

## ADDENDUM REPORT

### Development Management Officer Report

Summary	
<b>Committee Meeting Date: 16 March 2021</b>	
<b>Application ID:</b> LA04/2020/0845/O	
<b>Proposal:</b> Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F). Further information and amended drawings received including addendum to Environmental Statement. Amendments include temporary parking arrangements adjacent to the southern boundary with Harberton Crescent and part of the south western boundary with Balmoral Golf Club.	<b>Location:</b> Land at Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park and North East of Balmoral Golf Club, Belfast, BT9 6GW.
<b>Referral Route: Major Application</b>	
<b>Recommendation:</b>	<b>Approval subject to conditions and a Section 76 Agreement</b>
<b>Applicant Name and Address:</b> Benmore Octopus Healthcare Developments (HK) Ltd Rushmere House 46 Cadogan Park Belfast BT9 6HH	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<b>Executive Summary:</b>  This Addendum Report should be read in conjunction with the Committee Report and the Late Items report to the Planning Committee on 16 February 2021. The documents are appended (Appendices 1 and 2).	

This application was originally considered by the Planning Committee at its meeting on 16 February 2021. The Committee resolved to defer the application for the following reasons:

1. To carry out a site visit; and
2. To seek clarification on Air Quality issues from Environmental Health.

#### **Site visit**

A site visit is due to take place on Wednesday 10<sup>th</sup> March and will enable Members to view the site and ongoing development of the wider King's Hall complex.

#### **Clarification of Air Quality Issues**

The applicant has provided a Technical Note on Air Quality (available on the planning portal) which states that an Air Quality Impact Assessment was provided as part of the Environmental Statement and sets out a technical analysis of the air quality modelling which has taken place. In conclusion, the Technical Note states that 'the air impact quality assessment has robustly assessed the impacts of traffic emissions in the AQMA. Due to the improvements in vehicle emissions with time; the phased nature of the development; and the mitigation measures included within the proposed development, which will reduce vehicle trips and encourage sustainable travel, the residual air quality effects as set out in the ES Chapter are not significant.

Having assessed the Air Quality Impact Assessment Environmental Health offered no objection to the Air Quality Impacts subject to a condition relating to the installation of any combustion plant (see draft condition No. 16 set out in Appendix 2 – Committee Report February 2021)

Environmental Health (EH) has prepared an additional report (available on the planning portal) to provide further information for Members as to how the consultation process in relation to ambient air quality impact was undertaken by the Council's Environmental Health staff and the conclusions reached in respect of the ambient air quality impact of the regeneration proposal given Members' concerns raised at the Committee Meeting on 16<sup>th</sup> February. An Environmental Health Officer will be in attendance at the Planning Committee meeting on 16<sup>th</sup> March 2021 to answer any queries regarding air quality.

The report advises that an Air Quality Impact Assessment accompanied the application as part of Environmental Statement (Chapter 12) and that in the first consultation response (dated 20/07/20) EH highlighted concerns regarding the methodology applied within the assessment and requested an updated Air Quality Impact Assessment (AQIA) which was subsequently provided in November 2020.

The report states that at each stage the proposal has assessed the information provided against local air quality management technical guidance and planning policy and emphasises that extensive consultation was undertaken, in relation to the AQIA methodology, between Air Quality Consultants and the Council's Air Quality Technical Officer. EH are satisfied that the AQIA has been undertaken in accordance with relevant government guidance, including the Environmental Protection UK and Institute of Air Quality Management guidance document, '*Land-use Planning & Development Control: Planning For Air Quality*' (January 2017) and the UK Local Air Quality Management Technical Guidance document LAQM.TG(16).

The AQIA employed traffic flow data for relevant local roads, converted into Annual Average Daily Traffic (AADT) flows and provided by the project transport consultants (Appendix 12.5, ES). The Council's Air Quality Technical Officer requested confirmation of the accuracy of the road traffic data utilised within AQIA as part of the planning consultation process (Appendix 12.4, ES Volume 3) and is satisfied that the additional traffic emissions, associated with the proposed King's Hall regeneration have been assessed correctly and in accordance with relevant guidance.

The report also states that the air quality impact assessment has been undertaken using CERC ADMS-Roads (Atmospheric Dispersion Modelling Software) to assess the existing baseline air quality situation in the vicinity of the site and the impact of the proposed development on local air quality in relation to relevant human health receptors. ADMS-Roads is an advanced atmospheric dispersion model, used widely across the world for air quality impact assessment studies of complex situations in towns, cities, motorways and large industrial areas. ADMS-Roads is frequently referred to within the various Local Air Quality Management Technical Guidance documents.

The report further states that in order to complete an air quality impact assessment for the proposed King's Hall regeneration project, Air Quality Consultants Ltd. had to develop and generate various modelling input data, including road transport emissions for each road section in the vicinity of the King's Hall, together with road geometry, road dimensions and other road characteristics.

Model results have been verified and corrected by undertaking comparisons with local nitrogen dioxide monitoring data. In this case, modelling results were verified against 2019 ambient monitoring data from the Council's Stockman's Lane automatic roadside monitoring station, in accordance with the requirements of Defra's Local Air Quality Management Technical Guidance LAQM.TG (16). The model verification process is presented within Appendix 12.5 of the ES. As prescribed within the IAQM, '*Land-Use Planning & Development Control: Planning for Air Quality*' (January 2017) guidance document, the function of an air quality impact assessment is to predict and compare future local air quality, without and with a development in place (e.g. during the opening year).

It is noted that 2021 has been given as the opening year for the King's Hall regeneration and that the air quality assessment has therefore been undertaken for a 2019 base year and a 2021 build year; with and without the proposed regeneration in place. As highlighted within the IAQM, '*Land-Use Planning & Development Control: Planning for Air Quality*' (January 2017) guidance, assessments carried out for the first year of the proposed development's use, generally represent the worst-case scenario. This is because the background concentrations of some pollutants (including nitrogen dioxide) are predicted to decline in future years, as emissions from new vehicles are reduced by the progressive introduction of higher emission standards.

In its conclusion the report states that apart from the Stockman's Lane monitoring station, EH currently monitor nitrogen dioxide annual mean concentrations at Stockman's Crescent, Balmoral Avenue and at the Upper Lisburn Road and none of these three monitoring sites recorded exceedances of nitrogen dioxide annual mean objective during 2019. As a result, EH has a good understanding of air pollution concentrations in the vicinity of the regeneration proposal and were therefore able to provide comprehensive advice to the Planning Service.

The significance of the air quality impact of the development proposal was judged in accordance to Environmental Protection UK and the Institute of Air Quality Management guidance document, '*Land-use Planning & Development Control: Planning For Air Quality*' (January 2017). By way of conclusion, the Air Quality Impact Assessment has indicated that the impact of traffic emissions (in relation to nitrogen dioxide) at a range of relevant receptor locations (48 locations) were predicted as 'negligible' to 'substantial adverse' for 2021 opening year. There was only one location (Receptor 1- directly at Stockman's Lane Roundabout), where the impact was predicted as 'substantial adverse', four locations with 'moderate adverse' impact and 'slight adverse' to 'negligible' impact at remaining 43 modelled locations (Table 12.10, chapter 12, ES)

With regard to nitrogen dioxide concentrations, Air Quality Consultants Ltd. have stated that there are exceedances of the annual mean air quality objective predicted at four receptor locations during 2021, with the scheme in place. However, the percentage increases in annual mean

nitrogen dioxide concentrations at these locations, as the result of the development, are predicted to be low (between 0% and 3%). It is highlighted that two of the four receptor locations were predicted to exceed the annual mean objective during 2021, without the development in place.

EH acknowledge that the air quality predictions for 2021 have been based on worst-case assumptions regarding the increase in local traffic flows. It has been assumed that the whole scheme would be completed and be fully operational in 2021, whereas the development buildout and occupation are in reality to be phased over a 5-year period; 2021-2026. Moreover, the further analysis undertaken by the Consultants demonstrates that impacts associated with the proposed development are predicted to be negligible before 2026, when the proposed development is to be fully operational. Also, there are no predicted exceedances of the nitrogen dioxide annual mean air quality objective at modelled human health receptor locations after 2023.

EH note that the Consultants have indicated that a series of mitigation measures are to be implemented, aimed at enhancing the attractiveness of sustainable forms of travel, which would further reduce the impact of road transport sources. These measures include the provision of secure cycle storage facilities and public transport information as prescribed within the Travel Plan (ES, Appendix 7.2). The benefits of these measures cannot readily be quantified and reflected in the various dispersion modelling studies in terms of reducing emissions and / or ambient concentrations, as they rely on personal behaviour changes. Nevertheless, it is anticipated that the proposed measures will encourage the desired behavioural changes and consequently reduce associated emissions from road transport sources.

Officers are satisfied that the proposed development complies with paragraph 4.11 of the SPPS which highlights that air quality is a material consideration to be taken into account in the assessment of planning applications. Annex A of the SPPS sets out additional strategic guidance including that applications should be supported by sufficient information to allow full consideration of the impact on local air quality and that adequate consultation with those with responsibility for air quality and pollution will be essential. This is the case here with the Council's Environmental Health team consulted on the application. Annex A also states that planning authorities should consider whether adequate means of mitigation of harmful air quality impacts can be achieved when making a decision. Environmental Health has considered the proposed mitigation measures and advises that the proposed measures will reduce associated emissions from road transport users. Proposed mitigation measures are considered appropriate and achievable.

### **Car Club Spaces**

The applicant has agreed to provide two car club spaces within the site as a further mitigation measure to support sustainable transport modes to serve the development. This obligation will be secured through the Section 76 Planning Agreement.

### **Level of Car Parking Proposed**

The applicant has provided a statement on car parking which states that the number of parking spaces provided for various elements of the proposal have been calculated based in line with relevant current parking standards and is of a level agreed and approved by DFI Roads. The statement also highlights that the level of parking is cognisant of concerns raised by residents in surrounding street and DFI Roads of on street parking in neighbouring areas and along arterial routes and is designed to avoid this. The statement also confirms that the level of parking does not exceed parking requirements.

The statement further states that means to deter travel by private car and enhance sustainable travel routes have been explored and implemented at the site. These include improved connection to the nearby train station and bus stops through a controlled pedestrian crossing at the new signalised junction on the Lisburn Road which has been partly implemented, agreement of a travel plan which sets out objectives to promote the use of cycling, walking and public

transport and outlines measures to reduce the use of the car, appointment of a travel co-ordinator to promote sustainable transport options as an option for all visitors to the site, on site cycle parking will be provided on each plot to encourage the use of cycling as an alternative mode of transport and provision of two car club spaces. In addition, all residents on site will be provided with a Travel Pack promoting sustainable transport modes.

The report also confirms that Transport Assessment submitted in support of the application considered the proposed development and all other development proposed for the wider King's Hall site to ensure that cumulative effects were assessed.

### **Additional Objection**

One further objection to the application was received on 18 February 2021. The objection sets out concerns relating to the impact of traffic using the Balmoral Avenue access, in particular the impact on a neighbouring property to the Balmoral Avenue access and compliance with approved details but does not raise any new substantive planning issues. The February Committee report sets out a detailed summary of issues raised and consideration of the issues.

An enforcement investigation is ongoing regarding compliance of Balmoral Avenue access arrangements. The applicant has provided clarification that the development will be served by new signalised junction on the Lisburn Road approved under application LA04/2018/0040/F with the potential for emergency vehicles to access Plot 09 via Balmoral Avenue access route. Such use would be limited. Other matters raised in the objection relate to developments which have previously come before the Planning Committee i.e. LA04/2019/1254/F (Independent Living Units) and LA04/2019/2989/F (Care Home) and have been previously considered by Members.

DFI Roads has also been advised of receipt of the additional objection received and offer no objection subject to conditions (see below).

### **DFI Roads Consultation**

DFI Roads final consultation response has been received. DFI Roads offer no objections to the proposed development subject to the following conditions:

1. No dwelling or other development hereby permitted shall be occupied until the signalisation, lane re-alignment and remarking of the junction of the Kings Hall Redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue, including visibility splays and any forward sight distance, have been constructed to the satisfaction of DfI – Roads. This will be generally in accordance with the approved layout Drawing Nos. Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 as identified in Conditions 35 and 36 of Approval of Planning Permission LA04/2018/0040/F. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

2. Prior to the occupation of Phase 3 the internal carriageway, parking and servicing shall be in accordance with the approved layout Drawing 17A 'Proposed Road Layout (Hybrid Planning) 8687-730P9' published by Belfast City Council Planning Office on 01 February 2021 and within the perimeter defined by Drawing No. 22a – King's Hall Masterplan – Phase 3 Rev 1 published by Belfast City Council Planning Office on 01 February 2021. Any interim layout shall include a temporary car park of 20 spaces set aside for Plot 3.

Reason: To ensure the provision of adequate parking facilities to meet the needs of the development and in the interests of road safety and the convenience of road users.

Prior to the occupation of Phase 3 a Travel Plan shall be submitted and agreed to the

3. Prior to the occupation of Phase 3, details of twelve (12) No. of safe and secure cycle parking spaces shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

4. Prior to the occupation of Phase 3 a Service Management Plan shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved plans

Reason: In the interests of road safety and traffic progression.

5. At Reserved Matters Stage the internal carriageway, parking and servicing shall be in accordance with the approved layout Drawing 17A 'Proposed Road Layout (Hybrid Planning) 8687-730P9' published by Belfast City Council Planning Office on 01 February 2021. Any interim layout including a temporary car park or otherwise incomplete build out of the site shall be generally in accordance with the approved Phase Plans and drawings.

Reason: To ensure the provision of adequate parking facilities to meet the needs of the development and in the interests of road safety and the convenience of road users.

6. At Reserved Matters Stage details of an appropriate number of safe and secure cycle parking spaces shall be submitted and agreed in writing by the Council for each employment and commercial element of the site as it is brought forward. The development shall be carried out in accordance with the approved details.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

7. At Reserved Matters Stage a Service Management Plan shall be submitted and agreed in writing by the Council for each employment and commercial element of the site as it is brought forward. The development shall be carried out in accordance with the approved details.

Reason: In the interests of road safety and traffic progression

### **Recommendation**

For the reasons set out in the Addendum Report and the report to the Planning Committee on 16 February 2021, Members are advised that the proposed development is considered acceptable and approval is recommended subject to conditions and a Section 76 agreement.

