

Development Management Report

Summary	
Committee Date: 18 th August 2026	
Application ID: LA04/2024/2134/F	
Proposal: Mixed use scheme for new community recreational facilities, including basketball court, parkland and residential development comprising 37no social/affordable housing units with landscaping and associated works.	Location: Site of the former Dunmurry Cricket Club, Ashley Park, Dunmurry, Belfast BT17 0QQ, located north of 1-10 Ashley Park and south of 1-20 Areema Grove and Areema Drive, Dunmurry.
Referral Route: Application for Major development	
Recommendation: Refusal on grounds of loss of open space and landscape impact	
Applicant Name and Address: BW Homes & Construction 25F Longfield Road Eglinton Derry BT47 3PY	Agent Name and Address: Gemma Jobling 1a Nixon Building Ledcom Business Park 100 Bank Road LARNE BT40 3AW
Date Valid: 21/12/2024	
Target Date: 19/07/2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: This application relates to land at the former Dunmurry Cricket Club, Ashley Park, Dunmurry. It is located north of 1-10 Ashley Park and south of 1-20 Areema Grove and Areema Drive, Dunmurry. The application seeks full planning permission for a mixed use scheme for new community recreational facilities, including basketball court, parkland and residential development comprising 37no social/affordable housing units with landscaping and associated works. The key issues for consideration of the application are set out below. • Principle of housing in this location (including protection of open space) • Landscape impact • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Climate change • Residential quality and impact on amenity • Access and transport • Environmental protection • Flood risk and drainage • Natural heritage • Section 76 planning agreement	

The site is within the settlement limits land on land reserved as open space and a Local Landscape Policy Area (LLPA).

The principle of development is considered unacceptable because the proposal would result in the loss of Open Space. Moreover, the proposal would have a harmful landscape impact on the LLPA.

The proposal is considered acceptable in other respects, subject to review of the consultation responses from DAERA NIEA, SES and NI Water which are currently outstanding.

16 objections have been received. The issues are addressed in the main report.

Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is refused

Delegated authority is sought to finalise the refusal reason and deal with the further consultation responses from DfI Roads, DAERA NIEA, SES and NI Water and any other issues that arise, provided they are not substantive.

1.0	Description of the Site and Proposal <i>Characteristics of the Site and Area:</i> 1.1 The site is currently an area of open space, a section of which was formally Dunmurry Cricket Club. The condition of the ground is rough grass area, and the topography has a distinct step within the site levels, this acted as a break between the cricket pitch and the land beyond. The northern boundary is adjacent to the Areema house estate, where it is proposed that access to the site will be created. The southern boundary is to Asley Park which contains a single row of houses. The western boundary is adjacent the Dunmurry by-pass, and the eastern boundary is with an existing football pitch. <i>Description of the Proposal:</i> 1.2 The application seeks full planning permission for new community recreational facilities, including basketball court, parkland and residential development comprising 37no social/affordable housing units with landscaping and associated works. Original proposal was for 40 units but amended following discussions regarding layout. 1.3 The application follows Pre-Application Discussions with officers.
2.0	RELEVANT PLANNING HISTORY 2.1 LA04/2023/2357/PAD – Redevelopment of the former Dunmurry Cricket Groups, to provide a mixed use development, comprising residential development, community parkland with play area, walking routes and associated landscaping and sports facility including a basketball court, and associated works. 2.2 LA04/2024/0977/PAN – Mixed use scheme for new community recreational facilities, including basketball court, parkland and residential development for social/affordable housing with landscaping and associated works.
3.0	PLANNING POLICY 3.1 Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies:</i> 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 <i>Operational Policies:</i> Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing

	Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy HC1 – Promoting healthy communities Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS) Policy OS1 – Protection of Open Space Policy OS3 – Ancillary open space Policy LC1 – Landscape Policy LC1C - LLPAs Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources
3.2	<u>Supplementary Planning Guidance</u> Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation
3.3	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
3.4	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<u>Statutory Consultees</u> DfI Roads – final response awaited DfI Rivers – no objection DAERA NIEA – final response awaited NI Water – no objection (re-consulted due to age of original response) NIHE – supports the proposal

