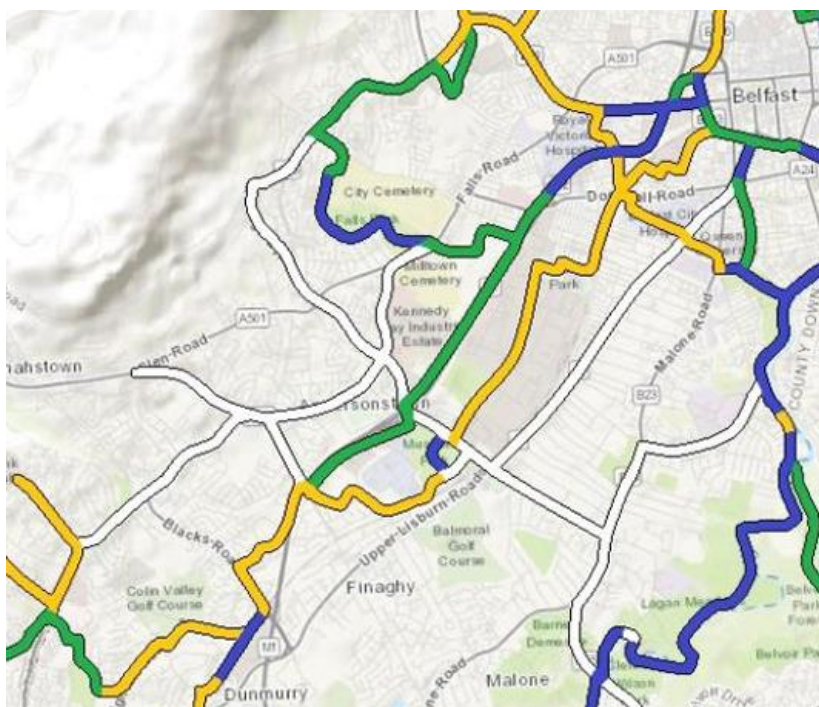


### ADDENDUM REPORT 3

<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Date:</b> 16 <sup>th</sup> June 2026
<b>Proposal:</b> Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 92 No. dwellings and associated and ancillary works.	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 25 <sup>th</sup> November 2025	
<b>Target Date:</b> 25 <sup>th</sup> June 2026	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<b>Background:</b> <ol style="list-style-type: none"><li>1. This application was originally approved by the Committee at its 14<sup>th</sup> October 2025 meeting, with addendum reports presented on 9<sup>th</sup> December 2025 and 17<sup>th</sup> February 2026 to deal with landownership issues. The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to resolve final consultation responses, finalise the wording of conditions, and to deal with any other matters that might arise provided that they were not substantive.</li><li>2. This report should be read in conjunction with the original report to the 14<sup>th</sup> October Committee 2025, Addendum Report 1 to the 9<sup>th</sup> December 2025 Committee meeting and Addendum Report 2 to the 17<sup>th</sup> February 2026 Committee meeting, appended.</li></ol>	
<b>Cycle and pedestrian link:</b> <ol style="list-style-type: none"><li>3. The Committee will recall from its previous consideration of the application that at the request of DfI Roads, the proposal includes a cycle and cycle/pedestrian link to the future Greenway linking Dunmurry to Belfast City centre. DfI Roads has recently raised further issues regarding the design of the link.</li><li>4. As the proposed link would serve not just the development but the wider area, particular design standards must be met. DfI Roads has therefore indicated the need for further design changes to the link. These may increase the cost of delivery, which may have implications for the applicant / developer.</li><li>5. As background, the site benefits from extant permission on the site for 99 units, with the access roadway from Finaghy Road North already constructed to the point of access into the site in accordance with previously approved details.</li></ol>	

### Assessment of potential proposed changes to the proposal:

6. The proposed development is to be accessed via an existing roadway directly off Finaghy Road North, currently serving the adjacent Woodland Grange development.
7. As part of the package of green travel measures, including provision of Travel Cards for each residential unit, a dedicated and segregated 400m long cycle path is proposed that runs from Finaghy Road North, through the site and connects into Black's Gate to the south. This is intended to tie in with plans set out for the area as part of the West Belfast Greenway, outlined in the DFI document 'Belfast Cycling Network Delivery Plan 2022-31' *Scheme 037 West Belfast Greenway Phases 3 & 4*. This forms part of short term and medium term plans for a series of Greenways. The 6,900m long Greenway in question runs south-west to north-east from Dunmurry to Belfast City Centre and is highlighted in yellow and green below.



8. However, as a result of further discussions regarding the design of the proposed safe cycle path and potential shared roadway which will link into the Blacks Gate development, the applicant has raised concerns about potential increased costs and viability of the scheme.
9. To reduce reliance on the private car it was originally proposed that free Residential Travel Cards are offered to each residential unit for the first three years of occupation, to be secured through a Section 76 planning agreement.

10. However, the discussions with Dfl Roads indicate that the design alterations required to the cycle link may increase costs. The applicant has suggested that this is off-set through a reduction to the green travel measures offer such as Travel Cards. Officers agree with Dfl Road's position that ensuring an appropriately designed cycle link is the more important element of the package of green measures. Regard is also had to the fall-back of the extant approval for 99 dwellings.
11. In view of these factors, officers advocate a flexible approach and are seeking delegated authority to deal with these issues, namely the revisions to the design of the cycle link and consideration of development viability, which could result in a reduction or removal of the other green travel measures if required. The applicant will be expected to submit evidence in relation to any viability case they wish to make.
12. Discussions are ongoing with DFI Roads concerning the final details of the access road, which may include the provision of a new cycle path on the eastern side of the access road into Dfl lands within the motorway embankment. This would incur a slight revision of the application site (red line), however, no other third parties would be prejudiced as notice has already been served on Dfl Roads during the course of the application. It is established practice that an application site may only be extended during the application process where it is to facilitate access.

#### **Consultation Responses:**

13. A final consultation response from Dfl Roads remains outstanding, pending resolution of this issue. Dfl Roads has also raised issues regarding the detail of the Private Streets Determination (PSD) proposals. Delegated authority is sought to deal with the issues raised by Dfl Roads in its further consultation response.

#### **Section 76 planning agreement:**

14. Legal Services has confirmed that the Section 76 planning agreement has been agreed in principle. However, with ongoing discussions around the details of the new cycle path and shared roadway/ cycle path, and associated viability issues, the draft planning agreement may need to be modified.

#### **Recommendation:**

15. Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
16. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and deal with any issues that may arise from the further consultation with Dfl Roads, and deal with any other matters that arise, provided that they were not substantive.

## ADDENDUM REPORT 2

<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Date:</b> 17 <sup>th</sup> February 2026
<b>Proposal:</b> Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 92 No. dwellings and associated and ancillary works (amended plans).	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 25 <sup>th</sup> November 2025	
<b>Target Date:</b> 25 <sup>th</sup> June 2026	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<b>Background:</b> <p>17. This application was originally approved by the Committee at its 14<sup>th</sup> October 2025 meeting. The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to resolve final consultation responses, finalise the wording of conditions, and to deal with any other matters that might arise provided that they were not substantive.</p> <p>18. The application was reported back to the Committee at its 9<sup>th</sup> December 2025 meeting as it had become apparent during the Section 76 planning agreement process that the applicant had not correctly served notice of the application on everyone with an interest in the land when originally made. The ownership certificate was subsequently corrected and the application re-advertised in the press. No additional representations were received. The Committee again delegated authority to the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and to deal with any other matters that might arise from outstanding consultations and further public consultation, provided that they were not substantive.</p> <p>19. It is a requirement that all interest parties in the land are a signatory to the Section 76 planning agreement. The applicant indicated that they did not wish to proceed on this basis and so they have removed the additional third party's land from the application site. This has resulted in a reduction of the scheme by two units to a total of 92 units. The application is reported back to the Committee so that it can consider this change.</p>	

20. This report should be read in conjunction with the original report to the 14<sup>th</sup> October Committee meeting and Addendum Report 1 to the 9<sup>th</sup> December 2025 Committee meeting, appended.