It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the Section 76 planning agreement and wording of conditions subject to no new substantive planning issues being raised by third parties.

**Signature(s):**

## APPENDIX 1: Late Items Report 16<sup>th</sup> February 2021

Planning Committee: Tuesday 16 February 2021

### Late Items

Agenda Item	Application	Issues Raised	Action
6f	LA04/2020/0845/O - Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F).	<p>Clarification has been provided by the applicant's team that the rooftop elements on the top of the building on Plot 03 relates to lift overruns which will extend 500mm above roof level. The lift overruns will sit below the parapet level of the building and will therefore be screened from view.</p> <p>A rooftop plan has also been provided and has been uploaded to the planning portal (Drawing No. 38).</p>	Members to Note.

## APPENDIX 2 – Committee Report February 2021

### Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date: 16 February 2021</b>	
<b>Application ID:</b> LA04/2020/0845/O	<b>Target Date:</b>
<b>Proposal:</b> Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F). Further information and amended drawings received including addendum to Environmental Statement. Amendments include temporary parking arrangements adjacent to the southern boundary with Harberton Crescent and part of the south western boundary with Balmoral Golf Club.	<b>Location:</b> Land at Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park and North East of Balmoral Golf Club, Belfast, BT9 6GW.
<b>Referral Route: Major Application</b>	
<b>Recommendation:</b>	<b>Approval subject to conditions and a Section 76 Agreement</b>
<b>Applicant Name and Address:</b> Benmore Octopus Healthcare Developments (HK) Ltd Rushmere House 46 Cadogan Park Belfast BT9 6HH	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<b>Executive Summary:</b>	



This application seeks outline planning permission for a mixed use regeneration proposal for lands at the Kings Hall including the following:-

- all matters reserved for retirement living at Plot 06, medical or health services at Plot 09, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at Plot 08, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and
- no matters reserved for residential development (81 apartments) at Plot 03 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F).

Full details (i.e. no matters reserved) have been provided for Plot 03 which seeks 81 apartments and ground floor retail/Restaurant /Café /gym use.

The application is accompanied by an Environmental Statement and a suite of supporting documents including a Masterplan and Parameter Plan, which sets out the proposed maximum height. A Design Code has also been provided which sets out key design principles for each plot. The Design Code is to be read in conjunction with the Masterplan and Parameter Plan. Subsequent Reserved Matters applications will be required to follow the principles set out in the Design Code and this will be required by planning condition. This will give certainty regarding the final quality of the proposed development and will ensure design cohesion across the application site.

In the BUAP the site is located within the settlement development limit of Belfast and is not zoned for any use. In draft BMAP 2004 and 2015 the site is located within the Belfast Metropolitan/Settlement development limit and is not zoned for any specific use.

The main issues to be considered in the assessment of this application are:

- Principle of development
- Height, Scale and Massing of the proposed development
- Design, Layout and Materials
- Impact on surrounding amenity
- Impact on the setting of the Listed King's Hall
- Landscaping
- Access, Movement and Parking
- Environmental Considerations (Contamination, Noise, Air Quality)
- Drainage/Flood Risk

Three objections have been received raising concerns regarding the access arrangements into the King's Hall Site from Balmoral Avenue. However, the site is to be accessed from the Lisburn Road via a new signalised junction which was approved under Phase 1 Ref: (LA04/2018/0040/F). Consideration of access arrangements from/to Balmoral Avenue have previously been considered in the context of earlier applications for Phase 1, the independent living units and the care home which have come before the Committee for determination. No through access is proposed from the Balmoral Avenue access to the new signalised junction on the Lisburn Road, therefore, traffic will be segregated.

This application is a standalone application in its own right and is not dependent on other development on the wider site.

Consultees have no objections to the proposed development. Following re-consultation after the submission of further information a final consultation is awaited from DFI Roads which will include proposed conditions. DFI Roads has advised in a previous consultation that they have no objections. It is anticipated that the DFI Roads consultation response will be submitted shortly and that an update will be reported in the Late Items Report on 16<sup>th</sup> February.

**Recommendation**

Having regard to the development plan, relevant policy context and other material considerations including third party representation, the proposal is considered acceptable and approval is recommended subject to conditions and a Section 76 agreement.

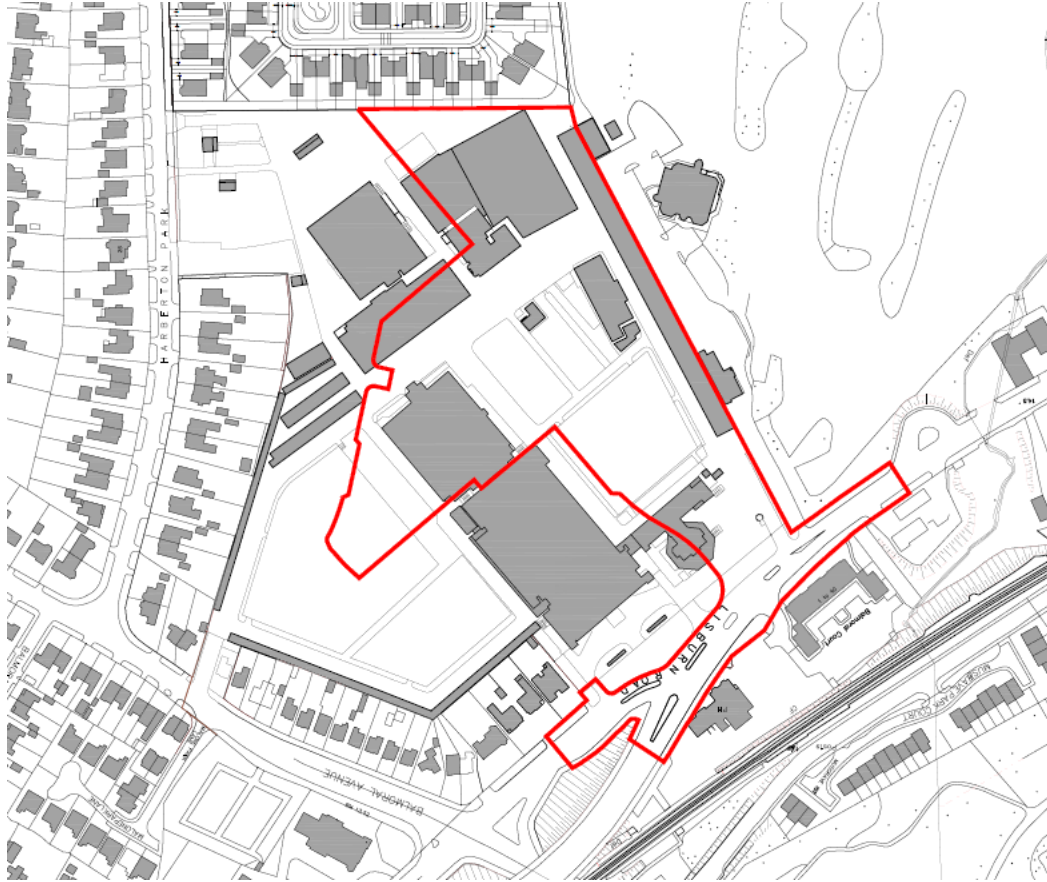
It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the Section 76 planning agreement and wording of conditions subject to no new substantive planning issues being raised by third parties, to deal with any issues should they arise from the final DFI Roads consultation and finalise design issues in relation to rooftop elements on Plot 03.

**Signature(s):**

## Case Officer Report

### 1.0 Associated Drawings

Site Location Plan



Masterplan/Site Layout



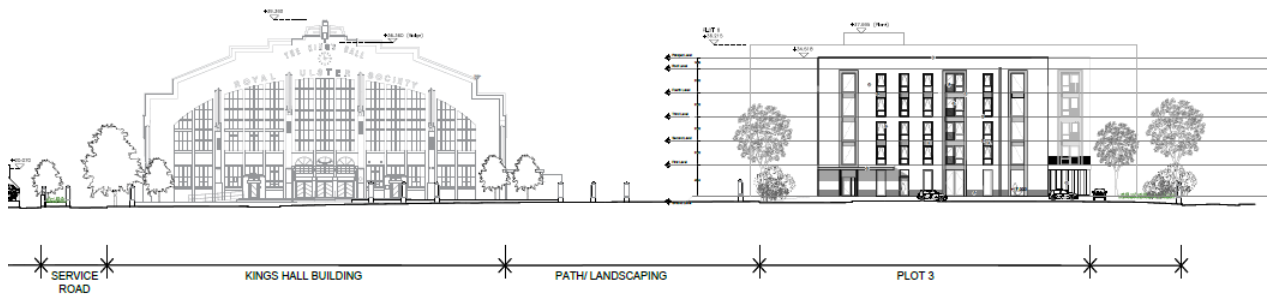
Indicative Masterplan for Wider site

**KINGS HALL MASTERPLAN REDEVELOPMENT**

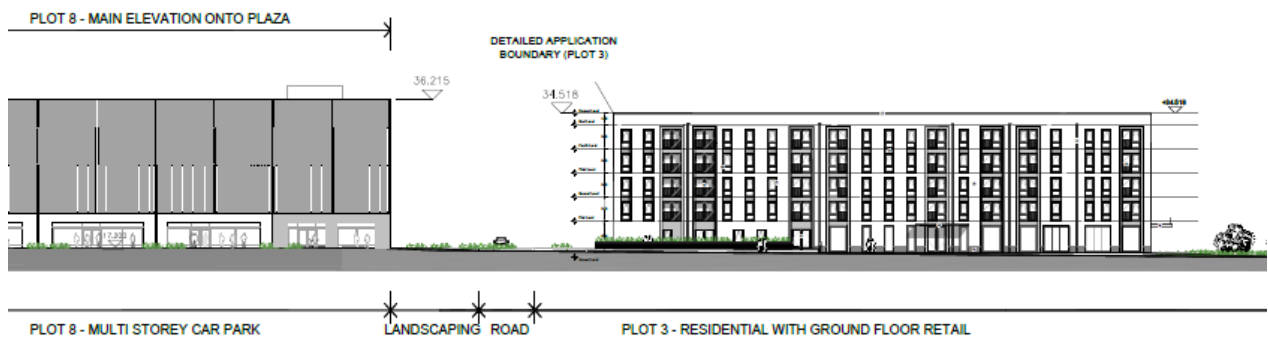
Building Type	Description
1	Kings Hall Primary Care Complex Planning Permission Ref: LA04/2018/0040/F; LA04/2018/0048/LBC; LA04/2018/0047/DCA
2	Kings Hall Extension Planning Permission Ref: LA04/2018/0040/F; LA04/2018/0048/LBC; LA04/2018/0047/DCA
3	Residential with ground floor local retail use / restaurant & cafe use / leisure & gym facilities.
4	Residential Nursing Home PAN Ref: LA04/2018/2801/PAN
5	Independent Living Planning Application Ref: LA04/2019/1254/F
6	Retirement Living
8	Multi Storey Car Park, Retail, Leisure, Restaurant & Cafe use.
9	Medical or Health Services

