carried out in accordance with drawing nos. 29a, 26a and 27a uploaded to the Planning Portal on 21<sup>st</sup> May 2026. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

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

7. 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.

8. 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.

9. 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.

**Noise:**

10. The development hereby permitted shall not be occupied until any necessary sound mitigation measures are installed so that the below internal noise levels are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels:

- 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided.
- 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided.
- 45 dB L<sub>max</sub> more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided.

The measures required shall be thereafter retained at all times.

Reason: To safeguard the amenity of occupants of the building hereby approved.

11. The rating level (dBL<sub>A,r,T</sub>) from the operation of all combined plant and equipment must not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

Reason: Protection of residential amenity

**Contamination**

12. 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.

13. No demolition or construction works shall be carried out outside the following hours:  
Monday to Friday – 0800 to 1800 hours  
Saturday – 0800 to 1300 hours  
No such works shall be carried out on Sundays, Public or Bank Holidays.

Reason: To safeguard the amenities of the area.

### **Air Quality**

14. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service would request that an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant.

The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of local air quality.

### **Transport:**

15. The vehicular access shall be provided in accordance with Drawing No.05AA uploaded to the Planning Portal 21<sup>st</sup> May 2026, prior to the occupation 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.

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16. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.05A uploaded to the Planning Portal 21<sup>st</sup> May 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.

17. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with Drawing No.05A uploaded to the Planning Portal 21<sup>st</sup> May 2026.

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

18. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan uploaded to the Planning Portal on 6<sup>th</sup> January 2026.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

**Drainage:**

19. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site, in the interests of safeguarding the environment integrity of Belfast Lough. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

**Removal of Permitted Development**

20. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no change of use of the development hereby approved shall be permitted without express planning permission.

Reason: Alternative use requires further consideration by the Council, having regard to the Local Development Plan and relevant material considerations.

**DRAFT CONDITIONS LA04/2025/2015/LBC**

1. The works hereby granted must be begun within five years from the date of this consent.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

2. Notwithstanding the submitted details (Drawing Nos. 32, 33, 34, uploaded to the Planning Portal on 5<sup>th</sup> June 2026), the following internal features shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council.

- a. curtain wall cladding
- b. window and matching panels
- c. of metal screen
- d. Zinc cladding

The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

3. The following elements of the approved scheme shall be carried out in accordance with associated detail drawings and documents:
  - c. Lift Installation – Drawing No. 19a, 31a, 35 uploaded to the Planning Portal on 5<sup>th</sup> June 2026.
  - d. Removal and reinstatement of portico lamp methodology – Architectural Heritage Impact Assessment & Interior Significance Record addendum uploaded to the Planning Portal on 5<sup>th</sup> June 2026.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.