**Assessment of the proposed change to the proposal:**

21. As described, a third-party land ownership issue has emerged during the process of drafting the Section 76 planning agreement. This has resulted in a small triangular portion of land in the north-western part of the site being omitted from the application site, resulting in the removal of 2 No. semi-detached dwellings and their associated plots from the proposed layout. This has also seen a reduction in the red line on the site location plan and the replacement of the two residential plots with an additional area of public open space.

22. The revised description of development now reads:

*‘Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to **92 No. dwellings** and associated and ancillary works.’*

23. With the changes to the layout, omission of two dwellings and subsequent increase in area of open space there are a number of subsequent planning policy implications which are considered below.

24. With the reduction in numbers from 94 to 92 units and the slight reduction in the size of the site (by circa 250 sqm) there has been a slight change in the overall density of development. The previous site area was approximately 3.4 hectares. The removal of the small portion of land has seen this fall to approximately 3.375. The provision of 92 units within a site of 3.375 hectares would result in a density of approximately 27.2 dwellings per hectare. This represents a slight reduction from the previously proposed density of 27.6 dwellings per hectare. This reduction in density is not considered an issue and the resultant density remains in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4 and considered in the original Committee report.

25. The removal of the two dwellings has also seen an addition to the area of public open space which runs along the northern boundary of the site. The additional area of open space measures approximately 710 square metres in area and neatly continues the linear area of open space to the western boundary. As a result, the new area of open space to the north measures approximately 5,900 square metres. This sees the overall amount of open space provision increasing from 5,950 square metres to 6,660 square metres, representing approximately 19.7% of the overall site area. This overall open space provision continues to meet the requirements of Policy OS3. This is a substantial overall provision well above the recommended 10% and an increase of 0.2% of the overall site area from the previously proposed 19.5%.

26. The removal of the two semi-detached units has also seen a change in the proposed housing mix to the following:

- Semi-detached – 54 units
- Detached – 16 units
- Townhouse – 3 units
- Apartment – 19 units

27. The resultant change in housing mix is not considered to be significant, with the revised layout still providing a suitable mix of house types and sizes to promote choice and assist in meeting community needs, and remains in accordance with Policy HOU6.

28. There are no other concerns raised by the change in relation to placemaking, transport and access, and other considerations.

**Planning agreement:**

29. Legal Services has confirmed that the Section 76 planning agreement has now been agreed in principle.

**Recommendation:**

30. Having regard to the development plan and relevant material considerations, the proposed development is considered to remain acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

31. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and deal with any other matters that arise from the outstanding consultations and further public consultation, provided that they were not substantive.

## ADDENDUM REPORT 1

<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Date:</b> 9 <sup>th</sup> December 2025
<b>Proposal:</b> Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 94 No. dwellings and associated and ancillary works.	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 25 <sup>th</sup> November 2025	
<b>Target Date:</b> 25 <sup>th</sup> June 2026	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<b>Background:</b> <ol style="list-style-type: none"><li>1. This application was approved by the Committee at its 14<sup>th</sup> October 2025 meeting. The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to resolve final consultation responses, finalise the wording of conditions, and to deal with any other matters that might arise provided that they were not substantive.</li><li>2. This report should be read in conjunction with the report to the 14<sup>th</sup> October 2025 Committee meeting, appended.</li></ol>	
<b>Ownership certificate:</b> <ol style="list-style-type: none"><li>3. During the process of finalising the Section 76 planning agreement, it has become apparent that the applicant did not properly serve notice on everyone with an interest in the land when they originally made the application. The correct ownership certificate is required by Article 3(1)(d) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 and this means that the application was technically invalid.</li><li>4. The applicant has since submitted an amended application form and ownership form, confirming the serving of notice on additional parties on 24<sup>th</sup> November 2025.</li><li>5. The application is to be re-publicised in the press on 14<sup>th</sup> December 2025, with the 14-day consultation period for representations ending on 26<sup>th</sup> December; due to the public holiday with the consultation window would effectively end on 29<sup>th</sup> December.</li><li>6. The requirement for the applicant to serve the correct notice is a procedural matter and, subject to the review of any additional representations, does not affect the planning merits of the proposal or assessment of the application undertaken by officers as set out in the original Committee report, appended.</li></ol>	

**NIE Consultation Response received:**

7. Following the 14<sup>th</sup> October meeting, NIE provided its consultation response on 11<sup>th</sup> November 2025, offering no objection to the proposal, and providing the following advice.
  - The developer should not alter levels (cut or fill) or erect any structure or permanent surfacing within 5 horizontal metres of the tower legs.
  - No planting (specifically trees) takes place within the cable easement area as this may cause damage to the existing underground equipment.
8. This advice will be relayed to the applicant by way of an informative.

**Late items:**

9. At the 14<sup>th</sup> October meeting, Members noted the following amendments to the original Committee report, with officers advising that the proposal remained acceptable and in compliance with relevant planning policy:
  - Para 8.14 of planning report states an incorrect dwelling mix. It should read:  
Semi-detached - 58  
Detached - 16  
Apartments - 20
  - Para 8.15 – the applicant has confirmed that NIHE welcomed the provision of 'affordable housing' but had no input into housing mix.
  - Para 8.19 – omission of total no. of wheelchair units. Wheelchair units are Nos. 2-6 and 7-21 (20 No. in total) (proposal still policy compliant).
  - Para 8.60 – through discussions with DfI Roads 'Active Travel' section, the dedicated and segregated cycle path has been removed (at their request) and the main access road is now designed as a 'cycle priority' road.

**Recommendation:**

10. The recommendation remains to grant planning permission, with delegated authority sought to deal with any issues arising from outstanding consultations and any new representations made, provided that they are not substantive.
11. Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
12. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the Section 76 planning agreement and conditions, and deal with any other matters that arise from the outstanding consultations and further public consultation, provided that they were not substantive.

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Application ID:</b> LA04/2022/0809/F	<b>Committee Meeting Date:</b> 14 <sup>th</sup> October 2025
<b>Proposal:</b> Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 94 No. dwellings and associated and ancillary works.	<b>Location:</b> Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews, Belfast.
<b>Referral Route:</b> Major development	
<b>Recommendation:</b>	Approval subject to conditions and a Section 76 planning agreement
<b>Applicant Name and Address:</b> M J McBride Construction Ltd	<b>Agent Name and Address:</b> Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood
<b>Date Valid:</b> 21 <sup>st</sup> April 2022	
<b>Target Date:</b> 17 <sup>th</sup> November 2025	
<b>Contact officer:</b> Ed Baker, Planning Manager (Development Management)	
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for 94 no. dwellings.</p> <p>The site is located in the north-western part of the city between Finaghy Road north to the east and Blacks Road to the west. The site area is approximately 3.4 hectares.</p> <p>The key issues for the assessment of the application are below.</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Site layout, density and Design</li> <li>• Open Space Provision</li> <li>• Affordable Housing</li> <li>• Trees and landscaping</li> <li>• Traffic, Movement and Parking</li> <li>• Climate change</li> <li>• Impact on amenity</li> <li>• Contaminated land</li> <li>• Drainage and Flooding</li> <li>• Natural Heritage/ Impact on Protected Sites</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul> <p>The site is unzoned in BUAP and Draft BMAP (2004 and 2014). Given the extant approvals for residential development on the site the principle of residential development is established.</p>	

The density, layout and design of the development are considered in keeping with the established housing developments in the area with the predominance of two storey semi-detached dwellings reflective of housing abutting the site to the north and west off Blacks Road and east off Finaghy Road North.