**Contextual Elevation – Lisburn Road**

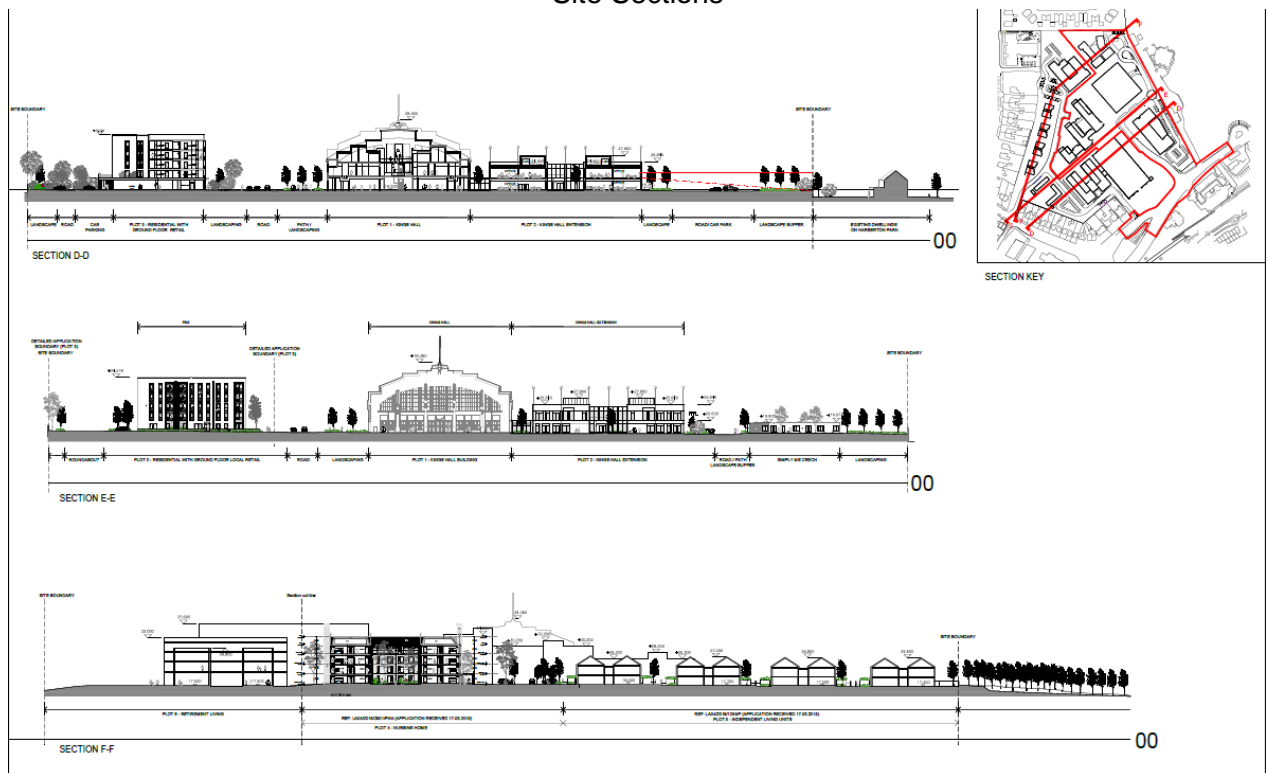


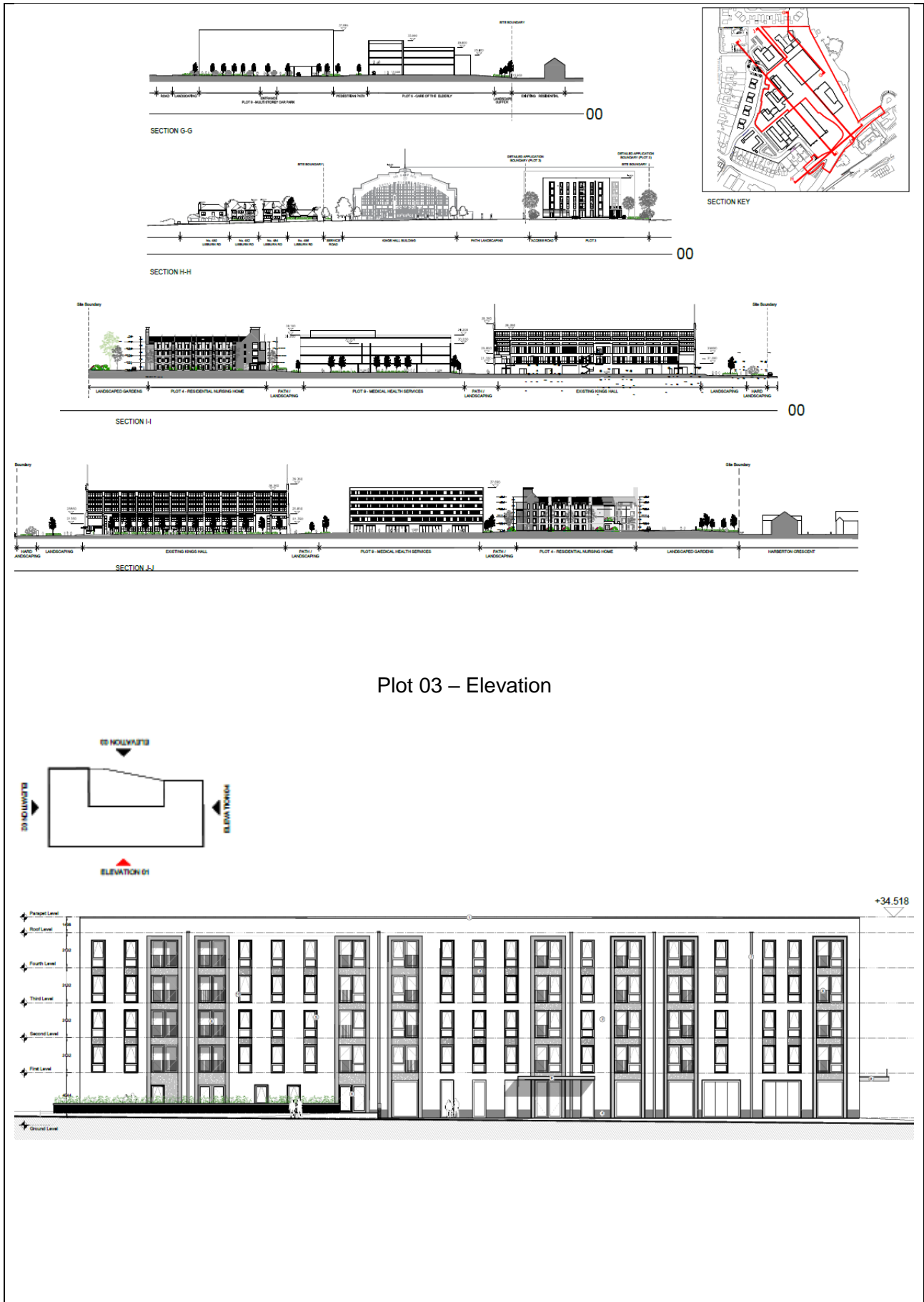


## Contextual Elevation Plots 03 and 08



## Site Sections





# Plot 03 – Elevation



## CGIs



Lisburn Road View





Lisburn Road View



Lisburn Road View




Internal view



Internal viewpoint – Plot 08



<p><b>2.0</b></p> <p><b>2.1</b></p>	<p><b>Characteristics of the Site and Area</b></p> <p>The site is part of the wider Kings Hall complex and comprises a central and southern portion of the complex. Works are ongoing on the site in relation to a number of recent approvals (see planning history below) and some buildings on the site have been demolished as part of the Phase 1 planning approval (LA04/2018/0040/F). The site abuts Balmoral Golf course to the south and Harberton Crescent to the east. The Lisburn Road runs along the western boundary and the northern boundary, within the King's Hall complex is undefined.</p> <p><b>Site Context Image</b></p> 
<p><b>3.0</b></p> <p><b>3.1</b></p>	<p><b>Description of Proposal</b></p> <p>This application seeks outline planning permission for a mixed use regeneration proposal incorporating the following:-</p> <ul style="list-style-type: none"> <li>all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and</li> <li>no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F).</li> </ul>

3.2	The application is in outline form, however, full details (i.e. no matters reserved) have been submitted for Plot 3 for 81 apartments, and ground floor retail/café and restaurant/gym uses along with details of car parking and landscaping. These details are to be approved at this stage.
3.3	Other than details associated with Plot 3, all other matters are reserved for subsequent approval at reserved matters stage for Plots, 6, 8 and 9. The application is supported by a parameter plan setting out the proposed maximum height. A Design Code has also been submitted which sets out design principles in relation to the use, layout, scale, open space, elevations and materials for Plots 3, 6, 8 and 9.
3.4	A Phasing Strategy has been provided, which sets out the sequencing and timing of development on the site in the following order: Plot 03 (Residential units and ground floor commercial); temporary parking on Plot 06; Plot 08 (Multi-storey Car Park and ground floor commercial); Plot 06 (Retirement Living); and Plot 09 (Medical/Health Services).
<b>4.0</b>	<b>Planning Assessment of Policy and Other Material Considerations</b>
<b>4.1</b>	<p><b>Policy Context</b></p> <p><b>Regional Planning Policy</b></p> <ul style="list-style-type: none"> <li>• Regional Development Strategy 2035 (RDS)</li> <li>• Strategic Planning Policy statement for Northern Ireland (SPPS)</li> <li>• Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement</li> <li>• Planning Policy Statement 6 (PPS 6) - Planning, Archaeology and the Built Heritage</li> <li>• Planning Policy Statement 13 (PPS 13) - Transportation and Land Use</li> <li>• Planning Policy Statement 15 (PPS 15) - Flood Risk</li> </ul> <p><b>Local Planning Policy Context</b></p> <ul style="list-style-type: none"> <li>• Belfast Urban Area Plan (2001) BUAP</li> <li>• Draft Belfast Metropolitan Area Plan (2015)</li> <li>• Draft Belfast Metropolitan Area Plan (2004)</li> </ul>
<b>4.2</b>	<p><b>Other Material Considerations</b></p> <ul style="list-style-type: none"> <li>• Belfast Agenda Community Plan</li> <li>• Developer Contributions Framework (2020)</li> </ul>
<b>4.3</b>	<b>Planning History</b>
4.3.1	<p><i>On part of the site:-</i>  <b>LA04/2018/0040/F</b> - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments, The Kings Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North-east Of Balmoral Golf Club, Belfast BT9 6GW. Permission granted 16.04.2019</p>

4.3.2	<p><i>Relevant planning history adjacent to the site:-</i></p> <p><b>LA04/2017/1394/F</b> - Erection of supported accommodation for older people comprising 28 one bedroom and 4 two bedroom apartments and associated communal space including dining and social areas; kitchen: staff facilities comprising office and changing rooms: laundry room: external landscaped garden: car parking: dedicated vehicular access off Harberton Park and associated landscaping (32 apartments in total) at Land East of Harberton Park to the South of no 25 Harberton Park, Belfast. Permission granted 13.03.2018.</p> <p><b>LA04/2018/0047/DCA</b> - Demolition of 29 Balmoral Avenue, 29 Balmoral Avenue, Belfast. Consent granted 16.04.2019.</p> <p><b>LA04/2018/0048/LBC</b> - Conversion of, alterations to and side extension to King's Hall to accommodate Primary Health Care Centre, demolition of existing extensions to King's Hall and relocation and restoration of existing railings and pillars to the front of King's Hall, The King's Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North East Of Balmoral Golf Club, Belfast, BT9 6GW. Consent granted 16.04.2019.</p> <p><b>LA04/2019/1254/F</b> - Erection of independent living complex 16No. units with associated landscaping, parking and access off Balmoral Avenue, Land at former Kings Hall and RUAS Complex, located to the east of the King's Hall and to the rear of Nos. 7-23 Harberton Park, Belfast, BT9 6GW. Permission granted 18.09.20</p> <p><b>LA04/2019/2848/F</b> – Construction of day nursery/playschool facility to replace existing temporary day care nursery and reconfiguration of car park approved under LA04/2018/0040/F with associated landscaping and access works, Lands at Kings Hall Complex, Lisburn Road, Balmoral Belfast, BT9 6GW. Permission granted 29.06.20.</p> <p><b>LA04/2020/0747/F</b> - Application under section 54 of the Planning Act (NI) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout, The Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, west of Harberton Park and north-east of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 29.06.20.</p> <p><b>LA04/2019/2989/F</b> - Erection of a care home with associated car parking, servicing, landscape and access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north east of Balmoral Golf Club Belfast BT9 6GW. Approved by the Planning Committee on 15.12.20.</p>
4.4	<p><b>Statutory Consultation Responses</b></p> <p>Responses from statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.</p> <p><b>DFI Roads</b> – Awaiting final consultation response. No objections raised in previous response subject to conditions.</p> <p><b>DFC HED</b> – No objection subject to conditions.</p> <p><b>NI Water</b> – No objection. NI Water response confirms that the receiving Waste Water Treatment facility has sufficient capacity to serve this proposal.</p> <p><b>DFI Rivers Agency</b> – No objection.</p>

	<p><b>DAERA (NIEA) – Water Management Unit</b> raised concern regarding the sewage loading associated with the above proposal and the potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Works (WWTW). DAERA recommended consultation with Northern Ireland Water Limited (NIW) to determine if the WWTW will be able to cope with the additional load or whether the existing WWTW would need to be upgraded. WMU advised that if NIW indicate that the WWTW is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its consent to discharge, then Water Management Unit would have no objection to this aspect of the proposal. As stated above NI Water has confirmed that the WWTW has sufficient capacity to serve this proposal. <i>Regulation Unit Land and Groundwater Team</i> – No objection subject to conditions. <i>Natural Environment Division</i> – No objection subject to conditions.</p> <p><b>Shared Environmental Services</b> – No objection. The proposal would not be likely to have a significant effect on the features of any European site.</p>
4.5	<p><b>Non-Statutory Consultation Responses</b></p> <p>Responses from non-statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.</p> <p><b>Environmental Health</b> – No objections subject to conditions.  <b>BCC Urban Designer</b> – No objections subject to conditions.  <b>BCC Landscape Planning and Development Team</b> - No objections.  <b>BCC Tree Officer</b> – No objections subject to conditions.  <b>BCC Waste Management Unit</b> – No objections.  <b>BCC Economic Development Unit</b> – No objection. Recommend that an employability and skills plan is submitted prior to occupation of the development to detail mitigations and interventions that will be put in place for care related roles to ensure the sustainability of the development.</p>
4.6	<p><b>Representations</b></p>
4.6.1	<p>A total of 3 representations have been received to this application. The issues raised in the objections include:</p> <ul style="list-style-type: none"> <li>• Concerns regarding access and safety issues onto Balmoral Avenue access</li> <li>• Concerns regarding intensification of traffic moving around the new junction on Balmoral Avenue and the access into Malone Park Lane on the opposite side of Balmoral Avenue.</li> <li>• Concerns that revised planning proposals show that the centre point of the proposed road, the mouth of the access, original footpath and landscaping plans are moving close to the boundary to No. 27 Balmoral Avenue.</li> <li>• Concerns regarding impact of access arrangements from Balmoral Avenue will affect the access arrangements to No. 27 Balmoral Avenue</li> <li>• Concerns that the visibility splays on Balmoral Avenue contravene DCAN 15 (Vehicular Access Standards) and DCAN 13 (Crèches, Day Nurseries and Pre-School Play Groups), less than half the recommended 30m is proposed between the junction and the access to No. 27 Balmoral Avenue.</li> <li>• Concerns that the Care Home will intensify the junction with Balmoral Avenue which is onto a Protected route within the settlement limit and will significantly modify the access</li> <li>• No provision has been made to accommodate pedestrians crossing safely over this new access on Balmoral Avenue.</li> <li>• Absence of cycle lanes will present an additional hazard.</li> </ul>

4.6.2	<ul style="list-style-type: none"> <li>• Concern that the Balmoral Avenue access will be used as a drop-off point for the nursery leading to traffic congestion.</li> <li>• Proposed Balmoral Avenue access does not comply with the Design Manual for Roads and Bridges.</li> </ul> <p>Officers advise that the proposed development is to be accessed from the Lisburn Road via a new signalised junction which was approved under Phase 1 Ref: (LA04/2018/0040/F). Consideration of access arrangements from/to Balmoral Avenue have previously been considered in the context of earlier applications for Phase 1, the independent living units and the care home which have come before the Committee for determination. No through access is proposed from the Balmoral Avenue access to the new signalised junction on the Lisburn Road, therefore, traffic will be segregated.</p>
4.7	<p><b><u>Planning Assessment</u></b></p> <p><b>Application Background</b></p> <p>4.7.1 The application site forms part of the wider King's Hall complex for which an indicative masterplan has been submitted (as set out below) for the comprehensive redevelopment of the overall site. This overall masterplan has no official status but has been used to aid discussions with the Planning Service about the various proposals on the wider site.</p> <p>4.7.2 As set out above under 'Planning History', planning permission has been previously granted for a number of elements within the wider lands including the restoration of and two storey extension to the listed King's Hall (LA04/2018/0040/F) with associated listed building (LA04/2018/0048/LBC) and associated conservation area consents (LA04/2018/0047/DCA). Planning permission has also been granted for a variation of condition (LA04/2020/0747/F) to the car parking layout to facilitate the approved relocation of a day nursery on the site (LA04/2019/2848/F). In addition permission has been granted for 16 independent living units with associated landscaping, parking and access off Balmoral Avenue (LA04/2019/1254/F). The Planning Committee also approved a Care Home (LA04/2019/2989/F) on the site at the December 2020 Committee meeting. The application before the Planning Committee proposes development on the largest part of the lands and is considered a standalone application in its own right within the King's Hall complex and is not dependent on other development on the wider site. Access arrangements into this site have been approved under application LA04/2018/0040/F and include a new signalised junction on the Lisburn Road.</p>