4.2	<u>Non-Statutory Consultees</u> Planning Service Plans & Policy Unit – refer to main assessment Environmental Health – content subject to conditions SES – awaiting final response <u>Representations</u>
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	16 objections have been received, raising the following concerns: • loss of open space • increased traffic with potential for impact on road safety • loss of privacy and loss of view • increased noise • impact on wildlife • insufficient sewage capacity.
4.5	Points of concern are addressed within the main assessment below.
5.0	PLANNING ASSESSMENT Main Issues
5.1	The main issues relevant to consideration of the application are set out below. • Principle of housing in this location (including protection of open space) • Landscape impact • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Waste-water infrastructure • Section 76 planning agreement Development Plan Context
5.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted. <u>Operational Policies</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above. <u>Proposals Maps</u>
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	Belfast Urban Area Plan 2001 – the site is zoned as land reserved for landscape, amenity or recreation use.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is identified as open space and Derriaghy River Landscape Policy Area.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is identified as open space and Derriaghy River Landscape Policy Area.
	<u>Principle of housing in this location</u> <i>Windfall housing:</i>
5.10	Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below. • The site is suitable for housing – the site is a sustainable location within the city settlement limits and aside from the open space and landscape issues is considered suitable in principle for housing, being located within an existing residential area. • The location is accessible and convenient to public transport and walking cycle infrastructure – the site is located within the existing settlement limits and is accessible to shops, services, amenities public transport and cycle routes. • Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.

5.11 The proposal is considered compliant with Policies HOU1 and HOU2.

Loss of Open Space:

5.12 In the BUAP 2001, the site is zoned as land reserved for landscape, amenity or recreation use. It is identified as Open Space and forms part of the Derriaghy River LPPA in both draft BMAP 2015 (v2004) (**Figure 1**) and draft BMAP 2015 (v2014) (**Figure 2**), see below.

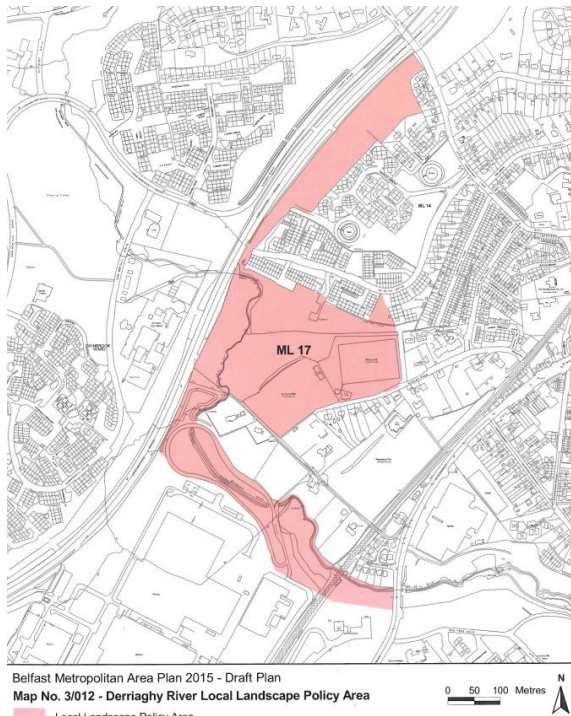


Figure 1: extract from dBMAP 2015 (v2004)