An area of planted open space along the northern boundary, incorporating an existing buffer of mature vegetation, forms an intrinsic communal space running incorporating a Site of Local Nature Conservation Importance (SLNCI) which runs along the watercourse that defines the northern boundary of the site.

There are no objections from statutory consultees. DfI Roads has indicated that it is content although a final written consultation response is awaited. Delegated authority is sought to deal with these and any other outstanding matters provided that they are not substantive.

Similarly a response is outstanding from Environmental Health in terms of Contaminated Land and Air Quality, however reassurances have been provided that the principle of development is acceptable and no fundamental objections will be raised.

There are no objections from non-statutory consultees.

A Section 76 planning agreement will be required to secure the provision of a cycle path, affordable housing, delivery and management and of the public open space and employability and skills.

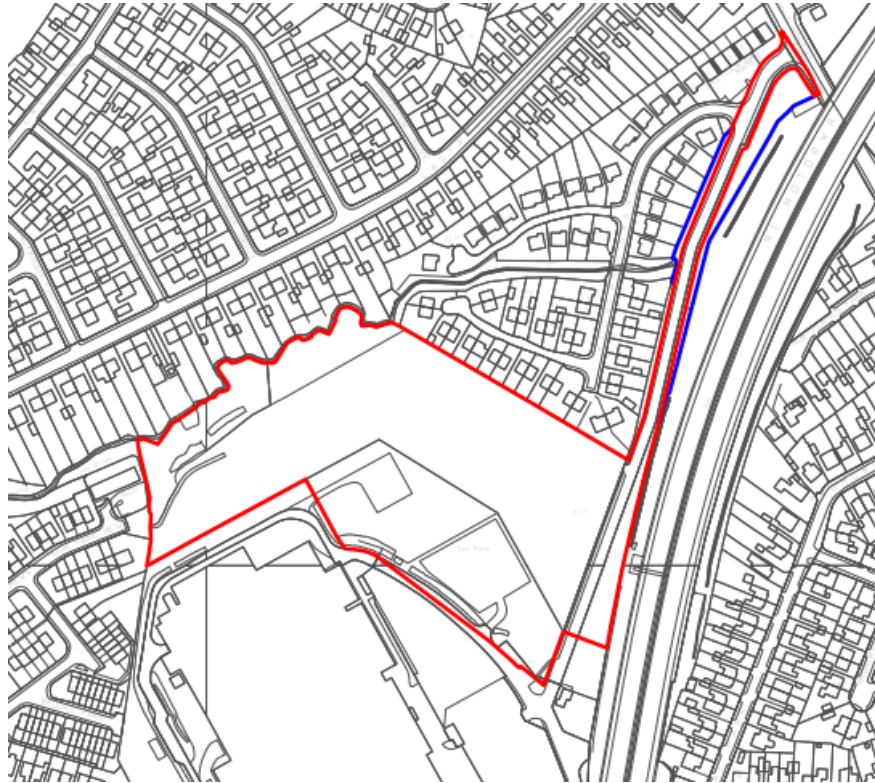
There have been no letters of objection or third party representations.

Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement and deal with any other issues that may arise, including the final consultation responses from DfI Roads, provided that they are not substantive.

# Case Officer Report

## Site Location Plan and Layout



<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	<p>This application seeks planning permission for 94 no. dwellings. The following housing mix is proposed:</p> <ul style="list-style-type: none"> <li>- Semi-detached 56</li> <li>- Detached 16</li> <li>- Townhouse 3</li> <li>- Apartment 19</li> </ul>
1.2	<p>The site is accessed via an existing roadway onto Finaghy Road North which also serves an abutting housing development to the north (Woodland Grange). The layout comprises a main access roadway running from south-east to north-west then north-east to south-west along the northern boundary of the site.</p>
1.3	<p>The scheme mostly comprises 2 storey detached, semi-detached dwellings and apartment blocks. The predominant house type is semi-detached units (56 units), as shown in the layout above.</p>
1.4	<p>All dwellings are served by 2 in-curtilage parking spaces. Communal parking bays serve the three apartment blocks in the south-eastern portion of the site.</p>
1.5	<p>There are pockets of open space throughout the development, the largest of which is located along the northern boundary, measuring approximately 5,200 sqm.</p>
<b>2.0</b>	<b>Description of Site and Area</b>
2.1	<p>The site area is approximately 3.4 hectares (ha) and rises slightly from south to north, with land continuing to rise beyond the site across the Upper Springfield Road to Black Mountain. The site is well defined with mature planting along all boundaries, and within the site itself. It is characterised by this vegetation and undulating rising land.</p>
2.2	<p>The site is currently accessed from an existing laneway off Finaghy Road North, which serves both residential development and the former Ford Visteon site.</p>
2.3	<p>The residential developments in the area include Woodland Grange, Ladybrook Park, and Moor Park Mews. Dwellings in the surrounding area vary from one to two storey in height and are a mix of semi-detached, detached and terrace dwellings with amenity space to the front and rear of the properties.</p>
<b>3.0</b>	<b>Planning History (on site to south of application site)</b>
3.1	<p>Z/2008/0993/F- Development comprising of 24 no. townhouses and 29 no. apartments. Lands between the Ford Visteon Plant and Phase 1 of a proposed housing development (Z/2002/2135) Finaghy Road North, Belfast. Approved 11/08/2010</p>
3.2	<p>Z/2013/0120/F - Land adjacent to former Ford Visteon Plant, Finaghy Road North. Proposed housing development comprising of 10 semi detached dwellings and 36 townhouses. Approved 26/04/2017</p>
3.3	<p>Z/2013/1434/F - Demolition of existing buildings and proposed comprehensive mixed-use development comprising 244no social and private/affordable residential units (with access from Black's Road), with associated public open space/linear park. Non-residential element to include community centre and class B business units (class B1b/B1c/B2 uses) with associated parking and access from Finaghy Road North. Amended proposals to provide increase in level of Class B Business uses and separate community centre building. Former Visteon Factory, Blacks Road. Approved 08/01/2016</p>

3.3	Planning permission was previously granted on the northern part of the site for a residential development of 10 no. semidetached dwellings and 36 No. townhouses on 26th April 2017 under planning reference Z/2013/0120/F.
3.4	Planning permission was previously granted on the southern part of the site for a residential development of 24 No. townhouses and 29 No. apartments on 11th August 2010 under planning reference Z/2008/0993/F.
3.5	Both of these permissions are live, and this has been confirmed through a Certificate of Lawfulness.
<b>4.0</b>	<b>Policy Context</b>
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	<p><b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <p><i>Strategic Policies</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery</p> <p>Policy SP2 – sustainable development</p> <p>Policy SP3 – improving health and wellbeing</p> <p>Policy SP4 – community cohesion and good relations</p> <p>Policy SP5 – positive placemaking</p> <p>Policy SP6 – environmental resilience</p> <p>Policy SP7 – connectivity</p> <p>Policy SP8 – green and blue infrastructure network</p> <p><i>Spatial Development Strategy</i></p> <p>Policy SD1 – Settlement hierarchy</p> <p>Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i></p> <p>Policy HOU1 – Accommodating new homes</p> <p>Policy HOU2 – Windfall housing</p> <p>Policy HOU4 – Density of Residential Development</p> <p>Policy HOU5 – Affordable Housing</p> <p>Policy HOU6 – Housing Mix</p> <p>Policy HOU7 – Adaptable and Accessible Accommodation</p>

Policy DES1 – Principles of Urban Design  
Policy DES2 – Masterplanning Approach for Major Development  
Policy RD1 – New Residential Developments  
Policy HC1 – Promoting healthy communities

Policy ENV1 – Environmental Quality  
Policy ENV2 – Mitigating Environmental Change  
Policy ENV3 – Adapting to Environmental Change  
Policy ENV4 – Flood Risk  
Policy ENV5 – Sustainable Drainage Systems (SuDS)

Policy TRAN1 - Active travel – walking and cycling  
Policy TRAN2 – Creating an Accessible Environment  
Policy TRAN 3 – Transport Assessment  
Policy TRAN 4 – Travel Plan  
Policy TRAN6 – Access to public roads  
Policy TRAN8 – Car Parking and Service Arrangements  
Policy TRAN10 – Design of Car Parking

Policy OS1 – Protection of Open Space  
Policy OS3 – Ancillary Open Space  
Policy NH1 – Protection of Natural Heritage Resources  
Policy TRE1 – Trees  
Policy LC1 - Landscape

4.5 The following Supplementary Planning Guidance (SPG) is relevant:

- Affordable Housing and Housing Mix
- Residential Design
- Placemaking and Urban Design
- Planning and Flood Risk
- Masterplanning approach for major development
- Transportation
- Trees and Development

4.6 **Proposals Maps** – 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), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan), 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.