Building Type	Description
1	Kings Hall Primary Care Complex Planning Permission Ref: LA04/2018/0040/F; LA04/2018/0048/LBC; LA04/2018/0047/DCA
2	Kings Hall Extension Planning Permission Ref: LA04/2018/0040/F; LA04/2018/0048/LBC; LA04/2018/0047/DCA
3	Residential with ground floor local retail use / restaurant & cafe use / leisure & gym facilities.
4	Residential Nursing Home PAN Ref: LA04/2018/2801/PAN
5	Independent Living Planning Application Ref: LA04/2019/1254/F
6	Retirement Living
8	Multi Storey Car Park, Retail, Leisure, Restaurant & Cafe use.
9	Medical or Health Services

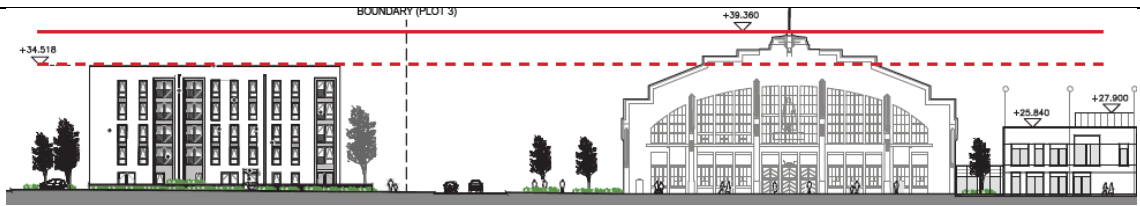
## 4.8 Key Issues

4.8.1 The key issues to be considered in the assessment of this application are:

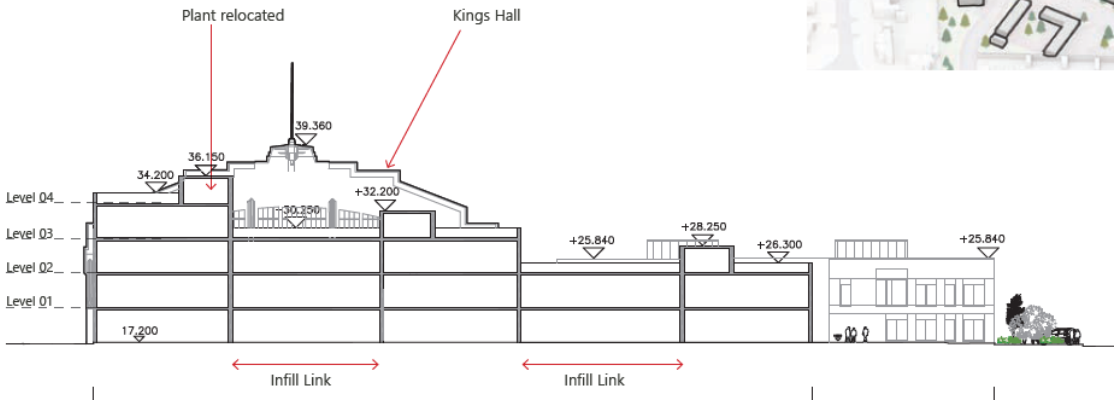
- Principle of development
- Height, Scale and Massing of the proposed development
- Design, Layout and Materials
- Impact on surrounding amenity
- Impact on the setting of the listed King's Hall
- Landscaping
- Access, Movement and Parking



	<ul style="list-style-type: none"> <li>• Environmental Considerations (Contamination, Noise, Air Quality)</li> <li>• Drainage/Flood Risk</li> </ul> <p>An assessment of the above issues is set out below.</p>
<b>4.9</b>	<b>Development Plan Context</b>
4.9.1	Section 6(4) of the Planning Act (Northern Ireland) 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.
4.9.2	The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) provides the statutory plan context for the area.
4.9.3	Draft BMAP 2015 (dBMAP 2015), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. Given its advanced stage it is considered to have significant weight. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).
4.9.4	In dBMAP 2004 the site is unzoned land within the Belfast Metropolitan/Settlement Development Limit. In dBMAP 2015 the site is also unzoned land within the Belfast Metropolitan/Settlement Development Limit. Within the BUAP the site is unzoned land within the development limit of Belfast.
<b>4.10</b>	<b>Principle of Development</b>
4.10.1	The proposed uses include residential, retail, restaurant/café and gym/leisure uses, a multi-storey car park and medical/health uses. The commercial uses i.e. retail, café/restaurant, gym/leisure are considered ancillary to the main uses proposed on the site and will serve the wider King's Hall complex/ local area. The primary uses i.e. residential, medical/health and car park do not conflict with the development plan or planning policy context and are considered acceptable in principle. In principle the proposed uses are considered to be compatible with the character of the existing area.
<b>4.11</b>	<b>Height, Scale and Massing</b>
4.11.1	<b>Plot 03 (81 Residential Units with ground floor retail/restaurant &amp; café/leisure &amp; gym facilities)</b>
4.11.2	Full details of the proposed building on Plot 03 have been submitted for consideration and no matters are reserved for this particular plot. This in effect means that full permission is sought for the development on Plot 03 which includes a 5 storey building for 81 apartments and a ground floor commercial unit with car parking, landscaping and associated works. The proposed building on Plot 03 is a maximum height of 17.98m high. The height of the building on Plot 03 sits below the height of the Listed King's Hall as demonstrated in the contextual drawing set out below and there is a separation distance of approximately 38m between both buildings which includes the access road into the site and adjacent landscaped areas.



- 4.11.2 The Urban Design Officer considers that the setback from the front of the King's Hall and the separation distance between both will help lessen the visual impact of the proposed building when viewed from the Lisburn Road and give a more subservient appearance. HED considers that Plot 3 is set apart from the listed King's Hall by a greater distance than its height and it is also set back from the principal façade by at least two structural bays. HED considers the parapet level, which strikes a mid-point between the lowest and highest eaves on the King's Hall, to be appropriate.
- 4.11.3 The proposed building on Plot 3 will be visually subservient to the listed King's Hall and it is considered that the height, scale and massing are acceptable.
- 4.11.4 **Plot 06 (Retirement living for approximately 55 units)**
- 4.11.5 Outline planning permission is sought for a building on Plot 06 for retirement living. It is proposed that the building height will vary across its footprint with 4 storeys (15.5m) fronting onto the public realm, then stepping down to three storeys (12.3m) and to 2 storeys (8.9m) towards the eastern boundary. The adjacent approved Care Home to the immediate north of Plot 06 is also 4 storeys. The closest part of the 2 storey element is approximately 16m from the common boundary with the adjoining residential development at Harberton Crescent and the closest part of the 3 storey element is approximately 8.5m from the common boundary.
- 4.11.6 HED is content with the height and footprint indicated for the building on Plot 06 and consider it far enough removed in situation and scale of development to not impact adversely on the setting of the listed building. The height, scale and massing of the proposed building on Plot 06 are considered acceptable. Detailed design of the proposed building will be submitted at Reserved Matters stage.
- 4.11.7 **Plot 08 (Multi storey car park with ground floor retail/restaurant & Café/leisure uses)**
- 4.11.8 Outline planning permission is sought for a multi-storey car park building on Plot 08 with a maximum height of 19.015m (20.495m including a small area of plant). The proposed building is 5 storeys high.
- 4.11.9 HED acknowledge that this building is separated from the Listed King's Hall by the landscaped plaza/public realm and buffered to some degree by the residential building on Plot 3 and the Medical/Health Services building on Plot 9. Revisions during the planning application process has resulted in a reduction in the height of Plot 08 which HED consider as an improvement. HED advise that the lift shaft/plant is set back within the plan form sufficiently to mitigate adverse impact at roof level.
- 4.11.10 HED advises that at the height, scale and massing proposed, this building will require high quality detailing in order to read as a mannerly and respectful neighbour to the listed building and must enhance the setting and avoid drawing too much attention from the King's Hall as the focal point which will require careful consideration at Reserved matters stage. HED are content in principle with the proposed development

	on Plot 08. The Urban Design Officer is also content with the height of the multi-storey car park on Plot 08.
4.11.11	The height, scale and massing of the proposed building on Plot 08 is considered acceptable. Detailed design of the proposed building will be further considered at Reserved Matters stage.
4.11.12	<b>Plot 09 (Medical/Health Services)</b>
4.11.13	<p>Outline planning permission is sought for a medical/health services building on Plot 09, situated immediately to the rear of the listed King's Hall. The building proposes three distinct elements of differing heights ranging from 4 storey (17m high) to 3 storey (13.05m high) to 2 storey (9.1m high) across the footprint of the building with infill blocks between. The highest block (4 storey) of the proposed building on Plot 09 is set behind the listed King's Hall and the lowest (2 storey block) is set behind the 2 storey extension to the King's Hall as illustrated in the drawing below. The Urban Design Officer welcomes the stepping down in height of the blocks as it approaches the neighbouring residential properties (Independent Living Units). Plant is proposed to be located on each of the three levels and is positioned and set back from the rear of the Listed King's Hall. The proposed blocks will sit lower than the listed building to ensure that the building does not impact adversely on its setting and to minimise visual impact. The highest part of the building, 4 storeys with plant is proposed at 18.95m high. The lowest part of the building, 2 storeys with plant is proposed at 11.05m high.</p> 
4.11.14	During the consideration of the planning application the location of plant on the highest (4 storey) block was relocated and set back and the front building line setback to increase the width of the plaza. These revisions are welcomed and will seek to minimise the impact on the Listed King's Hall. HED considers that the relocated plant is sufficiently removed in situation and scale as to have negligible impact on the listed King's Hall.
4.11.15	The height, scale and massing of the proposed building on Plot 09 are considered acceptable. Detailed design of the proposed building will be considered at Reserved Matters stage.
4.11.16	It is recommended that a condition is imposed to ensure that the proposed development on Plots 6, 8 and 9 comply with the building heights set out in the parameters plan and the design principles set out in the Design Code.

<b>4.12</b>	<b>Design, Layout and Materials</b>
4.12.1	<b>Plot 03 (81 Residential Units with ground floor retail/restaurant &amp; café/leisure &amp; gym facilities)</b>
4.12.2	<p>The building on Plot 03 is arranged in a 'C' shape with ground floor commercial units and apartments on upper floors (1-4). A roof terrace providing communal amenity space is proposed at first floor level. The ground floor commercial unit (retail/café/restaurant or leisure/gym facility) will face onto the primary access routes creating an active frontage at ground floor level with the main entrance leading from the access route into the site. The façade of the building has been articulated through a series of bays expressed by way of window and balcony groupings. Windows have also been grouped across two floors which places emphasis on the verticality of the building. The design and articulation of the elevations and fenestration i.e. the grouping of windows draws design cues from the buttresses of the listed King's Hall resulting in the creation of a simplified form with a vertical emphasis incorporating balconies which complements the listed building. The depth of openings/reveals as illustrated in the bay studies provides demonstrate sufficient depth to the facades creating a quality design. The Urban Design Officer highlighted concerns regarding the rooftop elements on Plot 03. The applicant's team has previously confirmed that there would be no rooftop plant on Plot 03. Clarification is being sought from the applicant regarding the height/extent of the lift shaft overrun.</p>
4.12.2	<p>Materials proposed for the building on Plot 03 include painted render, grey/blue brick, dark grey aluminium cladding to projecting window cladding, PPC dark grey aluminium windows and curtain walling and dark grey PPC steel balustrades to balconies. The use of render as the predominant external finish is a direct response to render being the main finish of the listed King's Hall. A plinth comprising grey/blue brick defines the base of the building and will act as an upstand protecting the render above and is welcomed by the Urban Design Officer. HED welcomes the base plinth as a high quality material. The proposed materials will be complementary to the listed King's Hall and are considered acceptable. HED considers that the design and materials proposed for Plot 03 to be appropriate.</p>
4.12.3	<b>Plot 06 (Retirement living for approximately 55 units)</b>
4.12.4	<p>Plot 06 is located to the back of the site and will front onto a new area of public realm. Outline planning permission is sought for a residential scheme for retirement living to accommodate approximately 55 units surrounded by a landscaped garden area. Public views of the building on this site will be restricted as the building will be screened by surrounding blocks.</p>
4.12.5	<p>The Design Code states that the scheme will follow the principles of having a shallow plan arranged around a courtyard allowing for maximum natural light and ventilation in the building and that the proposed roof level will step down as it approaches the boundary of the adjoining development to limit any impact on the existing context.</p>
4.12.6	<p>The Design Code also states that the elevational treatment will observe the principles of orientating the building away from new residential development to the southern boundary and the building the building down towards the boundary with adjoining site to limit impact on adjoining properties. The precedent images set out in the Design Code demonstrate deep reveals which will be expected to be included in the detailed design of Plot 06. As such a condition is recommending requiring bay study for Plot 06 to be submitted at Reserved Matters Stage.</p>

4.12.7	Six parking spaces to serve the development are proposed to be located adjacent (to the immediate south) to the building within its curtilage. Additional parking required for the development will be provided by the multi-storey car park adjacent to the site.
4.12.8	The proposed material palette includes quality facing brick, coloured concrete, metal cladding, PPC aluminium curtain walling and timber cladding and is considered to be in keeping with the character and appearance of the area. The Urban Design has no objection to the proposed palette of materials which is considered acceptable in principle and will be subject to further assessment at reserved matters stage when further details/specification of materials is presented.
4.12.9	HED are satisfied that the materials and precedents as set out in the Design Code in relation to Plot 06 are appropriate under SPPS para 6.12 and PPS6, BH11.
4.12.10	It is estimated that the proposed building will accommodate 55 retirement living units. The exact number of units will be subject to detailed design which will be submitted at Reserved Matters stage.
4.12.10	<b>Plot 08 (Multi-storey car park with ground floor retail/restaurant &amp; Café/leisure uses)</b>
4.12.11	Outline planning permission is sought for a multi-storey car park on Plot 08 with ground floor commercial units comprising retail/café/restaurant/leisure/gym facilities. Plot 08 is located centrally within the site and occupies a prominent site within the King's Hall complex. The ground floor commercial units will front onto the proposed new area of public realm and the main access road providing active frontages at ground floor level. Opportunities exist for spill out areas onto the central plaza for cafes/restaurants which will add to the vitality of the area. The Urban Design Officer welcomes the incorporation of ground floor active uses on the eastern edge of the Multi-Storey Car Park which extend around the corner of the building and will help to animate the main plaza and pedestrian axial route.
4.12.12	The multi-storey car park proposes approximately 540 car parking spaces to serve the wider site.
4.12.13	The precedent images set out in the Design Code illustrate the proposed panelled/fins external finish. The Design Code states that the ground floor will be finished with a combination of coloured render and red brick with expanded metal cladding panel providing a lightweight base around car parking areas. On upper floors the metal cladding panels are also proposed and the Design Code states that the elevational treatment will be dictated by the level of the floor planes and the rhythmic nature of the cladding. PPC metal cladding panels proposed which will create a vertical emphasis and would be fixed to a concrete frame. The entrance to the multi-storey car park is proposed to be finished in red brick.
4.12.14	Whilst the Urban Design Officer considers that the proposed framing will help to break up the massing while picking up on bay widths of neighbouring plots, reservations are expressed regarding the overall composition of the fin treatment as shown in the submitted CGIs, which would potentially result in a relatively heavy and solid appearance, particularly when viewed obliquely. The Urban Design Officer does not raise an objection in this regard, but advises that further details should be provided at reserved matters stage to ensure a high degree of design quality is achieved and suggests this could include a series of bay studies. A condition is recommended seeking bay studies to be submitted for Plot 08 with the Reserved Matters.