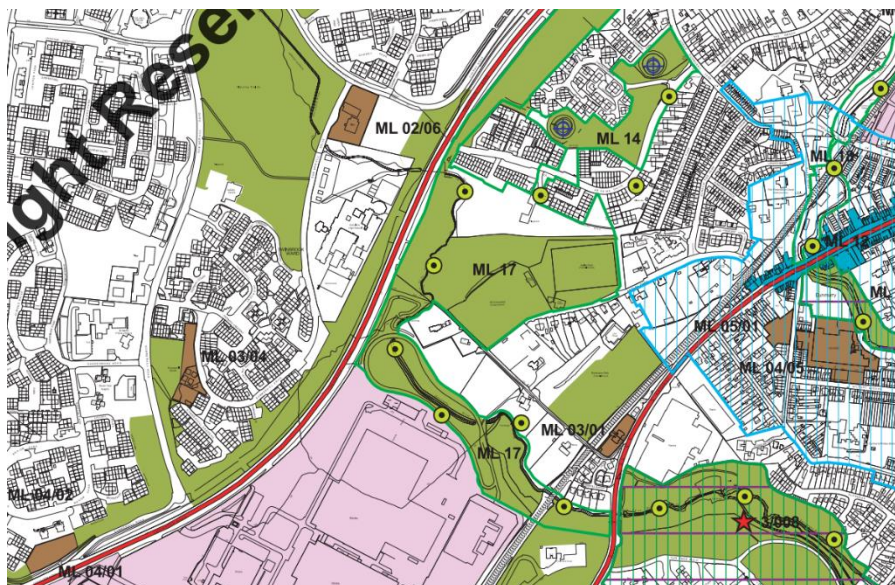


Figure 2: extract from dBMAP 2015 (v2014)

5.13	The site is 3.7 ha and the proposal includes circa 1.7 ha of open space in addition to the basketball court and children's play area. This equates to approximately 50% of the site retained as open space, far in excess of the normal policy requirement (Policy OS3) of 10% of the site to be given over to open space. Nevertheless, approximately half of the open space will be lost to built residential development.
5.14	Policy OS1 seeks to protect open space. It states: <i>'The council will support the retention and improvement of existing open space throughout the district area. There will be a general presumption in favour of retaining all such lands and uses, including protecting any character and amenity value, whether specifically identified in the LDP or not, unless the lands are identified in the LDP for an alternative use.'</i> <i>Development resulting in the loss of open space on lands specifically identified for these uses in the LDP and/or the council's Open Spaces Strategy and/or GBIP will only be considered in exceptional circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space.'</i>
5.15	Policy OS1 states two further exceptions (a. and b.) but neither of these apply.
5.16	Policy OS1 goes onto state: <i>'In all circumstances, the council must be satisfied that the loss of any open space would not result in detriment to the overall green infrastructure provision.'</i> <i>The presumption against the loss of existing open space will apply irrespective of ownership, public access, physical condition or appearance.'</i>
5.17	Having regard to Policy OS1, the applicant sets out the following benefits of the proposal: • the provision of much needed social homes in the area • the creation of a community park to enhance health and wellbeing • landscape improvements • improvements to biodiversity • active sports facilities
5.18	The applicant is also critical of the public value of the existing open space as follows. • the land is inaccessible to the public since closure of the cricket ground (approximately 10 years ago) • historical infilling, trespass, fly tipping and anti-social behaviour • the site is fenced off and has no strategic accessibility • the site has no strategic landscape function or landscape wedge • limited ecological value
5.19	In terms of the proposal being an exception, the test is whether the proposal would bring substantial community benefits that decisively outweigh the loss of the open space.
5.20	The Planning Service's Plans and Policy team raises concerns about the loss of open space, which they advise should be maintained.