4.7 In the BUAP 2001, the site is unzoned.

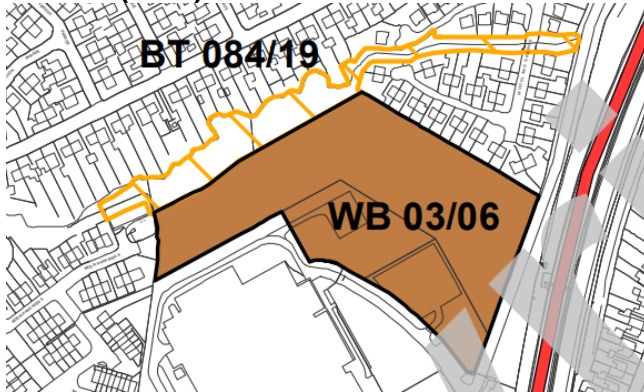
4.8 **BUAP 2001**

In dBMAP (v2004 and v2014), the site is zoned for housing (a small section in the south-west corner is unzoned in v2004). The site is also abuts a site of local nature conservation importance which runs along its northern boundary in dBMAP (v2014).

**dBMAP(2004)**



**dBMAP (2014)**



4.9

Regional Planning Policy

Regional Development Strategy 2035 (RDS)

Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)

4.10

Other Material Considerations

Developer Contribution Framework

Creating Places

Belfast Agenda

Belfast Cycling Network Delivery Plan 2022-31

**5.0**

**Statutory Consultees**

DfI Roads – Awaiting final response, agreed in principle.

DAERA – No objection, advises conditions.

DfI Rivers – No objection.

NI Water – No objection.

NI Housing Executive – Support.

Shared Environmental Services – No objection, advises condition.

**6.0**

**Non-Statutory Consultees**

BCC Environmental Health – Awaiting final response.

<p><b>7.0</b></p> <p>7.1</p> <p>7.2</p>	<p><b>Representations</b></p> <p>The application has been advertised and neighbour notified.</p> <p>No objections have been received to date.</p>
<p><b>8.0</b></p> <p>8.1</p> <p>8.2</p> <p>8.3</p> <p>8.4</p> <p>8.5</p>	<p><b>ASSESSMENT</b></p> <p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Site layout, density and Design</li> <li>• Open Space Provision</li> <li>• Affordable Housing</li> <li>• Trees and landscaping</li> <li>• Traffic, Movement and Parking</li> <li>• Climate change</li> <li>• Impact on amenity</li> <li>• Contaminated land</li> <li>• Drainage and Flooding</li> <li>• Natural Heritage/ Impact on Designated Sites</li> <li>• Impact on Protected Sites</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul> <p><b>Principle of development</b></p> <p>The site is unzoned in the Belfast Urban Area Plan 2001 (BUAP 2001) and zoned for housing in both versions of the draft Belfast Metropolitan Area Plan 2015 (dBMAP). Moreover, the site is within the development limit of the city where housing is generally acceptable. The principle of housing at the site is established through two extant planning approvals Z/2008/0993/F and Z/2013/0120/F.</p> <p>Policy HOU1 identifies a requirement for 31,660 homes during the plan period 2020-2035 including 18,100 homes in the rest of Belfast outside the city centre and Belfast Harbour estate. The provision of 94 no. residential dwellings supports this strategy.</p> <p><b>Site layout, density and design</b></p> <p>The proposed site layout would inevitably create four distinctive character areas within the development. The scheme is largely influenced by surrounding residential character, existing topography and mature field boundaries to the north and east (including an area of local nature conservation importance).</p> <p>Each character area relies on differing densities, open spaces and house types to reinforce a sense of local ownership and security of spaces. This distinct identity is reinforced by public realm spaces which include a linear landscaped park running along the northern boundary the site adjacent to a local watercourse. Two character areas are located along to in north-west to south-east axis, linked by a short connecting roadway with the final character area defined by a cluster of 3 apartment blocks and 3 dwellings close to the south-east boundary of the site adjacent to the motorway.</p>

8.6	<p><i>Density:</i></p> <p>The site is approximately 3.4 hectares (ha) in size. With 94 units proposed, the density is approximately 27.6 dwellings per ha. This density is in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4. Whilst the density would be at the lower end of this band, it would complement existing residential densities in the area. Regard is also had to the longevity of the application process with the application in April 2022, well in advance of adoption of the Plan Strategy and formal introduction of Policy HOU4, and that the design concept has therefore been set for some time. Consideration is also given to the live planning approvals on the site, which are of a similar density, albeit slightly less.</p>
8.7	<p><i>Design</i></p> <p>The dwellings are of standard traditional pitched roof design, some dwellings with ground floor bays to the front elevations. These bays are also present on side elevations of dwellings on prominent junctions in order to create a dual aspect and prevent blank gable elevations onto the street. In terms of finishes the walls are largely red brick. The roof slates are dark grey slate. The design and finishes are reflective of the character of the area, particularly that of Woodland Grange to the north and east.</p>
8.8	<p>In terms of layout the scheme can be broken up into distinctive areas. As the layout has been largely dictated by topography there is inevitably long stretches of housing in the upper/ northern part of the site. To avoid potential monotony in terms of visual character, there is a change in surfacing in the cul-de-sacs and planting and decorative railings help define defensible spaces along street frontages. This adds quality and enhances character, helping to create a sense of place.</p>
8.9	<p>The variation in house types, with subtle changes in design used on longer stretches of street reduces the potential monotony in the layout. Coupled with the landscaping and railing details to the front of the dwellings, this will ensure a high quality of streetscape along the more expansive straights within the site.</p>
8.10	<p>There is opportunity to introduce further variety through a different colour palette of materials used in the different character zones, reinforcing a sense of place for residents and visitors. The detail of this can be dealt with through a planning condition.</p>
8.11	<p>As stated above, the design of dwellings on key junctions also respond to their location with the introduction of dual frontage dwellings, avoiding a scenario where blank gables face onto the public road.</p>
8.12	<p>Similarly, the apartment blocks respond to the site layout, forming a built 'bookend' onto the motorway to the east.</p>
8.13	<p>The proposal is considered to accord with Policies DES1, DES2 and RD1.</p>
8.14	<p><i>Housing mix:</i></p> <p>Policy HOU6 states that permission will be granted for residential developments of this scale where the proposed development provides a suitable mix of house types and sizes to promote choice and assist in meeting community needs. Provision should particularly be made for smaller homes across all tenures to meet future household requirements. The proposed housing mix is as follows:</p> <ul style="list-style-type: none"> <li>- Semi-detached 56</li> <li>- Detached 16</li> <li>- Townhouse 3</li> <li>- Apartment 19</li> </ul>