4.12.15	HED considers that the materials and fenestration as shown in the amended Design Code illustrating an expressed frame with varied widths of metal fins over 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> floors creates an interesting rhythm and provides reassurance on the elevational treatment. HED advises that the introduction of an exposed frame, which broadly relates to bay widths on Plots 3, 6 & 9, serves to integrate Plot 8 with its neighbouring buildings and creates a sense of coherence throughout the overall development. HED advises that the metal screening will allow light to perforate through the open-weave pattern at night time which has the potential to be interesting. The final design details will be submitted at Reserved Matters stage and will be subject to further consideration. HED are content in principle with the proposed design principles subject to conditions.
4.12.16	The proposed materials palette includes metal screening, concrete frame, PPC metal cladding, aluminium windows and a curtain walling system and brick. CGIs of the multi-storey block are provided to demonstrate how the building would likely look. The variety of materials proposed is considered to provide an appropriate design approach and contrast to the Listed King's Hall and surrounding buildings. The proposed palette of materials is considered complementary to the character and appearance of the area and acceptable in principle and will be subject to further assessment at reserved matters stage when further details/specification of materials is presented.
4.12.17	<b>Plot 09 (Medical/Health Services)</b>
4.12.18	Outline planning permission is sought for a medical/health service building on Plot 09 which comprises three elongated linked blocks of varying heights (2-4 storeys) to the rear of the listed King's Hall.
4.12.19	The Design Code sets out the design principles including that the scale and massing of the building will be reduced to ensure the scheme sits comfortably within the context of the main King's Hall building and that the footprint of the building will be reduced to allow landscaped area between proposed scheme and the Listed King's Hall Building.
4.12.20	The Design Code also states that the footprint of the building has been positioned to ensure that it does not sit beyond the plane of the King's Hall and that larger elevations will be broken down into constituent parts/blocks to achieve a more human scale and proportion to the building and lightweight elevations will be used to form connections and enclose courtyards.
4.12.21	The highest block (4 storey) is set further back from the rear of the Listed King's Hall than the middle (3 storey) and lower (2 storey) height blocks to mitigate against the impact on the setting of the listed building. As a result a larger area of public realm which links to the central plaza is proposed allowing for an enhanced appreciation of the Listed King's Hall.
4.12.22	The proposed materials palette includes brick, concrete, PPC horizontal louvres, PPC aluminium and coloured render. Precedent images set out in the Design Code demonstrating potential external design/treatments are considered acceptable. HED considers that the building on Plot 09 will be read in conjunction with the Listed King's Hall and are of the view that the upper storeys of the building should be finished in brick to provide sufficient contrast. Brick is included in the proposed material palette.
4.12.23	The variety of materials proposed is considered to provide an appropriate design approach. The Urban Design has no objection to the proposed palette of materials which is considered complementary to the Listed King's Hall and the general character


	and appearance of the area and acceptable in principle. Detailed design and finish specifications will be subject to further assessment at the reserved matters stage.
<b>4.13</b>	<b>Impact on surrounding amenity</b>
4.13.1	<b>Plot 03 (Residential Units with ground floor retail/restaurant &amp; café/leisure &amp; gym facilities)</b>
4.13.2	The building on Plot 03 will front onto the Lisburn Road. There is an existing residential development on the opposite side of Lisburn Road, however, there is adequate separation distance between both to ensure no adverse impact on neighbouring amenity by way of overlooking, loss of light etc. The building on Plot 03 will face Balmoral Golf Club to the south, the proposed multi-storey car park on Plot 08 to the east and the Listed King's Hall to the north. The separation distances between the adjoining uses are considered acceptable to ensure no adverse impact on neighbouring amenity or the amenity of prospective occupiers and the proposed relationship with surrounding uses is considered acceptable.
4.13.3	<b>Plot 06 (Retirement Living for approximately 55 units)</b>
4.13.4	The building on Plot 06 is a maximum of four storeys and the proposed relationship with existing/proposed 2 and 3 storey residential development to the east, Balmoral Golf Club to the south and the proposed 4 storey Care Home to the north is considered acceptable.
4.13.5	The building has been designed to be orientated away from adjoining residential development to minimise any impact on neighbouring residential development to the east. The separation distances with the adjoining site at Harberton Crescent, part of which adjacent to the south eastern boundary is undeveloped, and the proposed relationship with adjoining dwellings are considered acceptable.
4.13.6	<b>Plot 08 (Multi-storey car park with ground floor retail/restaurant &amp; Café/leisure uses)</b>
4.13.7	Plot 08 is located centrally within the site and is situated between the proposed residential buildings of Plots 03 and 06. A high quality design and finished will be important to ensure that the proposed building on Plot 08 provides a quality outlook for Plots 03 and 06 and the final design will be subject to further assessment at reserved matters stage. The building on Plot 08 will also face that on Plot 09. Balmoral Golf Club is located to the south of the proposed multi-storey car park. Separation distances between the multi-storey and proposed adjacent buildings and the Listed King's Hall are considered acceptable and will ensure no adverse impact on existing amenity of existing or proposed neighbouring uses. The relationship with existing and proposed development is considered acceptable.
4.13.8	<b>Plot 09 (Medical/Health Services)</b>
4.13.9	The building on Plot 09 will sit between the Listed King's Hall and the proposed Care Home and will be separated from both by public realm providing adequate separation to ensure no adverse impact on the amenity of the various uses. The multi storey car park will sit to the south of the building on Plot 09 and will be separated by the Central Plaza, a wide area of public realm ensuring no adverse impact between the uses. The proposed independent living units will sit to the north and will be separated by the internal access road from Balmoral Avenue. The outlook from the independent living units will be an important consideration in assessing the final design of the building on

4.13.10	<p>Plot 09 at reserved matters stage. The building on Plot 09 will be surrounded by public real/open space which will serve as an important function in softening the development and enhancing the outlook for occupants of the independent living units.</p> <p>The impact on the proposed development on surrounding amenity has been assessed and it is considered that no adverse impact on amenity of existing or proposed uses will result. The proposed development is considered acceptable and compliant with policy as set out in the SPPS and PPS 7.</p>
<b>4.14</b>	<b>Impact on the setting of the Listed King's Hall</b>
4.14.1	The proposed site falls within the setting of the Listed King's Hall and paragraph 6.12 of the SPPS and Policy BH 11 (Development affecting the Setting of a Listed Building) of PPS 6 apply.
4.14.2	<p>Policy BH 11 states that the Council will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:</p> <p>(a) The detailed design respects the listed building in terms of scale, height, massing and alignment;</p> <p>(b) The works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and</p> <p>(c) The nature of use proposed respects the character of the setting of the building</p>
4.14.3	<b>Plot 03 (Residential Units with ground floor retail/restaurant &amp; café/leisure &amp; gym facilities)</b>
4.14.4	The building fronts onto the Lisburn Road but is set back behind the building line of the Listed King's Hall. The height, scale and massing are considered acceptable as set out above. The setback together with complementary design will ensure that the Listed King's Hall retains prominence when viewed from along the Lisburn Road and that the building on Plot 03 is subservient in the immediate setting of the Listed King's Hall. There is no objection to Plot 03 from HED.
4.14.5	<b>Plot 06 (Retirement Living for approximately 55 units)</b>
4.14.6	The proposed building on Plot 06 is a reasonable distance from the King's Hall and HED considers that it is far enough removed in situation and scale of development to impact adversely on the setting of the listed building.
4.14.7	<b>Plot 08 (Multi-storey car park with ground floor retail/restaurant &amp; Café/leisure uses)</b>
4.14.8	The proposed multi-storey car park building on Plot 08 will be read in conjunction with the Listed King's Hall. However, the separation between both comprising an area of public realm/access road is considered sufficient to ensure that it does not impact adversely on the setting of the listed building. HED acknowledges the separation and consider that it will be buffered to some degree by the Residential Block (Plot 3) and the Medical/Health Services Block (Plot 9).
4.14.9	<b>Plot 09 (Medical/Health Services)</b>
4.14.10	The building on Plot 9 will replace Nugent's Hall which was located to the rear of the Listed King's Hall and included a series of duo-pitched roofs on a metal clad building, which was subservient, agricultural in appearance and did not contribute quality or



<p>4.14.11</p> <p>4.14.12</p>	<p>character to the setting of the building. HED acknowledges that the proposed development on Plot 09 provides the opportunity for enhancement and considers the precedent images presented in the Design Code to be appropriate.</p> <p>The building on Plot 09 rises approximately 17m above ground level and is set more or less the same distance apart from the King's Hall. HED considers that there is sufficient separation between the two. HED also consider that the middle (3 storey) and lower (2 storey) blocks are relatively low in comparison to the Kings Hall and sit comfortably as neighbours to the listed building.</p> <p>In summary, the proposed development is considered to comply with Policy BH 11 of PPS 6 and paragraph 6.12 of the SPPS. There are no objections from HED. The final design details including proposed finishes on Plots 06, 08 and 09 will be subject to further consideration at considered at reserved matters stage.</p>
<p><b>4.15</b></p> <p>4.15.1</p> <p>4.15.2</p>	<p><b>Enabling works to Listed Building</b></p> <p>The restoration of the Listed Kings Hall is considered to be an essential element of the redevelopment of the wider Kings Hall lands. In this regard, the Phase 1 planning permission (LA04/2018/0040/F) is subject to conditions which require the restoration of the exterior of Kings in accordance with the Listed Building Consent (LA04/2018/0048/LBC). The trigger point for requiring the restoration works is occupation of the Phase 1 extension, which is expected to be May 2020 (the works would then be sequenced after that).</p> <p>Officers want to ensure that those restoration works will be completed and have agreed with the applicant that equivalent obligations should be included within the Section 76 planning agreement for this application. Delegated authority is therefore sought for the Director of Planning and Building Control to finalise the Section 76 planning agreement regarding this issue.</p>
<p><b>4.16</b></p> <p>4.16.1</p> <p>4.16.2</p> <p>4.16.3</p>	<p><b>Provision of Open Space/Space Standards</b></p> <p><i>Plot 03 - Provision of Open Space</i></p> <p>A landscaped terrace is proposed at first floor level, screened from view by the 3 facades and providing communal open space/amenity provision for proposed occupants. This terrace will be well lit given its orientation and will provide valuable amenity space.</p> <p>Internal and external balconies and ground floor terraces are also proposed for 49 of the apartments. Overall the proposed development provides an average of 10 sqm of open space/amenity provision per apartment which is in accordance with the recommended provision of 10-30sqm as set out in Creating Places.</p> <p>Policy OS 2 of PPS 8 states that proposals for new residential development of 25 or more units will only be permitted where public open space is provided as an integral part of the development. Policy OS 2 of PPS 8 further states that an exception to the requirement of providing public open space will be permitted in the case of apartment developments where a reasonable level of private communal open space is provided. The level of private communal open space is considered reasonable and therefore the exception test is considered to be met. Notwithstanding, the amount of open space to be created equates to approximately 38% of the application site area and includes new public realm areas such as the central plaza and a pocket park (approved as part of application LA04/2019/1254/F) in close proximity to Plot 03, landscaped areas around the buildings and private open space areas for example associated with Plot 06. In</p>

	addition, the site is located within close proximity (5 minute walk – 0.3 miles) to Musgrave Park area of open space.
4.16.4	<p><i>Plot 03 – Space Standards</i></p> <p>Whilst the space standards set out in PPS 7 Addendum Safeguarding the Characteristics of Established urban Area do not apply to this proposal as the site is not located in an established residential area, they are nevertheless a useful guide to determining whether proposed unit sizes are of a sufficient size to ensure a quality living environment for prospective occupiers.</p>
4.16.5	<p>The proposed breakdown of units is set out as follows:</p> <ul style="list-style-type: none"> <li>• 35 No. 1 bed apartments</li> <li>• 46 No. 2 bed apartments</li> </ul>
4.16.6	The Space standards referred to above set out that the design standards for a 1 bedroom apartment ranges from 35/40 sqm for a 1 bedroom 1 person apartment to 50/55 sqm for a 1 bedroom 2 person apartment.
4.16.7	The 1 bedroom apartments proposed range from 54sqm to 67sqm and fall within the recommended design standards.
4.16.8	The Space standards referred to above set out that the design standards for a 2 bedroom apartment ranges from 60/65 sqm for a 2 bedroom 3 person apartment to 70/75 sqm for a 2 bedroom 4 person apartment.
4.16.9	The 2 bedroom apartment proposed range from 63sqm to 85 sqm and fall within the recommended design standards.
4.16.10	<p><i>Plot 06 – Provision of Open Space</i></p> <p>Open space is proposed to the rear of the building of Plot 06 which is considered acceptable in principle. Details of open space provision will be provided at the Reserved Matters stage. In addition, new open space is provided within the proposed public realm areas including the central plaza and pocket park within the wider site which is in close proximity to Plot 06 and the site is located in close proximity to Musgrave Park area of open space.</p>
4.16.11	<p><i>Plot 06 – Space Standards</i></p> <p>Details of space standards for retirement living units within Plot 06 will be required to be provided at the Reserved Matters Stage.</p>
4.16.12	<p><i>Plots 08 and 09 – Provision of Open Space</i></p> <p>Open space areas are proposed along the boundaries of Plots 08 and 09 and within Plot 09 and are connected to the central plaza and the approved pocket park (adjacent to the proposed building on Plot 09). These new private and public areas of open space will provide a network of open space/public realm areas serving Plots 08 and 09 linked to the wider site and will serve to enhance the quality of the environment.</p>
<b>4.17</b>	<b>Landscaping/Public Realm</b>
4.17.1	Access to the site from the Lisburn Road has been approved as part of Phase 1. Leading from the main access road is a central plaza creating a pedestrian zone in the heart of the development with pedestrian routes leading from it and connecting with the surrounding buildings within the site. The Plaza will be restricted to pedestrians and is a key area of public realm within the site. The proposed public realm/open space areas