5.21	Officers advise that Policy OS1 sets a high bar for the loss of open space. In terms of the applicant's justification, it is accepted that there is significant social housing need in the area, although this is true of much of the city. Therefore, to set-aside Policy OS1 on that ground alone would be a concern. In terms of the site's current condition, its accessibility, anti-social behaviour and so forth, Policy OS1 is clear that: <i>'The presumption against the loss of existing open space will apply irrespective of ownership, public access, physical condition or appearance.'</i>
5.22	It is acknowledged that the proposal would retain about half of the site as open space with enhanced provision in the form of a basketball court and children's play area. But that of itself is not considered substantial benefit.
5.23	It is further considered that the proposal would be detrimental to the overall green infrastructure provision in this part and the wider city.
5.24	It will be for the Committee to decide when taking all these considerations into account in the round whether the test of the proposal bringing substantial community benefits that decisively outweigh the loss of open space is satisfied. However, officers are of the view that the factors set out by the applicant are not so unusual or unique to satisfy this requirement. Regard is had to the importance of Policy OS1 in protecting open space not only for its recreational value, but also because of its environmental value in terms of landscape, biodiversity and SuDS.
5.25	For these reasons, it is considered that the proposal does not accord with Policy OS1 and that planning permission should be refused.
	<u>Landscape impact</u>
5.26	In the BUAP, the site is reserved for landscape, amenity or recreation use. In both versions of dBMAP, the site is located within the Derriaghy River Landscape Policy Area (LLPA).
5.27	Policy LC1 states that new development should seek to and, where appropriate restore or improve the quality of the quality and amenity of the landscape. The Council will adopt a precautionary approach in assessing development proposals having regard to; the protection and enhancement of the landscape character; the sensitivity of the landscape and its capacity to accommodate the development; mitigating measures including retention and protection of existing trees and other vegetation and the planting of new trees and vegetation.
5.28	The policy further states that planning permission for new development within designated areas of landscape importance will only be granted where it is of an appropriate design and scale for the locality. The proposed siting is therefore expected to be sympathetic to the special character of the area, respects important features relating to the character; there is no adverse impact on natural heritage and biodiversity and respects local architectural style, as well as boundaries retaining features such as hedging and trees and materials, design and colour are sympathetic to the surroundings.
5.29	Policy LC1C specifically relates to LLPAs. In addition to complying with the above requirements, development proposals that have a significant adverse impact on the amenity, character, environmental quality or natural, built and cultural heritage features (including their settings and views) of LLPAs will not be supported by the LDP.

5.30	The site is protected landscape and open space and it is considered that the proposal would have a significant impact on eroding the site's and wider area's landscape character. The proposal would not protect, restore or improve the quality and amenity of the landscape, contrary to Policy LC1. As stated previously, it is considered that there are not substantial community or other benefits that outweigh any potential landscape impacts and that adequate mitigation will be put in place.																				
5.31	Moreover, the proposal is considered contrary to Policy LC1C in that the proposals would have a significant adverse impact on the amenity, character and environmental quality of the LPPA. <u>Housing density</u>																				
5.32	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.																				
5.34	The proposal is for 37 dwelling units within the Outer Belfast designation for which the policy seeks an average density between 25 - 125 dwellings per hectare (ha). The site area is 3.1 ha which would equate to density of only 11.9 dwellings per ha. However, this is because a significant area of Public Open Space would be retained as part of the development and as such this lower density is of itself considered acceptable. <u>Affordable housing</u>																				
5.35	Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.																				
5.36	In this case, the proposal would provide all 37 units as social housing, to be delivered through a Housing Association. Therefore, Policy HOU5 is satisfied.																				
5.37	NIHE supports 100% social housing in this location, advising that as of March 2026 there was 683 households in housing stress as set out in the table below. Outer West Housing Needs Area Waiting List March 2026 <table><tr><td></td><td>Elderly</td><td>Families</td><td>Singles</td><td>Total</td></tr><tr><td>Total Applicants</td><td>39</td><td>370</td><td>359</td><td>768</td></tr><tr><td>Stress Applicants</td><td>28</td><td>339</td><td>316</td><td>683</td></tr><tr><td>Allocations</td><td>16</td><td>59</td><td>60</td><td>135</td></tr></table>		Elderly	Families	Singles	Total	Total Applicants	39	370	359	768	Stress Applicants	28	339	316	683	Allocations	16	59	60	135
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5.38	NIHE advises that: <i>'Outer West Belfast has acute housing need, most notably there is growing need for units suitable for families. A lack of existing social housing in the vicinity, means the ability to address social housing need is limited. Due to high need and a lack of available housing sites in this location we believe that this site could provide 100% social housing units. This would help to address the current imbalance of housing tenures in the locality and would increase the ability to address the housing needs of all.'</i>																				