8.15	The applicant states that the housing mix is informed by housing need in the area with NIHE involved in discussions in terms of house type and open space provision. NIHE supports the proposed housing mix and state that the proposal will help address specific housing need in the area.
8.16	In assessing the housing mix, regard is had to the location of the site and the previously approved housing mix (two live approvals on site). Taking these considerations into account, on balance, the proposed housing mix is acceptable and compliant with Policy HOU6.  <i>Adaptable and accessible accommodation:</i>
8.17	Policy HOU7 states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life.
8.18	The proposed residential units are designed to Lifetime Home standards in terms of minimum space requirements and adaptability. Given that the proposed units are allocated for social housing it is accepted that they will meet Policy HOU 7 standards.
8.19	For schemes of 10 units or more, Policy HOU7 requires at least 10% of the units to be wheelchair accessible. The proposal would include the following wheelchair units:
8.20	All of the Co-Ownership houses will be designed to Lifetime Homes standards and therefore will be capable of being adapted for wheelchair use. There are 20 No. Co-Ownership dwellings proposed, accounting for c.21% of the housing, thus meeting the requirements of Policy HOU7.  <i>Masterplanning:</i>
8.21	The proposed development has been assessed against Policy DES2 as set out below.
8.22	<i>Adopting a holistic approach to site assembly, layout and design that is mindful of adjacent sites, where suitable for redevelopment, while avoiding prejudice to future development potential and/or quality where development is of a significant scale and prominence;</i>
8.23	The proposed development is adjacent to a larger housing approval on the Ford Visteon site. The overall site layout takes into account the existing natural features including hedgerows and a watercourse along the northern boundary (forming part of a SLNCI), whilst the residential units are positioned to minimise retaining structures, working with the existing topography of the land and vegetation. In terms of connectivity the scheme will link through to the adjacent 'Blacks Gate' Development via a pedestrian and cycle path. This will promote linkage between Finaghy Road North to the east and Blacks Road to the west. At a more strategic level this will also provide a linkage within a planned greenway, which is discussed further below.
8.24	<i>Promoting opportunities for urban repair and greater connectivity to neighbouring areas by minimising or mitigating physical barriers that create undue effort or separation, informed by feedback from existing communities;</i>
8.25	The application site, adjacent top existing housing developments, is currently vacant and has the potential to encourage anti-social behaviour. Its development offers an opportunity to regenerate the locality and provide ongoing surveillance throughout. Connectivity has been considered with linkages to adjacent Woodlands sports grounds,

	<p>promoting linkages from the Blacks Gate housing development and Blacks Road to the west.</p>
8.26	<p><i>Maximising solutions to deliver energy efficiencies that seek to achieve BREEAM 'excellent' or comparable standard;</i></p>
8.27	<p>The proposed development will deliver energy efficiencies as outlined within climate change considerations.</p>
8.28	<p><i>Promoting higher density residential and mixed-use development along city corridors and at gateway locations;</i></p>
8.29	<p>The proposed development provides a mix of residential accommodation and densities appropriate to its location. 56 Semi-detached, 16 Detached 16, 3 Townhouses and 19 Apartment units. With 94 units proposed, the density is approximately 27.6 dwellings per ha. This density is in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4</p>
8.30	<p><i>Contributing positively to the improvement of the public realm within, and in the proximity of, the development site through the use of high quality hard and soft landscape materials and street furniture;</i></p>
8.31	<p>A high standard of hard and soft landscape materials are proposed throughout the site with public open space utilising the existing setting provided by the heavily vegetated SLNCI along the northern boundary.</p>
8.32	<p><i>Including an appropriate landscape management and maintenance plan, early in the planning process, as an integral part of all landscape proposals;</i></p>
8.33	<p>A landscape management and maintenance plan has been included.</p>
8.34	<p><i>Enhancing the waterside character and setting of the River Lagan, including the improvement of existing and provision of new access points and new cross river connections where appropriate;</i></p> <p>N/A</p>
8.35	<p>Referencing unique parts of the city through the realisation of key landmarks within prominent or gateway locations;</p> <p>N/A</p>
8.36	<p><i>Seeking to include where appropriate the provision of public art; and</i></p>
8.37	<p>A high standard of communal open space will be provided throughout the site including an equipped children's play area. It is not considered necessary, given the scale of the proposal, to include any public art.</p>
8.38	<p><i>Seeking the retention of existing trees within and around the site and make adequate provision to allow them to mature while ensuring the continuance of tree cover through new tree planting.</i></p>
8.39	<p>The site has been surveyed for vegetation suitable for retention and a landscaping plan has been developed which seeks to maximise the retention of existing natural boundaries. Of particular importance, for not only visual but biodiversity reasons, is the</p>

	band of mature planting along the northern boundary of the site. This is being retained in its entirety, and a condition will be applied to ensure this.
8.40	In conclusion, it is considered that the design and external appearance of the proposal is acceptable having regard to Policies RD1, DES1, DES2, DES3, HOU6 and HOU7 of the Plan Strategy.
	<b>Amenity and Open Space Provision</b>
8.41	The proposal has been assessed against Policies OS3 and RD1(d) of the Plan Strategy and <i>Creating Places</i> .
8.42	Policy OS3 of the Plan Strategy requires residential proposals of this scale to deliver a minimum of 10% of the site as open space. The site area is approximately 3.4 ha. Therefore, the expectation is that 3,400 sqm metres of public open space is provided.
8.43	The site consists of two main parcels of open space. The main area of open space is located along the northern boundary of the site, incorporating the SLNCI, and has an area of approximately 5,200 sqm. There is a smaller secondary area of public open space, measuring approximately 750 sqm located in the south-eastern part of the site beside the main point of access.
8.44	These areas represent a total 'usable' area of public amenity space of approximately 5,950 sqm. This overall open space provision of approximately 17.5% of the overall site area meets the requirements of Policy OS3. This is a substantial overall provision well above the recommended 10%. The area to the north will not only provide an attractive open space area but also acts as a buffer to the SLNCI which runs along the northern boundary.
8.45	In terms of private open space, rear garden sizes range from 61 sqm to 296 sqm, with an average provision greater than 70 sqm, and most with areas in excess of this standard. As such the private amenity provision is in keeping with the requirement set out in the <i>Creating Places</i> guidance.
8.46	The apartment blocks would all have areas of semi-private public open space. Each of the apartment blocks in south-eastern corner of the site have a communal area to their rear or side measuring approximately 160-180 sqm. The block with units 2- has an area of approximately 180 sqm, equating to 5sqm per unit. The block housing units 7-15 has an area of 200 sqm, equating to 9sqm per unit and the block housing units 16-21 has an area of 163sqm, equating to 6 sqm per unit. Although the communal space per unit is quite low for the apartments, it must be considered with the overall open space provision for the development, which has a significant overprovision of open space as stated above. On balance the provision for the apartments is considered to be acceptable.
	<b>Affordable Housing</b>
8.47	Policy HOU5 of the Plan Strategy states that planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.
8.48	NIHE carries out a Housing Need Assessments (HNAs) annually across all relevant housing areas. This site is located within the Andersonstown Common Landlord Area which sits within the wider Middle West HNA. The social housing new build need for Middle West is 1,107 units for the 2022- 2027 period.