	<p>around and between the plots is fundamental in connecting the different buildings ensuring a cohesive development and enhancing the setting of the Listed King's Hall. The new public realm areas will comprise a mix of hard and soft landscaping to soften the impact of the development and enhance the quality of the environment. Proposed surface materials include paving and resin bound aggregate which and are in keeping with the character and appearance of the area.</p>
4.17.2	The public realm will also incorporate spaces to dwell with seating to be provided in a landscaped setting ensuring a quality environment surrounding the buildings and an opportunity to enhance the setting of the King's Hall.
4.17.3	<p>Landscaping is proposed in and around Plots, 03, 06, 08 and 09 and comprises private and public open space areas. Buffer planting along the southern, eastern and part of the western boundaries will seek to mitigate against impact on neighbouring properties whilst providing a soft landscaped edge to the development. Primary public areas of landscaping within the site will include the central plaza and the pocket park as set out in the plan below which will complement the landscaped area at the front of the listed King's Hall approved under application LA04/2018/0040/F. Public realm which will include soft and hard landscaping will link these primary areas creating a landscaped framework connecting the spaces.</p>  <p>The image is an aerial site plan of a development area. It shows nine numbered plots (Plot 1 to Plot 9) arranged in a grid-like fashion. Plot 1 is a large central plot. Plots 2, 3, 4, 5, 6, 7, 8, and 9 are smaller plots surrounding Plot 1. A central plaza is highlighted with a red dashed box and labeled 'PLAZA'. A pocket park is highlighted with a red dashed box and labeled 'POCKET PARK'. A main entrance is highlighted with a red dashed box and labeled 'MAIN ENTRANCE'. The plan also shows surrounding roads, parking areas, and landscaping features like trees and paths.</p>
4.17.4	Plot 03 is surrounded by hard and soft landscaping providing a degree of screening to the development and enhancing the external space around it. HED welcomes the inclusion of landscaping within the site boundary for Plot 03, and acknowledges its importance in softening the impact of the proposal in the setting of the listed building.
4.17.5	BCC Landscape Planning and Development Team (BCC LPD) highlighted that a Community Greenway is identified in draft BMAP along the boundary of the site and suggested that if feasible a green corridor for pedestrians and wildlife be incorporated to improve connectivity to surrounding green infrastructure at Musgrave Park, Balmoral

	<p>Golf Course and Strangford Avenue Playing fields. BCC LPD advised that if appropriately landscaped the plaza that links to the approved pedestrian access off the Upper Lisburn Road access could help provide this. Since the publication of draft BMAP, part of the wider RUAS to the immediate east of the application site has been developed for housing and no linkages to the east have been provided. Therefore the potential for improved connectivity is limited. Notwithstanding, the new areas of open space/public realm along with proposed planting will improve connectivity within the site and provide important habitats for wildlife.</p>										
4.17.6	<p>Detailed landscape proposals for each Plot/Phase will be required to be submitted at reserved matters stage.</p> <p><i>Artwork within the Public Realm</i></p>										
4.17.7	<p>It is proposed that a heritage and interpretation strategy will be developed for the King's Hall referencing the site's past and significant historical events that have taken place over the years including the Balmoral Show and Boxing events. Wayfinding markers will be incorporated through the site with the use of directional signage and memorable landmarks within the landscaped/public realm areas which create a sense of character and identity throughout the development. It is considered that an opportunity exists to further enhance the King's Hall complex through the use of public art work to illustrate the history of the site/area. It is therefore recommended that a condition is included in the decision to seek the submission of an Artwork Strategy which would set out proposals for art installations/sculptures at key locations within the site. Details of the artwork would be required at reserved matters stage.</p>										
<b>4.18</b>	<p><b>Access, Parking and Movement</b></p>										
4.18.1	<p>The development proposes the construction of a multi-storey car park on Plot 08 which will serve the needs of the uses on the site including parking for the residential development and ancillary commercial uses on Plot 03, residential units on Plot 06 (retirement living), commercial uses (retail, café/restaurant, gym/leisure) on the ground floor of the multi-storey car park on Plot 08, medical/health services on Plot 09 and health uses on Plots 01 and 02. The multi-storey car park will replace temporary surface level parking approved to serve the restoration and extension to the King's Hall (Plots 01 and 02) under applications LA04/2018/0040/F and LA04/2020/0747/F.</p>										
4.18.2	<p>A total of 607 parking spaces are proposed within the site as set out in the table below comprising of 67 surface level parking space on Plots 03 (61) and Plot 06 (6) and approximately 540 spaces within the multi-storey car park.</p> <table border="1"> <thead> <tr> <th>Plot Number/Proposed Use</th><th>No. of Parking Spaces Proposed</th></tr> </thead> <tbody> <tr> <td>03 – Residential/Commercial</td><td>61</td></tr> <tr> <td>06 – Retirement Living</td><td>6</td></tr> <tr> <td>08 – Multi-storey Car Park</td><td>540</td></tr> <tr> <td><b>TOTAL</b></td><td><b>607</b></td></tr> </tbody> </table>	Plot Number/Proposed Use	No. of Parking Spaces Proposed	03 – Residential/Commercial	61	06 – Retirement Living	6	08 – Multi-storey Car Park	540	<b>TOTAL</b>	<b>607</b>
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4.18.3	<p><b>Temporary Parking during the Phased Development</b></p> <p>Temporary parking is proposed on the site of Plots 08 (multi-storey car park) and Plot 09 (medical/health facility) which were approved under Phase 1 (LA04/2018/0040/F) and will be permanently replaced when the multi-storey car park is completed. The multi-storey car park will serve the Listed King's Hall (Plot 01) and its extension (Plot 02), retirement living units (Plot 06), the residential and commercial uses on Plot 03, the ground floor commercial uses of the multi-storey car park (Plot 08) and Plot 09</p>										

	<p>(medical/health facility). During the build out of the Plot 08 (multi-storey car park) the approved temporary parking on that site will require to be re-arranged within the wider site. This will result in 154 spaces being temporarily relocated to Plot 06 along the south eastern/southern boundary until the multi-storey is completed. Given that Plot 06 sits adjacent to the residential development at Harberton Crescent a condition is recommended to limit the time period of operation of the temporary car park at Plot 06 to mitigate against any long-term adverse impact on neighbouring residential amenity. In addition an acoustic barrier is proposed to be erected along the boundary and will also be secured by a proposed condition which is considered acceptable by Environmental Health to ensure no adverse impact on neighbouring amenity. A condition is also proposed to secure the submission and agreement of A Construction Environmental Management Plan which will be required to set out measures to control and manage dust, noise, vibration and to identify parking/loading areas for HGVs a sufficient distance from the nearby dwellings.</p>
4.18.4	<p>Objections received raised concerns relating to the access to the King's Hall site from Balmoral Avenue. However, the development will be served by the new signalised junction on the Lisburn Road approved under application LA04/2018/0040/F and will not be reliant on the Balmoral Avenue access. The matters raised in the objection relate to developments which have previously come before the Planning Committee i.e. LA04/2019/1254/F (Independent Living Units) and LA04/2019/2989/F (Care Home) and have been previously considered by the Members.</p>
4.18.5	<p>DFI Roads are satisfied with the proposed internal access and parking arrangements and offer no objections to the proposed development subject to conditions. DFI Roads have previously advised no objection to previous rounds of consultation and a final consultation response is awaited from DFI Roads. Subject to DFI Road's final response, the proposed development is considered to be compliant with PPS 3. It is requested that delegated authority is given to the Director of Planning and Building Control to deal with any issue should it arise from the final DFI Roads consultation.</p>
<b>4.19</b>	<p><b>Environmental Matters (Contamination, Noise, Air Quality)</b></p>
4.19.1	<p><b>Contamination</b> Contaminated Land Risk Assessment were submitted in support of the application as part of the Environmental Impact Assessment. Environmental Health has considered the report and advise that it is content with the assessment provided subject to conditions.</p>
4.19.2	<p><b>Noise</b> Noise Impact Assessments have been submitted in support of the application as part of the Environmental Impact Assessment. Environmental having considered the reports and have no objection subject to recommended conditions.</p>
4.19.3	<p><b>Air Quality</b> An Air Quality Impact Assessment, part of the Environmental Impact Assessment submitted in support of the application. Environmental Health have considered the Air Quality Impact Assessment and have no objections to the proposal subject to recommendation of a condition in respect of combustion plant to protect against any adverse impact on air quality.</p>
4.19.4	<p><b>Odour</b> Environmental Health has considered the proposed uses which will require odour abatement and have recommended conditions to ensure that full details of any odour extraction system proposed is submitted for approval prior to installation.</p>

<b>4.20</b>	<b>Drainage/Flood Risk</b>
4.20.1	A Drainage Assessment (DA) was submitted in support of the application. The DA confirmed that NI Water has recently upgraded the foul and storm sewer network to serve the King's Hall development and adjoining Harberton Crescent development.
4.20.2	The site does not lie within the 1 in 100year fluvial or 1 in 200 year coastal flood plain and there are no designated watercourses within the site and is therefore considered to be at low risk from flooding.
4.20.3	NI Water response states that there is public water supply, foul sewer and a surface water sewer within 20m of the proposal all of which have the capacity to serve the proposal. Connections to this infrastructure will require consent from NI Water. The NI Water response also confirms that the receiving Waste Water Treatment Works has available capacity to serve the development.
4.20.4	Rivers Agency have no objection to the proposed development. NI Water or Rivers Agency do not raise objections to the proposed development which is considered to be in compliance with PPS 15.
<b>4.21</b>	<b>Environmental Impact</b>
4.21.1	An Environmental Impact Assessment (EIA) and two associated addendums have been submitted in support of the development. The EIA considers a number of the impact of which is set out below
4.21.2	<p><i>Socio Economic Impact</i></p> <p>The EIA assesses the socio economic impact of the proposed development to be significant in providing housing and employment, and in improving the perception of this brownfield site and wider area of South Belfast.</p>
4.21.3	<p><i>Impact on Cultural Heritage/Archaeology</i></p> <p>A Cultural Heritage assessment was carried out as part of the EIA and indicated that no known cultural heritage assets are located within the development site, although two Listed Buildings are located adjacent to the red line boundary, of which one is the King's Hall. Potential exists for previously unknown archaeological within the development site as such mitigation measures as conducting an archaeological evaluation of the site prior to construction is recommended. Based on the archaeological/historical assessment it is concluded that there no impact either direct or indirect will be placed upon the known cultural heritage assets within the immediate area surrounding the proposed development site.</p>
4.21.4	<p><i>Impact on Traffic and Transport</i></p> <p>A Transport Assessment has been carried out as part of the Environmental Impact Assessment which has considered the impact of the traffic generated by the proposed development along with committed development in Phase 1 (King's Hall restoration and extension - LA04/2018/0040/F). The TA also considers the cumulative impact of proposed development in the vicinity including the Care Home (LA04/2019/2989/F), Supported Housing for Older people on Harberton Park (LA04/2017/1394/F), 16 no. independent living units (LA04/2019/1254/F) and the relocation of the existing nurse school (LA04/2019/2848/F) within the wider King's Hall site.</p>
4.21.5	The TA indicates that the proposed development will cause an increase of movements on various junctions surrounding the site. The following mitigation measures are proposed during the construction and operational phases:-

	<ul style="list-style-type: none"> <li>• Vehicle movements arriving and departing from the site would be controlled and a Traffic Management Plan will facilitate the proposed development to outline delivery times and the location staff parking during construction;</li> <li>• Wheel washing facilities will be installed within the application site boundary to prevent the wheels of vehicles carrying mud and debris onto the carriageway during construction;</li> <li>• A Travel Plan, Residential Travel Plan and Service Management Plan will be implemented during operation. They will set out proposals to encourage greater use of sustainable travel, including highlighting the availability of public transport and encouraging walking and cycling for shorter journeys;</li> <li>• Car parking will be provided in accordance with the phased development of the site to ensure that adequate parking will be available as the development progresses; and</li> <li>• Staff will be given the option to sign up for a Translink iLink card to replace the former TaxSmart initiative.</li> </ul>
4.21.6	<p><i>Landscape and Visual Impact</i></p> <p>The EIA indicates that the proposed development will result in a substantial and permanent change to this part of the King's Hall site on account of its redevelopment and associated public realm landscape areas and acknowledges that the existing baseline landscape is not pristine or very sensitive and is very capable of absorbing change.</p>
4.21.7	<p>The EIA further states that the proposal will also result in several positive elements in terms of its relationship to the Upper Lisburn Road / Lisburn Road through improved boundary treatments, public realm works, relationship with the King's Hall, removal of dilapidated buildings and tree planting that would contribute to the setting of this and the adjacent townscape areas and concludes that the removal of unsightly buildings, improvements to the public realm, renovations to King's Hall and new architectural quality buildings to the Upper Lisburn / Lisburn Road will be a significant positive effect to the visual quality and townscape character of this part of Belfast.</p>
4.21.8	<p><i>Drainage</i></p> <p>A Drainage Assessment has been submitted as part of the EIA. NI Water has confirmed in their consultation response that existing infrastructure is available to serve the development.</p>
4.21.9	<p>The EIA states that the proposed development will reduce the volume of storm discharge from the site by decreasing hardstanding area and providing storm water attenuation. The proposed storm drainage network will restrict discharge from the site to equivalent of Greenfield run-off using flow control devices. The proposal to restrict the discharge of storm water to equivalent Greenfield run-off would have a positive impact by reducing the strain on the receiving sewer and the downstream infrastructure.</p>
4.21.10	<p>The EIA advises that the River Agency Flood Maps determine that the site is not effected by fluvial flooding. As a result the proposed development levels are set a minimum 0.8m above the adjacent Fluvial Flood Plain. The River Agency Flood Maps indicate that site is affected by pluvial flood. The pluvial flood has been determined to</p>