5.39

The Affordable Housing and Housing Mix SPG seeks to generally avoid mono-tenure housing schemes of more than 12 residential units. Paragraph 4.4.12 states:

‘In all cases, whether or not a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by-case basis using the following factors:

- The level of social housing need in the vicinity of the site and the availability of land to address such needs;*
- The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and*
- Whether a scheme is proposed as ‘shared housing’.*

5.40

Having regard to the above guidance, the level of social housing need in the area is very high and there is a lack of available land. It is understood that there is an above average level of private housing in the area. The scheme is not proposed as “shared housing”. However, taking account these other factors and the NIHE's support for the scheme, the proposal for mono-tenure housing is considered acceptable in this case.

Housing mix

5.41

Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:

- Up to date analysis of prevailing housing need in the area;
- The location and size of the site;
- Specific characteristics of the development; and
- The creation of balanced and sustainable communities.

5.42

The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.

The proposed housing mix is shown in the table below.

House type	Description	Need category	Floorspace (sqm)	No. of units	%
A	1 bed 2 person apartment	General need	52 / 66	4	11%
E	2 bed 3 person pend unit	General need	79 / 80	8	22%
D1	2 bed 3 person house	General need	74	7	19%
H1	3 bed 5 person house	General need	93	12	32%
K1	3 bed 5 person bungalow	Complex needs	110	2	5%
M3	4 bed 6 person house	General needs	107	2	5%
N	5 bed 7 person	Complex needs	141	2	5%
			Total	37	100%

5.43	As can be seen, 52% of the residential units would be 2 bedroom, 37% 3 bedroom and remaining units as 4 bedroom or above. The proposed mix, which is supported by NIHE, is considered acceptable and compliant with Policy HOU6.
	<u>Adaptable and accessible accommodation</u>
5.44	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet. The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f.
5.45	The proposal includes 10% wheelchair units. Criteria h. stipulates that in-curtilage or designated car parking meets disabled parking standards. The proposal is acceptable in that it satisfies each of the criteria of the policy; parking surfaces are hard standing, doorways are sheltered, living and dining are on the same level as the entrance, all have entry level WCs designed to be extended if required, bedroom and bathroom on the same level and windows provide a positive outlook. The properties are designed to the requirements of Housing Associations guidance for Lifetime Homes being adaptable to wheelchair accessible standards with appropriate turning space and the pathways wide and level enough for wheelchair use.
5.46	The proposal is compliant with Policy HOU7.
	<u>Design and placemaking</u>
5.47	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, and RD1 of the Plan Strategy. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.
5.48	Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, a. to k.
5.49	The design of the development is considered to respect the surrounding area. The proposal mirrors aspects of the surrounding context and established character, respecting the character of the surrounding streets and the immediate context of the site. The dwelling units are designed to be in keeping with the surrounding context in terms of scale and form and will use building materials of brick and render in the finishes that are common to the area. The Urban Design Officer (UDO) supports the palette of materials to be used in the development as well as the layout of the scheme, the dual aspect of dwellings occupying corner plots was also welcomed. The closing comments from the UDO indicate that the overall layout allows for greater legibility and creates a higher quality residential development while protecting the amenity and privacy of the occupants.
5.50	The density of the developable area (excluding the open space surrounding the housing) is also considered comparable to the surrounding area having due regard to the open space designation.