8.49	There are 20 No. Co-Ownership dwellings proposed, accounting for c.21% of the housing. As such, the requirements of Policy HOU5 are met in terms of the quantum of units and the provision of affordable housing (minimum of 20%).
8.49	The Housing Executive, in their initial response, stated that it would welcome the inclusion of accommodation to help address the demand for intermediate housing in the Belfast City Council area. The requirement for this provision is based on the Housing Executive's knowledge of the local housing market; assessment of the intermediate market; and the level of Co-ownership activity in the Belfast City Council area. The Housing Executive estimates intermediate housing demand for the Council area at 140 homes per year.
8.50	NIHE supports the application, citing that mixed tenure development is an important way to create cohesive, sustainable and balanced communities. Ultimately the affordable housing element of the proposal will be secured via a clause within an agreed Section 76 legal agreement, discussed below.
	<b>Trees and landscaping</b>
8.51	The proposal has been assessed against Policy TRE1, LC1, LCB2 and LC3.
8.52	Policy TRE1 seeks to protect existing trees from development, particularly those that are of visual, biodiversity or amenity quality and significance. The landscape strategy focuses on retaining and enhancing the existing hedgerow boundary treatment and the creation of a corridor of open space along the northern boundary incorporating lands within the SLNCI, to provide a high-quality landscape setting incorporating pathways, lighting, rain garden and SUDS swales with associated species-rich yet low maintenance planting.
8.53	The landscaping plan also includes the establishment of an 30-45 metre deep vegetation buffer along the northern boundary of the site to the southern side of the watercourse which defines the site boundary. Existing hedgerows will be augmented to strengthen this boundary providing a strong planted edge not only to the development but along the edge of the SLNCI. Similarly along the north-eastern boundary a 10m deep 'wildlife corridor' is proposed.
8.54	The approach to existing hedgerows along the northern and north-eastern boundaries includes retention of high value tree species and augmentation with native woodland species to provide a diverse hedgerow/woodland boundary to the site.
8.55	Overall, it is considered that there would be no adverse impact on the existing landscape along the site boundaries and the tree planting and landscaping proposals are considered to provide suitable mitigation and enhancement of the site from an ecological point of view.
	<b>Traffic, Movement and parking</b>
8.56	The proposed development site has an existing vehicular access directly off Finaghy Road North, which currently serves the adjacent Woodland Grange development.
8.57	As there is a committed development on the site for 99 dwellings. The proposal sees a reduction in numbers to 94. As such there will be no greater impact upon the road network.
8.58	The proposal includes 2 in curtilage car parking spaces for each of the 75 dwellings (150), 30 spaces for the 19 apartment units and 52 visitor car parking spaces, which equates to approximately 2.5 spaces per residential unit.

*Green Travel Measures*

8.59 In response to DFI Roads request for green travel measures the agent has confirmed a Green Travel Plan will be submitted setting out how the developer seeks to promote alternatives to the private car and promote green methods of travel.

8.60 Alongside the formal green travel measures a dedicated and segregated 400m long cycle path is proposed that runs from Finaghy Road North, through the site and connects into Black's Gate to the south. It is important to note that this wasn't a feature in the extant permissions and was something that was agreed with local representatives and community groups at Pre-Application stage. This will tie in with plans set out for the area as part of the West Belfast Greenway, outlined in the DFI document 'Belfast Cycling Network Delivery Plan 2022-31' *Scheme 037 West Belfast Greenway Phases 3 & 4*. This forms part of short term and medium term plans for a series of Greenways. The 6,900m long Greenway in question runs south-west to north-east from Dunmurry to Belfast City Centre and is highlighted in yellow and green below:



8.61 The short term schemes are focussed on joining up the existing elements of the network and beginning the process of reaching into areas of the city that are currently without a significant element of infrastructure. The medium term schemes start in earnest the process of delivering cycling infrastructure in the areas of the city where there is currently a marked lack of infrastructure.

8.62 The proposal includes 20 cycle spaces (2 separate blocks of 10) located within the curtilage of the apartment blocks.

8.63 To further reduce the reliance on the private car the offer a free Residential Travel Card to one occupier of each dwelling (within one month of their occupation) until three years after first occupation of that dwelling shall be secured via a Section 76 legal agreement.

8.64	The location of the development reduces the need for vehicular journeys, as major attractions within Belfast City centre can all be accessed by the sustainable modes of transport that will be promoted through the travel plan.
8.65	There are a range of existing pedestrian linkages available to the site with pedestrian footways and streetlighting connecting to the site from Finaghy Road North and leading to Glen Road, Andersonstown Road and a number of nearby residential areas.
8.66	The sites connectivity and accessibility are further reinforced by the provision of a cycle path connecting the site to Finaghy Road North and the Blacks Gate development to the west, this will ultimately be secured via condition for completion prior to occupation of the first residential unit. A variety of sports clubs, churches, cafes, primary schools, bus stops and community/ youth facilities are all accessible within walking distance. A range of shops and nursery, primary and secondary schools are all accessible within walking distance.
8.67	Although a final conclusive consultation response from DfI remains outstanding, the principle of the proposal, including the cycle path provision, has been accepted. The only matter outstanding is the technical details of the cycle path and how it ties into adjacent development and existing cycle/ pedestrian network. Subject to DfI Roads response to the amended plans, it is considered that the proposal complies with Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN8, TRAN9 and TRAN10.
<b>Climate change</b>	
8.68	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce Green House Gases (GHG) by promoting sustainable patterns of development. The policy goes on to state that development proposals should, where feasible seek to avoid demolition and seek to maximise opportunities to incorporate sustainable design features.
8.69	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change to support sustainable and enduring development.
8.70	The proposed units are orientated to maximise solar gains across the site, including alternative elevations for same house types where necessary.
8.71	Policy ENV5 states that developments should include, where appropriate, SuDS measures to manage surface water effectively on site. Across the site Sustainable Urban Drainage Systems (SUDs) measures are included to manage the watercourse along the northern boundary and storm water holistically within the landscaping.
8.72	In conclusion, given the extant planning approvals on the site and the fact the application was submitted well in advance of the adoption of the Local Development Plan – Plan Strategy, it is considered that the proposal is acceptable, having regard to Policies ENV2, ENV3 and ENV5.
<b>Impact on Amenity</b>	
8.73	The proposal has been assessed against Policies RD1, DES 1 and DES3. Policies DES1, DES3 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.

8.74 The site abuts existing residential development on three sides, to the north-east and north-west in Woodland Grange and to the west in the Blacks Gate development (currently under construction). With the levels from south to north the proposal has potential to impact upon residential amenity to the east. However, given ample separation distances and a significant level of existing and proposed planting along the eastern boundary it is not envisaged that existing properties will experience a significant loss of amenity.

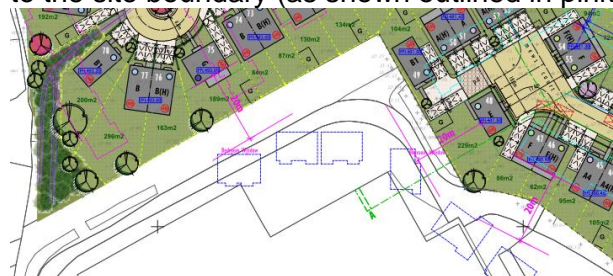
8.75 The 'back to back' separation distance between the proposed dwellings and the dwellings in Woodland Grange ranges between 22m and 26m. This generous separation distance is accompanied by a landscape buffer shown below. With the proposed dwellings having a similar finished floor level, the separation distances and landscaping should ensure there will be no significant impact on residential amenity. It should also be noted that the previously approved dwellings were located much closer to the existing dwellings, as shown below outlined in pink. The proposal is a more favourable layout in terms of potential impacts on neighbouring amenity.


**Woodland Grange**



8.76 To the north west, the separation distance are substantial between existing and proposed dwellings, and with the SLNCI and associated landscape along the northern boundary and views onto the existing properties will be minimal at best.