	<p>consist of localised ponding as a result of the existing site topography and undersized drainage. The proposed development will provide effective overland flow routes to road gullies. The proposed levels will convey storm water away from buildings and towards the Lisburn Road. The proposed storm drainage will serve all hard standing areas on the site and has been designed not to flood any part of the site in a 1 in 30 year design storm event. The EIA assesses that the flood risk of the proposed development is determined to be low.</p>
4.21.11	<p><i>Ground Conditions</i></p> <p>An assessment of the likely significant effects of the development on the environment in respect of ground conditions (land contamination, geological resource, etc.) has been carried out as part of the EIA and the first Addendum. The assessment considers the existing baseline ground conditions and assesses the likely effects of the proposed development.</p>
4.21.12	<p>A Materials Management Plan and an Outline Construction Environmental Management Plan have also been prepared which set out appropriate mitigation measures to minimise any adverse impact on ground conditions. The EIA states that mitigation measures have been identified that, when put in place, will ensure that the development's construction, and the development itself, will have an insignificant impact on ground conditions.</p>
4.21.13	<p><i>Noise</i></p> <p>A Noise Impact Assessment (NIA) was carried out as part of the EIA. The second EIA Addendum also incorporated a Noise Impact Assessment specifically in relation to the impact of the temporary car parking in the south/south eastern portion of the site (Phase 5).</p>
4.21.14	<p>The NIA states that the impact during the temporary Construction Phase will be short term and predominantly neutral and that the proposed temporary car parking will have a low noise impact at night. Mitigation measures during the operational phase include provision of an acoustic mechanical ventilation system for the residential units to reduce noise impact and so that residents do not have to rely on opening windows for ventilation and the provision of an acoustic barrier along the southern/ south-eastern boundary to mitigate against the proposed temporary parking at this location.</p>
4.21.15	<p><i>Air Quality</i></p> <p>An Air Quality Impact Assessment has been submitted as part of the Environmental Impact Assessment and first Addendum. The site is located approximately 175 m south of an Air Quality Management Area (AQMA). The EIA states that the proposed development will lead to changes in vehicle flows on local roads, which may impact on air quality at existing residential properties and within the AQMA. The proposed development will also be subject to the impacts of road traffic emissions from the adjacent road network. There is also the potential for the construction activities to impact upon existing properties and new properties within the site but this is a temporary phase. The main pollutants of concern related to construction activities are dust and fine particulate matter PM10.</p>
4.21.16	<p>Mitigation measures are proposed during the construction and include the following:- implementation of Dust Management Plan; implementation of Construction Environmental Management Plan; covering of stockpile areas, wheel washing and where necessary the wetting down of areas; and measures to promote alternative modes of transport to reduce traffic levels.</p>



4.21.17	<p>An assessment of Air quality Impacts during the operational phase of the development indicated that the need for a detailed assessment of energy plant emissions had been screened out, as it was determined that there will be no significant impacts at existing properties as a result of the energy plant emissions. The effects of traffic emissions on Air Quality are considered to be 'not significant' with appropriate mitigation measures in place. Predicted air quality conditions for future residents of the proposed development, taking account of emissions from the adjacent road network, are considered acceptable. Mitigation measures include:</p> <ul style="list-style-type: none"> <li>• secure cycle storage facilities will be designed and built as part of the development, to encourage travel to and from the site by bicycle in preference to car;</li> <li>• residents and staff will be notified of the Bike2Work scheme to encourage bicycle ownership and use;</li> <li>• All installed gas-fired boilers will meet a minimum emission standard of &lt;40mg NOx/kWh; and,</li> <li>• a Travel Pack will be provided relating to the public transport links that show how the site can be accessed by rail and bus throughout the day. Further details of this and other measures are included within the development's Travel Plan</li> </ul>
4.21.18	<p><i>Ecology</i></p> <p>An ecological assessment of the impact of the development on ecology i.e. Bats, Birds, Invertebrates(Bees) has been carried out as part of the EIA process. Mitigation measures are proposed during the construction and operational phases including lighting designs to minimise light spill, installation of 2 bat boxes or an artificial roost, nest boxes for birds to be erected within the site, avoidance of stock piling of materials in grassland habitats and inclusion of wildflower habitats for bees. With mitigation measures in place the impact on the proposed development for habitats and species is classified as negligible in the long term.</p>
4.21.19	<p>Officers consider that the proposed development is acceptable for the reasons set out above and that it has been demonstrated through the EIA that satisfactory mitigation measures will be put in place to ensure no significant environmental effects will result from the development. The necessary mitigation measures will be secured through conditions.</p>
<b>4.22</b>	<b>Developer Contributions</b>
4.22.1	<p>In order to mitigate the impacts of the proposal, the following planning obligations are considered necessary to make the development acceptable. These will be secured by means of a Section 76 planning agreement.</p> <ul style="list-style-type: none"> <li>• Implementation of Travel Plan and review for a period of 3years;</li> <li>• Employability and Skills Plan (Operational) for Care related Uses on Plot 09;</li> <li>• Management of Open space/public realm areas;</li> <li>• Management of Multi-Storey Car Park including pricing strategy; and</li> <li>• Restoration of the Listed King's Hall</li> </ul>
<b>4.23</b>	<b>Pre-Application Community Consultation</b>
4.23.1	<p>In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 12</p>

	<p>June 2019 (LA04/2019/1396/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable. The Pre-Application Community Consultation (PACC) public engagement event for this proposal took place on 15<sup>th</sup> August 2019.</p>
4.23.2	<p>A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements and has taken account of the Council's comments during the PAN process. The report has confirmed advertising for the public event and that the public event took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that 5172 surrounding properties were provided with an information leaflet providing details of the public exhibition. In addition residential leaflets were distributed to approximately 90 properties along or close to the boundary of the site which provided additional information on the development of the site, the proposed hybrid application its relationship with other approvals and proposals.</p>
4.23.3	<p>The report confirms that the development team informed local elected representatives in the Balmoral DEA, and the South Belfast MLAs and Member of Parliament of the proposal.</p>
4.23.4	<p>The report advises that 55 comments were received via the feedback forms. The feedback forms provided 4 questions which included the following:-</p> <p>Q1 – I support the proposed regeneration of King's Hall. Results – 74% Strongly agreed or Agreed, 9% were Undecided and 17% either Disagreed or Strongly Disagreed</p> <p>Q2 – I support the contribution new health and leisure services would bring. Results – 54% Strongly Agreed, 20% Agreed, 7% were Undecided and 19% Strongly Disagreed.</p> <p>Q3 – These proposals would help to meet local demand for new homes. Results – 35% Strongly Agreed, 23% Agreed, 12% Disagreed, 17% Strongly Disagreed and 13% were Undecided.</p> <p>Q4 – Do you have any further comments? Results – 56 responses were received. The PACC report groups the comments into themes and summarises them into the following:</p> <p><b>Traffic and Access</b> - Concerns regarding the development increasing traffic congestion in the area with one respondent referencing pollution from an increase in vehicles.</p> <p><b>Parking</b> - Comments indicated that the scheme should give less priority to cars and reduce the scale of parking.</p> <p><b>Mixed Uses</b> – Mixed comments on the proposed mix of uses for the regeneration of the area.</p> <p><b>Support</b> – Many comments welcomed the development and stated that it would be good addition to South Belfast.</p> <p><b>Design</b> – Respondents expressed interest in greater outdoor and green space being included in the plans.</p> <p><b>Infrastructure</b> – Doubts expressed on whether the existing infrastructure can cope with an increase in vehicular traffic.</p>

4.23.5	<p>The applicants response to the concerns raised regarding parking and the impact on neighbouring properties is set out below:-</p> <p><b>Traffic and Access</b> – The site sits close to a number of public transport services including bus tops and Balmoral railway station. Future users/occupants will be encouraged to make use of these sustainable methods of transport. Cycle parking is proposed at various locations within the site and internal cycle facilities will be provided. The development includes improvements to existing road junctions and enhancement of pedestrian connectivity to existing public transport routes.</p> <p><b>Parking</b> – The PACC report acknowledges the challenge in balancing the requirement for car parking and the objective to reduce the need to travel by car. The number of parking spaces proposed has been informed by car parking standards and an analysis of land use requirements. The amount of parking proposed is considered necessary to address anticipated need taking account of public transport accessibility to the site.</p> <p><b>Mixed Uses</b> – The development includes a range of small scale services (including retail, restaurant and leisure) at key locations throughout the site to help animate the street frontages and support a vibrant and energetic development. The exact location of these uses will be determined at the Reserved Matters stage. The inclusion of residential development will promote activity throughout different times of the day. The combination of residential and non residential uses will enhance active frontages and public surveillance creating a lively and safe environment.</p> <p><b>Design</b> – The overall design of King's Hall regeneration proposals is centred on the re-use of a brownfield site and enhancing the setting of a listed building. The plans include new areas of accessible public realm which have been designed reflecting the urban setting of the site. Careful consideration has been given to the scale and massing of the buildings in close proximity to the listed King's Hall. The design strategy reduces the scale and massing of all buildings around the main King's Hall to ensure that they are subservient to the listed building.</p> <p><b>Infrastructure</b> – The planning approval from April 2019 (LA04/2018/0040/F) relates to Phase 1 of the King's Hall and includes junction and access upgrades sufficient to accommodate the level of trips in the entire redevelopment of the site. The sewage infrastructure traversing the King's Hall site has recently been upgraded by NI Water.</p>		
4.23.6	<p>Officers are satisfied that the Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.</p>		
<table border="1"> <tr> <td data-bbox="140 1742 1018 1787"><b>Neighbour Notification Checked</b></td> <td data-bbox="1018 1742 1433 1787"><b>Yes</b></td> </tr> </table>		<b>Neighbour Notification Checked</b>	<b>Yes</b>
<b>Neighbour Notification Checked</b>	<b>Yes</b>		
<p><b>Summary of Recommendation:</b></p> <p>Having regard to the development plan, relevant policy context and other material considerations including third party representations, the proposal is considered acceptable and approval is recommended subject to conditions and a Section 76 agreement. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the Section 76 planning agreement and wording of conditions subject to no new substantive planning issues being raised by third parties, to deal with any issues should they arise from the final DFI Roads consultation and finalise design issues in relation to rooftop elements on Plot 03.</p>			

**Draft Conditions:-**

1. Application(s) for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
  - i. the expiration of 5 years from the date of this permission; or
  - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Unless as stated in the Design and Access Statement published on 03 February 2021 all matters are reserved for subsequent approval.

For each phase, approval of the following reserved matters shall be obtained from the Council, in writing, prior to the commencement of any development within that Phase. Development shall not thereafter be carried out unless in accordance with the approved details;

- Siting;
- Design: including height, scale, massing, form of buildings and floor plans;
- External Appearance;
- Means of Access; and
- Landscaping.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Except as expressly provided for by the conditions in this outline planning permission, all reserved matters shall be in general conformity with the following documents:
  - The Design Code document published on 03 February 2021.
  - The Scale Parameter Plan numbered 33a published on 01 February 2021.

Reason: To enable the Council to consider in detail the proposed development of the site and to ensure an acceptable level of quality and consistency throughout the development.

4. Each reserved matters application submitted pursuant to this outline planning permission shall be accompanied by a 'Reserved Matters Design Statement' which demonstrates how the Reserved Matters application is in general conformity with the approved Design Code and Parameter Plan as required by condition 3.

Reason: This matter is fundamental to control the development in detail in the interests of amenity and visual impact.

5. The development shall not be carried out unless in accordance with the Phasing Plans (Drawing Nos. 22a (Phase 3) published 01 February 2021, 24a (Phase 5), 25a (Phase 6),

26a, (phase 7), 27a, (Phase 8) published on 05 February 2021 and Phasing Strategy published on 01 February 2021, unless the Council gives its prior written consent to any variation.

Reason: In the interests of the orderly development of the site.

6. No development shall commence for Plots 6, 8 and 9 until a waste management plan for each plot has been submitted to and approved in writing by the Council prior to occupation of any part of the phase. The waste management plan shall be carried out as approved unless the Council gives its written consent to any variation.

Reason: To ensure satisfactory waste storage and collection arrangements.

7. No development shall commence in relation to Plot 03 until a detailed of all external finishes for the walls, windows, doors, balconies, canopies, balustrades, roofs (including plant enclosures), rainwater goods and fences has been submitted and approved in writing by the Council. Samples and sample panels of all external finished shall be made available on site for inspection by the Council. The samples shall be retained on site until completion of the development. The development shall be carried out in accordance with the agreed details.

Reason: To ensure a high quality development and to ensure that materials and detailing are of sufficient quality to respect the character of the setting to the listed building and that special regard is paid to protecting its integrity and architectural and historic interest under Section 80 of The Planning Act (NI) 2011.

8. Application/s for approval of reserved matters shall be accompanied by a Detailed Artwork Strategy, which shall accord with an Artwork Strategy for the whole site, details of which shall have first been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity.