5.51	Adequate enclosure is provided for all residential units using appropriate boundary treatments of walls and fencing. The proposed development provides an adaptable and well-connected public realm through linkage with the neighbouring development.
5.52	The design and layout of the scheme is supported by the UDO. The proposal is considered compliant with Policies DES1, DES2 and RD1, and relevant provisions of the SPSS.
5.53	Regarding trees, the proposal includes over 100 newly planted trees. The Council's Tree Officer offers no objection to the proposal subject to the inclusion of relevant planning conditions. The proposal is considered compliant with Policy TRE1.
	<u>Climate change</u>
5.54	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.
5.55	The applicant has provided details of the various sustainable design features which will be incorporated in the development. These include PV Solar Panels to the roof of the dwellings feeding the internal heating reducing energy costs. High-performance insulation and the use of LED lighting will also contribute to energy efficiency.
5.56	The proposal is considered acceptable having regard to Policy ENV2.
5.57	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet to meet criteria b) in that the proposal incorporates various hard and soft landscaping elements to assist an overall sustainable drainage solution. The proposal will use, where possible use locally source materials and the dwellings will have an EPC value that accords with current building regulations
5.58	The proposal is considered acceptable having regard to Policy ENV3.
5.59	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 applicant has demonstrated the proposal will include the following SuDs measures: • Construction of oversized pipes and hydro breaks to service the development • Provide soft landscaping and trees to an existing area of hard standing • Provision of Open Space.
5.60	The proposal is considered acceptable having regard to Policy ENV5.
	<u>Residential quality and impact on amenity</u>
5.61	<i>Creating Places</i> advocates external private amenity space of an average of 70sqm per house and no less than 40sqm per residential housing unit and 10 to 30 sqm per apartment. The proposal provides an average of 67sqm per house and 65sqm per apartment. The amenity provision, although slightly below the average stated figure is considered to be acceptable, particularly having regard to the Open Space provision within the site. No property has amenity below 55sqm.

5.62	The design of the site layout sets the development back from the existing boundaries, which will have existing vegetation retained and in locations supplemented with additional planting. The existing rough grass will be altered to open space lawn access to this open space by the public will be enhanced via a new pathway circling the development site. The open space will include a child's play area, basketball court and a sensory pathway. The open space, with boundary vegetation, will ensure that the development will not have a negative impact on the existing dwellings surrounding the site in regard to dominance and overlooking. It is considered that the satisfactory amenity standards will be provided within the development itself.
5.63	The loss of private view is not a material planning consideration. However, the broader landscape impacts of the proposal are set out previously. <u>Access and transport</u>
5.64	The site is an accessible location, within short walking and cycling distance of the retail shops, services, leisure and employment opportunities. The site has good public transport links through access to buses with stops at Cherry Road and Dunmurry village and rail travel at Dunmurry Train Station which is within a reasonable distance from the site. The proposal is considered to accord with Policy TRAN1.
5.65	The green travel plan provided with the application will further promote active and sustainable travel. The Travel Plan and green travel measures would need to be secured by a Section 76 planning agreement were planning permission to be granted.
5.66	The applicant has made amendments to the scheme to satisfy DfI Roads. DfI Roads advises that there remain several minor issues to be resolved. Delegated authority is sought to resolve those issues were planning permission to be granted.
5.67	The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS. <u>Health impacts</u>
5.68	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.69	The site provides opportunities for active travel, including walking and cycling, through good linkages with the surrounding neighbourhoods and improves connectivity with the commercial frontage of Dunmurry village. Active travel will be further encouraged through the Travel Plan and green measures proposed as part of the application. The site also contains an open basketball court and play area for the younger people and includes walkways throughout the remainder of the site. The proposal would provide quality homes for people in need.
5.70	The proposal is considered to satisfy the requirements of Policy HC1.