8.77 Blacks Gate is a newly constructed development to the west/ south-west of the site, on the former Ford Visteon site. The generous separation distances are evident in the section from the site layout below and measure at least 20m, as recommended in the 'Creating Places' guidance document. Subsequently it is not considered that the amenity of the dwellings in Blacks Gate would be unduly compromised by the proposal. Again it is also worth noting that the extant approval on the site had dwellings located much closer to the site boundary (as shown outlined in pink below)



8.78	<p><i>Noise</i></p> <p>The main source of noise for both day and night hours is noted to be the M1 Motorway.</p>
8.79	<p>The noise report advises that, due to the high level of environmental noise from the M1 Motorway, the design criteria for external noise levels contained within BS8233:2014 will, in the main, not be achievable. However, as per the guidance in the standard, the applicant's consultant has advised that this exceedance should not be a reason to object to object to the development in principle.</p>
8.80	<p>In order to mitigate the worst of the road traffic noise from the M1 Motorway to amenity areas, the applicant's noise consultant has recommended the use of close boarded fencing in the 'rear gardens' of all properties. It is noted two different heights have been suggested; namely 1.8m and 2.1m.</p>
8.81	<p>The orientation and position of the housing units with regard to the location of the associated rear gardens would suggest that areas within certain gardens will benefit from partial shielding from noise provided by the mass of the associated building and/or other adjacent housing units. In such cases, the provision of a close boarded boundary fence around the rear garden would have little to no effect on reducing road traffic noise from the M1 to the external amenity space. Furthermore it would appear that given the layout of the proposal, there will be solid boundary walls provided to some rear gardens. Where this is the case, it is likely that close boarded fencing will be unnecessary.</p>
8.82	<p>These proposed apartments backing onto the M1 are set at a lower level than the motorway and screened by a planted bank, as shown below. The noise impact assessment concluded that noise from the M1 would not adversely impact these units, subject to mitigation measures such as suitable window systems and cavity walls etc, which will be secured via condition.</p>
	
8.83	<p>The applicant's consultant has not provided a map or a schedule to indicate where such fencing mitigation is necessary and which of the two heights of fencing suggested are required. The environmental noise survey shows that road noise levels from the M1 Motorway reduce with distance as per a line source. The shielding provided by the residential units and walls proposed for the development will reduce noise levels further as distance from the motorway increases. At an undefined point, it may be the case that an external amenity space could comply with the external amenity levels contained within BS8233:2014, especially where appropriate mitigation such as close boarded fencing is provided. Noise modelling software may be able to provide information with regard to the above.</p>
8.84	<p>The applicant's consultant has availed of the derogation contained with BS8233:2014, which indicates that in high environmental noise areas, developments should be designed to achieve the lowest practicable noise levels in external amenity spaces but should not be prohibited. It is likely that close boarded boundary fences may reduce environmental noise levels in external amenity spaces that face towards the M1</p>

	Motorway, however, with the information currently provided it is unclear how effective the mitigation would be and where it would be deemed 'necessary'.
8.85	The derogation contained within BS8233:2014 is considered to be a sensible, pragmatic approach to allow developments in high environmental noise areas to proceed, however, the unspecified mitigation measures that may be employed to reduce external amenity area noise levels 'as far as practicable' do not translate well into a recommendation for a planning condition. As such a condition shall be applied ensuring that the appropriate noise mitigating fencing is approved and implemented prior to occupation of any of the apartment units abutting the motorway to the east of the site.
8.86	With regard to façade mitigation, the consultant has indicated that standard cavity wall construction will mitigate the envisaged levels of environmental noise leaving the windows as the main point of noise break in. The consultant has identified that suitable window systems should be applied to all building facades.
8.87	Two different dB Rw levels have been recommended, 37dB Rw +Ctr for proposed units No.1-42 and No.90-94 and 32dB Rw +Ctr for proposed Units No.43-89. It is noted that this recommendation will see different window systems applied to the adjoined semidetached units 42 and 43. It is also noted that the above recommendation does not consider where the mass of the proposed units provides shielding from the predominant M1 Motorway road noise to their own windows or potentially that of adjacent units.
8.88	The applicant's consultant indicates that an alternative means of ventilation will be required. It is typical to rate the use of trickle ventilators with a sound reduction performance (plus traffic noise correction) however, the alternate suggestion of a mechanical ventilation system can potentially generate its own noise which would need specified to meet BS8233:2014 internal noise standards. The chosen means of alternative ventilation has not been specified and the selected method will therefore require some form of performance verification once selected.
8.89	Environmental Health has no objection in principle to the development with regard to adverse impact from environmental noise and has requested that conditions relating to noise and alternative means of ventilation are attached should approval be forthcoming. These conditions are detailed below.
	<b>Contaminated Land</b>
8.90	A Preliminary Risk Assessment (PRA) & Generic Quantitative Risk Assessment (GQRA) report has been provided by RSK Environment Limited (RSK) in support of this application. RSK conclude the GQRA stating the development is regarded low risk to environmental receptors. NIEA Regulation Unit, Land & Groundwater Team have no objections to the development subject to conditions.
8.91	Environmental Health are content subject to condition with regard to Contaminated Land report alongside the extant approvals on the site, and NIEA's opinion the proposal is considered to comply with ENV1 of the Plan Strategy.
	<b>Drainage and Flooding</b>
8.92	The proposal has been assessed against Policy ENV4 and the SPPS.
8.93	There is a designated watercourse known to Dfi Rivers as the Ladybrook River (Extension) that flows along the Northern boundary of this site, the site may be affected by undesignated watercourses of which DFi Rivers have no record.

8.94	Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial flood plain but is located within a predicted flooded area as indicated on the Surface Water Flood Map. DfI Rivers would have no specific reason to object to the proposed development from a flood risk perspective.
8.95	DfI Rivers has stated that it is essential that a working strip (5-10m) is retained adjacent to the watercourse to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. DfI Rivers acknowledges the provision of a working strip as detailed on the site layout DWG uploaded to the public planning portal on 15th November 2023. This will be secured via planning condition, as detailed below.
<b>Natural Heritage/ Impact on designated sites</b>	
8.96	NIEA Natural Environment Division (NED) notes that the site contains Ladybrook 'Site of Local Nature Conservation Importance' (SLNCI) woodland habitat. NED highlight that this is of high local conservation value. NED welcome plans to retain this area and recommend there is no construction activities or development works within the SLNCI woodland in order to minimise any significant disturbance or deterioration of the SLNCI designated habitat. NED has recommended a condition to protect the Ladybrook SLNCI during the construction phase, this is detailed below.
8.97	This planning application was also considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council.
8.98	Having considered the nature, scale, timing, duration and location of the project, it is concluded that it would not be likely to have a significant effect on any European site, either alone or in combination with any other plan or project and therefore an appropriate assessment is not required.
8.99	Between the area of substantive works and the adjacent watercourse, an amenity open space including retention of existing trees is proposed. Only two semi-detached houses are being built in proximity to the watercourse but given the scale/nature of these two properties and the 18km hydrological distance between the development site and designated sites, any potential construction contaminants would be well dispersed/dilute in the water volume before reaching Belfast Lough. Assessment has concluded that there will be no likely significant effects that would undermine the conservation objectives of any European site features.
<b>Section 76 Agreement planning agreement</b>	
8.100	<p>The following planning obligations are considered necessary to make the proposed development acceptable and should be secured through a Section 76 planning agreement.</p> <ul style="list-style-type: none"> <li>• <b>Affordable housing</b> – a minimum of 20% of the 94 residential units should be secured as 'shared ownership' housing in compliance with Policy HOU5;</li> <li>• <b>Green travel measures</b> – travel cards three years as required by Policy TRAN4;</li> <li>• <b>Open space management</b> – delivery, management and maintenance of the open space as required by Policy OS3.</li> <li>• <b>Construction, Employability and Skills Plan</b> – to be agreed prior to commencement of development specific to the Development, addressing the</li> </ul>