9. The temporary parking for 154 spaces on the site of Plot 06 as shown on Drawing No. 24a – Phase 5 published on 05 February 2021 shall cease operation 12 months after commencement of the temporary parking use unless the Council gives its prior written consent to any variation.

Reason: In the interests of residential amenity.

10. Applications for Reserved Matters for Plots 06, 08 and 09 shall be accompanied by bay studies. The bay studies shall include detailed plans and sections, at a minimum scale of 1:50, to demonstrate articulation of form and elevational treatment. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials and detailing are of sufficient quality to respect the character of the setting to the listed building and that special regard is paid to protecting its integrity and architectural and historic interest under Section 80 of The Planning Act (NI) 2011.

11. No development shall commence on public realm improvements / landscaping until detailed proposals and samples of all finish materials, street furniture, wayfinding signage and lighting fixtures for Plot 03 have been submitted to and approved in writing by the

Council. Samples and sample panels of all finishes shall be made available on site for inspection by the Council. The samples shall be retained on site until completion of the development. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that materials and detailing are of sufficient quality to respect the character of the setting to the listed building and that special regard is paid to protecting its integrity and architectural and historic interest under Section 80 of The Planning Act (NI) 2011.

12. Prior to the occupation of Plot 3 of the proposed development, a Verification Report for Plot 03 shall be submitted to and agreed in writing by the Council. This report must demonstrate that the remediation measures outlined in the Brownfield Development Services report entitled 'Contaminated Land Risk Assessment, Plot 3 of the King's Hall Development, Belfast, BT9 6GW, Client: Benmore Octopus Healthcare Developments (HK) Ltd' (dated September 2020 and referenced 59716-24) have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential without plant uptake). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:

- a) Soils that are demonstrably suitable for a residential without plant uptake end use have been emplaced to a depth of 0.5m in all soft landscaped areas of the proposed development.
- b) Gas protection measures commensurate with the Characteristic Situation 2 classification of the site (as defined by BS 8485:2015+A1:2019), have been installed within the entirety of the proposed development. Gas protection measures must be verified in accordance with CIRIA C735.

Reason: Protection of human health.

13. No development shall commence on Plots 6, 8 and 9, until a plot and development specific Remediation Strategy for each plot has been submitted to and agreed in writing by the Council. This Remediation Strategy should be in line with Environment Agency guidance, and must demonstrate how the pollutant linkages identified in the Ashfield Solutions Ltd report entitled 'Contaminated Land Risk Assessment, Kings Hall Primary Care Complex, Upper Lisburn Road, Belfast, Benmore Octopus Healthcare Developments (KH) Ltd' (dated 17/11/2017 and referenced 59716-S12), are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

In particular, the Remediation Strategy must clearly detail:

- The remedial measures to be adopted in all gardens and/or soft landscaping areas of the site.
- The gas protection measures to be incorporated in all proposed buildings, commensurate with the Characteristic Situation 2 classification of the site (as defined by BS 8485:2015+A1:2019).

All construction thereafter must be in accordance with the approved Remediation Strategy.

Reason: Protection of human health.

- 14.** Prior to the occupation/operation of Plots 6, 8 or 9, in order to demonstrate that the required remedial measures have been incorporated within the plot, a Verification Report shall be submitted to and agreed in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

- 15.** If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

- 16.** No development of a particular phase shall commence until details of any combustion plant to be installed in that phase has been submitted to and agreed in writing by the Council. Combustion plant in the hereby permitted phased developments shall meet the technical specification as provided in ES Addendum Appendix 12.8. Moreover, the flues to all proposed combustion plant must terminate above the roof level of the building for which that combustion plant serves and as per location as presented in Figure 12.6 in ES Addendum Appendix 12.6. The development shall not be carried out unless in accordance with the approved details.

Reason: To protect against adverse impacts on air quality.

- 17.** The ground floor commercial units to the hereby permitted in Plot 03 shall not operate outside the hours of 07:00-23:00hrs.

Reason: Protection of residential amenity.

- 18.** The construction of the separating floor between the commercial units at ground floor and the residential units at first floor of the hereby permitted Plot 03 shall provide a minimum sound reduction performance of 50dB<sub>Rw</sub>.

Reason: Protection of residential amenity.

- 19.** All habitable rooms to residential units of hereby permitted in the residential Plot 03 shall have alternative means of mechanical ventilation and windows installed that are individually capable of achieving a minimum sound reduction of 33dB <sub>Rw</sub> as recommended in the Irwin Carr clarification memo dated 6<sup>th</sup> October 2020 to ensure suitable internal noise levels can be achieved in line with BS8233:2014.

Reason: Protection against adverse noise impact.

- 20.** The rating level (dBL<sub>A,r,T</sub>) from the combined operation of all plant and equipment associated with the operation of the hereby permitted commercial units at Plot 03 shall

not exceed the representative background sound level during the day (45dBL<sub>A90</sub>) and the representative background sound level at night (33dBL<sub>A90</sub>) as presented in the Irwin Carr Noise Report, Chapter 11 of the Environmental Statement.

Reason: Protection of residential amenity.

- 21.** Prior to the operation of any proposed gym / fitness studio to the ground floor commercial unit(s) at hereby permitted Plot 03, a site specific Noise Impact Assessment (NIA) shall be submitted to and agreed in writing by the Council. The NIA shall assess the potential airborne and structure borne noise and vibration impacts associated with the proposed gym/fitness studio and clearly identify necessary structural mitigation measures to be installed to protect residents from potential adverse noise impact. The development shall be carried out in accordance with agreed details.

Reason: Protection of residential amenity.

- 22.** Applications for Reserved Matters for Plots 6, 8 and 9 shall be accompanied by development-specific noise impact assessments (NIAs) for each Plot. The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse noise impact.

- 23.** Prior to commencement of development of Plot 08, and prior to use of the temporary car park on Plot 06 of the development as indicated on Drawing No. 24a published on 05 February 2021, the applicant shall construct a noise barrier or hoarding around the boundary with Harberton Crescent in accordance with details which shall have first been submitted to and approved in writing by the Council.

Reason: protection of residential amenity against adverse noise impact during construction.

- 24.** Prior to the commencement of development of Plot 08, an Environmental Noise Management Plan (ENMP) shall be submitted to and approved in writing by the Council. The ENMP shall demonstrate how the effects of noise, dust and vibration will be controlled and managed through the employment of best practicable means (BPM) on site to protect nearby sensitive premises during construction and operational phases. The plan shall identify an appropriate location within the temporary car park area in Plot 06 as indicated on Drawing No. 24a published on 05 February 2021 for the parking of HGVs and contractor's vehicles and a suitable point for potential loading /unloading such that there is sufficient separation distance to reduce noise impact on nearby houses on Harberton Crescent. The ENMP shall have due regard to the good practice advice contained within BS5228-1:2009 and BS5228-2:2009 +A1:2014 'Code of Practice for Control of Noise and Vibration on construction and open sites.' The development shall not be carried out unless in accordance with the approved details.

Reason: Protection of residential amenity against adverse noise impact during construction.

- 25.** Prior to the installation of any proposed kitchen extraction and odour abatement system to the ground floor of any commercial unit at hereby permitted Plot 03, full extraction specification details shall be submitted to and approved in writing by the Council. The applicant is directed to the following guidance document for advice in determining a suitable fit-for-purpose system: '*Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems*' published by the Department for Environment, Food and Rural Affairs (Defra); updated by EMAQ+ on 5/9/18. The development shall be carried out in accordance with full details and retained as such.



Reason: Protection of residential amenity.

26. No development shall commence on either Plots 06, 08 or 09 until specification details of the kitchen extraction and odour abatement systems proposed to be installed within any café/restaurant units for that plot have been submitted to and agreed in writing by the Council. The applicant is directed to the following guidance document for advice in determining a suitable fit-for-purpose system: *'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'* published by the Department for Environment, Food and Rural Affairs (Defra); updated by EMAQ+ on 5/9/18. Each plot shall not be occupied until the approved kitchen extraction and odour abatement systems are in place in accordance with the approved details.

Reason: Protection of residential amenity.

27. Prior to demolition or works associated with the development of Plot 03, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Council. The plan shall consider the management of noise, dust and vibration impacts as a result of demolition, excavation and construction works at the development site. Regard shall be paid to BS: 5228-1:2009+A1:2014 – *Code of practice for noise and vibration control on construction and open sites*. The CEMP shall be implemented as agreed. Recommended dust mitigation measures in relation shall be implemented as outlined in the dust risk assessment and recommendations detailed by Air Quality Consultants presented in the ES Addendum Chapter 12 (Air Quality) and Appendices 12.7. The development shall be carried out in accordance with the agreed details.

Reason: Protection of existing residents against adverse impacts arising from noise, dust and vibration.

28. Prior to commencement of development including ground preparation or vegetation clearance, a Final Construction and Environmental Management Plan (CEMP) for that plot shall be submitted to and approved in writing by the Council. The CEMP shall include the following:

- a) Construction methodology and timings of works;
- b) Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;
- c) Details of updated ecological surveys to be carried out, including an invasive species survey, and any necessary mitigation and/or management measures required.
- d) Details of the specifications of the bat boxes and bird nest boxes to be used and drawings to show their location within the site;
- e) Details of works in, near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999 and mitigation methodologies proposed for the protection of the water environment.

The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Council.

Reason: To protect natural heritage interests, minimise the impact on the water environment and to ensure implementation of mitigation measures identified within the Environmental Statement.

29. No development shall commence on Plots 03, 06, 08 and 09 until detailed layout plans for the roof terraces, courtyards and additional landscaped areas, including materials

specifications and planting schedules and long term landscape maintenance and management plan have been submitted to and agreed in writing with the Council. Tree sizes should be a minimum of extra heavy standard at the time of planting. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proper management of the landscaped areas in the interests of visual amenity.

30. Prior to commencement of development of Plot 03, a landscape maintenance and management plan, including long-term design objectives, management responsibilities and maintain schedules for all landscape areas shall be submitted to and approved in writing by the Council. The landscape management plan shall be carried out as approved in accordance with the approved details.

Reason: To ensure the proper management of the landscaped areas in the interests of visual amenity.

31. All soft landscaping works for Plot 03 shall be carried out in accordance with the approved details on Drawing No. 37, published on 25 January 2021. The works shall be carried out prior to the occupation of any dwelling unit or ground floor commercial unit unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

32. Prior to the occupation of the hereby approved building on Plot 03, temporary car parking to serve Plot 03 shall be provided in accordance with the details set out in Drawing No. 16a – Plot 03 Site Plan published on 05 January 2021 and Drawing No. 24a – Phase 5 until such times as the multi-storey car park is operational.

Reason: To ensure adequate parking for the occupants of Plot 03.

**Transport conditions to be added following the final consultation response from DFI Roads.**

**Elected Reps: None**

**Notification to Department (if relevant) Not Required**

**Date of Notification to Department:  
Response of Department:**

<b>ANNEX</b>	
<b>Date Valid</b>	14th May 2020
<b>Date First Advertised</b>	29th May 2020
<b>Date Last Advertised</b>	20th November 2020
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 1 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 10 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 11 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 12 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 13 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 14 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 15 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 16 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 17 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 18 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 19 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 2 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 20 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 21 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 22 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 23 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 24 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 25 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 26 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 27 Balmoral Court,Belfast,Antrim,BT9 7GR Michael McCurley 27, Balmoral Avenue, Belfast, Antrim, Northern Ireland, BT9 6NW The Owner/Occupier, 28 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 29 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 29 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU The Owner/Occupier, 3 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 30 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 31 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 31 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU The Owner/Occupier, 32 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 33 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 33 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU The Owner/Occupier, 34 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 35 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 35 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU The Owner/Occupier, 36 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 37 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 37 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU The Owner/Occupier, 38 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 39 Balmoral Court,Belfast,Antrim,BT9 7GR The Owner/Occupier, 39 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU	

Tim Cousins, 4 Banbridge Enterprise Centre, Unit 30 & 31 Scarva Road industrial Estate, Banbridge, Down, BT32 3QD  
 The Owner/Occupier, 4 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, 40 Balmoral Court, Belfast, Antrim, BT9 7GR  
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 The Owner/Occupier, 43 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU  
 The Owner/Occupier, 45 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU  
 The Owner/Occupier, 47 Harberton Park Crescent, Malone Upper, Belfast, BT9 6WU  
 The Owner/Occupier, 480 Lisburn Road, Malone Lower, Belfast, BT9 6GU  
 The Owner/Occupier, 482 Lisburn Road, Malone  
 The Owner/Occupier, 484 Lisburn Road, Malone  
 The Owner/Occupier, 486 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 6GU  
 The Owner/Occupier, 5 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, 6 Balmoral Court, Belfast, Antrim, BT9 7GR  
 Tim Cousins, 62 Banbride Business Centre, Unit 1 Scarva Road, Banbridge BT32 3QD  
 The Owner/Occupier, 7 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, 8 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, 829 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 7GY  
 The Owner/Occupier, 829-831 , Lisburn Road, Malone Lower, Belfast, Antrim, BT9 7GY  
 The Owner/Occupier, 9 Balmoral Court, Belfast, Antrim, BT9 7GR  
 The Owner/Occupier, Apartment 1, 841 Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 10, 841d Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 11, 841d Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 12, 841e Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 13, 841f Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 14, 841 Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 15, 841 Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 16, 841 Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 17, 841a Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 18, 841a Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 19, 841b Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 2, 841 Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 20, 841b Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 21, 841c Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 22, 841c Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 23, 841d Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 24, 841d Lisburn Road, Malone Lower, Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 25, 841e Lisburn Road, Malone Lower, Belfast, BT9 7GY,

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 The Owner/Occupier, Apartment 69, 841a Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 7, 841b Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 70, 841b Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 71, 841b Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 72, 841c Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 73, 841c Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 74, 841d Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 75, 841d Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 76, 841e Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 77, 841e Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 78, 841f Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 79, 841f Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 8, 841c Lisburn Road,Belfast, BT9 7GY,  
 The Owner/Occupier, Apartment 80, 841f Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 81, 841f Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 82, 841b Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 83, 841c Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 84, 841d Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 85, 841 Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Apartment 9, 841c Lisburn Road,Belfast,BT9 7GY,  
 The Owner/Occupier, Nursery School,500 Lisburn Road,Belfast,BT9 6GU  
 Michael McCurley

<b>Date of Last Neighbour Notification</b>	27.01.21
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	ES submitted with application