	<u>Environmental protection</u>
5.71	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 (EH) in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.
	<u>Contaminated land</u>
5.72	EH has reviewed the information within the Contamination Assessment and Remediation Strategy presented with the application. EH recommends conditions if planning permission is granted. The proposal is therefore considered to accord with Policy ENV1.
	<u>Air quality</u>
5.73	EH notes that no Odour Impact Assessment was submitted with the application, however, it is content that odours from surrounding commercial businesses will not impact on the proposed dwellings. The proposal is therefore considered to accord with Policy ENV1.
	<u>Noise and vibration</u>
5.74	Having considered the applicant's noise impact assessment, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.
	<u>Flood risk and drainage</u>
5.75	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.
5.76	Flood map NI shows a small section of the site could be affected by future climate change. The area is located towards the western boundary of the site where there is a change in ground level, the lower level indicated as the potential flood site. The site layout plan shows this area to be open space. DfI Rivers was consulted on the submitted Flood Risk Assessment and are content with the findings and has no reason to disagree with the conclusions.
5.77	The proposal is considered compliant with Policy ENV4, associated SPG and relevant provisions of the SPPS.
	<u>Waste-water infrastructure</u>
5.78	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has offered no objection to the proposal subject to specific conditions indicating available capacity. As its response is more than 18 months old, it has been re-consulted.
5.79	Delegated authority is sought to deal with the further response from NI Water, provided that the issues are not substantive.

5.80	Assuming NI Water maintains its no objection, the proposal is considered compliant with Policy SP1a. <u>Natural Heritage</u>
5.81	Policy NH1 states that the Council will adopt a precautionary principle when considering the impacts of development on local, national and international natural heritage resources.
5.82	The site is currently an area of open space, a section of which was a former cricket pitch, that is now overgrown with thatch grass.
5.83	The applicant's ecology appraisal indicates low bat foraging potential with little good habitat, the site being open grassland. The surrounding woodland edge was assessed as having a moderate potential for roosting foraging. DAERA NIEA has raised concerns about lighting having regard to moderate potential for roosting and foraging. It has requested a lighting plan, which has subsequently been submitted and a final response from NIEA is awaited.
5.84	The site is adjacent to the Derriaghy River feeding into the river Lagan and flowing into Belfast Lough a protected natural heritage site. The applicant has at the request of NIEA, submitted a Construction Environmental Management Plan to detail preventative measures to protect the adjoining river.
5.85	A response from NIEA is currently awaited, SES is required to be consulted when final NIEA comments have been received. Subject to the further advice from NIEA and SES, the proposal is considered compliant with Policy NH1 and relevant provisions of the SPPS. Delegated authority is sought to deal with any outstanding issues raised by NIEA and SES in their further consultation responses. <u>Section 76 planning agreement</u>
5.86	Should the Committee find the proposal acceptable in the planning balance and resolve to grant planning permission, the decision should be subject to finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable. • Affordable housing – to require all 37 residential units (100%) to be delivered as social housing. • Green travel measures – implementation of the Travel Plan and green travel measures. • Open space – management and maintenance of the public open space and provision of the play equipment / basket ball court.
5.87	In the event that the application is approved, the Section 76 planning agreement will need to be finalised before decision is issued.
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is refused
6.2	Delegated authority is sought to finalise the refusal reason and deal with the further consultation responses from DfI Roads, DAERA NIEA, SES and NI Water and any other issues that arise, provided they are not substantive.

7.0	Draft Refusal Reasons
7.1	1. The proposal is contrary to Policy OS1 of the Belfast Local Development Plan: Plan Strategy 2035 in that, if approved, it would result in the unacceptable loss of a significant area of open space. In this case, it has not been demonstrated that the proposed development will bring substantial community benefits that decisively outweigh the loss of the open space. 2. The site forms part of the Derriaghy River Landscape Policy Area (LLPA) and is protected open space. The proposal is contrary to Policy OS1 of the Belfast Local Development Plan: Plan Strategy 2035 in that, if approved, it would significantly erode the character of the LLPA. The proposal would not protect, restore or improve the quality and amenity of the landscape, contrary to Policy LC1. Moreover, the proposal is contrary to Policy LC1C in that the proposals would have a significant adverse impact on the amenity, character and environmental quality.