	<p>employability and skills requirements of the Development during construction phase.</p> <p>The S76 planning agreement has been agreed and will issue alongside any planning permission granted.</p> <p><b>Pre-application Community Consultation</b></p> <p>8.101 Applicants for Major development are required to carry out community consultation in advance of submitting an application.</p> <p>8.102 Prior to submitting the application, applicants must give notice to the Council, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for Major development is to be submitted and set out the proposals for community consultation. A PAN was submitted to the Council on 16<sup>th</sup> June 2021.</p> <p>8.103 Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p> <p>8.104 A Pre-Application Community Consultation Report has been submitted in support of this application. The Report confirms the following:</p> <ul style="list-style-type: none"> <li>• Under normal circumstances, consultation with the wider public on the proposal would have taken place through a public event, however due to current COVID-19 social distancing restrictions, the public consultation was held through online and remote means.</li> <li>• An online public consultation was held between 28<sup>th</sup> June 2021 - 2<sup>nd</sup> August 2021. Information could be accessed online.</li> <li>• A public notice was placed in the Belfast Telegraph W/C 21<sup>st</sup> June 2021.</li> <li>• A leaflet containing details of the consultation was designed and distributed extensively, by Mail Matters Limited, to properties directly opposite and adjoining the site.</li> <li>• During the five-week online consultation period the project webpage received 301 page views and 225 unique page views to the site.</li> <li>• Engagement also took place with MPs, Assembly Members, and local Councillors.</li> <li>• Meetings were also held with local representatives to provide them with a detailed overview of the plans and an opportunity for them to express their views on the project.</li> </ul> <p>8.105 Feedback was received in relation to the following issues:</p> <ul style="list-style-type: none"> <li>• Increased traffic</li> <li>• Impact of housing numbers, and scale of houses on surrounding area</li> <li>• Environmental and Wildlife concerns</li> <li>• Support for housing provision</li> </ul> <p>Following the public consultation period the feedback informed the submission of a Transport Impact Assessment, a planting scheme along site boundaries and an ecological report.</p>
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	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their legislative duty to consult the community in advance of submitting an application.</p>
<p><b>9.0</b> 9.1  9.2  9.3</p>	<p><b>Recommendation</b></p> <p>Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable.</p> <p>It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement and deal with any other issues that may arise, including the final consultation responses from DfI Roads, provided that they are not substantive.</p>
<p><b>10.0</b></p>	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Notwithstanding the submitted details, no development shall commence on site until a Phasing Plan has been submitted to and approved in writing by the Council. The development shall not be carried out or sequenced unless in accordance with the approved Phasing Plan.  Reason: In the interests of the orderly development of the site.</li> <li>3. No residential unit shall be occupied until the dedicated and segregated 400m long cycle path proposed, that runs from Finaghy Road North, through the site and connects into Black's Gate to the south, is completed to the satisfaction of the Council, unless otherwise agreed in writing.  Reason: To promote sustainable travel patterns and promote healthy communities.</li> <li>4. No residential unit shall be occupied unless its respective external amenity/garden areas (and in the case of the apartments its respective external and internal amenity areas) have been provided in accordance with the approved plans.  Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</li> <li>5. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any phase 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</li> </ol>

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

6. Prior to works commencing on site, temporary fencing with exclusion signs shall be erected along the Ladybrook SLNCI. No works, infill, storage or constructional activity associated with the development, including the removal, dumping or storage of materials shall take place east/west/north/south of this fence. The fence shall not be removed until all works are completed.

Reason: To ensure the SLNCI is not compromised.

7. If piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:  
<https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>  
In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. After completing any remediation works under Condition 7, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: This condition is both to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. The applicant should note this also includes the purchase of any waste water treatment system.

11. No development shall commence within each phase unless a final Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Council. The final CEMP must be site specific and include all necessary mitigation measures for the construction and operational phases of the development to avoid any pollutant egress to Belfast Lough. The development shall not be carried out unless in accordance with the approved CEMP.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

12. Prior to works commencing on site, temporary fencing with exclusion signs shall be erected along the Ladybrook SLNCI. No works, infill, storage or constructional activity associated with the development, including the removal, dumping or storage of materials shall take place east/west/north/south of this fence. The fence shall not be removed until all works are completed.

Reason: To ensure the protection of a designated site.

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

Reason: In the interests of amenity.

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

Reason: To ensure adequate car parking within the site.

15. Prior to occupation of the development, the noise mitigation measures specified within Section 6.0 of the Layde Consulting report entitled 'Noise Impact Assessment-Proposed Residential Development Comprising of 94 No. units including Detached, Semi-Detached, Townhouses & Apartments [LA04/2021/1559/PAN], Lands at Finaghy Road North, Belfast April 2022 P573/1 as amended by Layde Consulting letter of clarification addressed to Chris Bryson of Gravis Planning referenced P573-3 and dated 16th January 2025 shall be installed within habitable rooms of the development and retained at all times.

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

16. Prior to commencement of development the applicant shall submit to the planning service for review and approval, the final details of the ventilation strategy to habitable rooms. The final details shall confirm that any passive vents (when open) have a sound reduction equivalent to or greater to the sound reduction achieved by the glazing. Where any element of mechanical or active means of ventilation is proposed, the final details shall include a Noise Impact Assessment that confirms that the noise associated with its operation will not exceed internal target levels for habitable rooms in line with BS 8233:2014 Guidance on sound insulation and noise for buildings/ ProPg 2017 .

REASON: To safeguard the amenity of occupants of the buildings hereby approved. Approval is required upfront because the ventilation strategy may be integral to the overall design of the development.

17. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided.

Reason: Protection of residential amenity.

18. Prior to the occupation of the development the approved ventilation strategy to habitable rooms (in addition to that provided by open windows) shall be installed as approved and retained at all times.

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

19. Prior to occupation of any of the residential units hereby approved, details of acoustic fencing along the boundary of the motorway shall be submitted to the Council for approval in writing. These details must demonstrate how external amenity noise levels will be achieved in accordance with BS8233:2014. The noise mitigation fencing will be fully implemented in accordance with the approved details prior to occupation of any of the approved apartment units No. 2-6, as shown on approved site layout plan.

Reason: In the interests of residential amenity.

20. 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 Ireland report entitled 'MJ McBride Construction Ltd, Remedial Strategy, Finaghy Road North, Belfast, 605546-R2(00), January 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 homegrown produce). 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 and British Standards. In particular, the Verification Report must demonstrate that:

a) A minimum 600mm capping layer has been emplaced in the landscaped areas of Plots 46 to 51 and 89 to 94, as demonstrated on Figures 4 and 5 of the RSK Ireland report entitled 'MJ McBride Construction Ltd,

Remedial Strategy, Finaghy Road North, Belfast, 605546-R2(00), January 2025'. The capping layer must be formed from material that is demonstrably suitable for use (residential with homegrown produce).

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

21. 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.

22. The service strip along the northern boundary of the site, as shown on site layout plan No. 02A, published on the Planning Portal 15<sup>th</sup> November 2023, shall be provided prior to occupation of any residential unit hereby approved and retained in accordance with the approved details. This strip shall remain free from future tree/ hedge planting, raising of levels and any permanent structure.

Reason: To facilitate any necessary servicing of the adjacent watercourse.

## **DRAFT INFORMATIVES**

### **Section 76 planning agreement**

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations:

- Affordable housing
- Green travel measures
- Delivery, management and maintenance of the open space

### **Dust Management**

Construction dust management measures in accordance with the provisions of the IAQM guidance 'Assessment of dust from demolition and construction 2024 V2.2' shall be developed, documented, implemented and monitored throughout the duration of the construction phase of the development.

### **Compliance with planning permission**

Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the

proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at [planning@belfastcity.gov.uk](mailto:planning@belfastcity.gov.uk)

**Discharge of conditions**

This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

**Non-planning requirements**

The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.